



# **Student Rights and Responsibilities Manual**

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## MESSAGE FROM THE DEAN

Welcome to Charlotte School of Law!

Congratulations on your decision to undertake a law degree and thank you for choosing Charlotte School of Law (“CharlotteLaw”). Our aim is to help you maximize your law school experience. This is done by helping each of our students realize their greatest potential in law school, on the bar examination and in pursuing a successful career. Our model of legal education focuses on the value that CharlotteLaw brings to your legal education. We look forward to working closely with you on your educational journey as you pursue an exciting and rewarding legal career.

Welcome also to the legal profession. Professionalism in law begins with the admissions process and continues to develop throughout your law school experience and your legal career. Just as lawyers must know about civil procedure and other rules in order to practice, this Student Rights and Responsibilities Manual (hereinafter the “Student Manual”), among other things, provides the regulatory map that will chart the course of your legal education. This Student Manual is the authoritative source for statements of concept, practice and prescription that establish the rights and responsibilities of students attending CharlotteLaw.

This Student Manual reflects our mission pillars of student centeredness, practice readiness and serving the needs of the underserved. Student centeredness does not mean that students get everything they want or that they are always correct. It does mean that the focus of our program and efforts is on doing everything we can to ensure that your legal education experience results in both professional and personal success. Our practice-ready mission means that we focus on the wider range of practical skills required of a 21<sup>st</sup> century lawyer. Moreover, we believe that truly successful lawyers also will be leaders in the communities in which they live. They will be dedicated to building communities and helping to ensure that the legal system is accessible to all.

This is a living and evolving document. We constantly seek to improve and adapt our Student Manual and other policies to ensure they meet our legal community’s needs.

The information contained in this Student Manual will introduce you to faculty, staff, organizations and activities, in addition to school practices and policies. Its purpose is to serve as both a guide to help make your experience at CharlotteLaw both happy and productive.

We look forward to your engagement in and collaboration with our academic community. Your success, we believe, will be directly proportional to the level of commitment you make to becoming a scholar and legal professional during your time with us here at CharlotteLaw.

Best wishes!

Dennis Stone, Interim Dean

## INTRODUCTION

This Student Manual is the authoritative source for statements of concept, practice and prescription that establish the rights and responsibilities of students attending Charlotte School of Law. It is designed to thoroughly orient the students of CharlotteLaw to those matters of structure, policy and practice that will guide their lives while enrolled in this academic community.

The policies, rules and procedures contained herein cover only the subjects enumerated and do not govern or limit the existing and customary authority of CharlotteLaw through its administrators and faculty to promulgate policies, rules and procedures on other matters not addressed herein.

The content of this document is provided for the information of the student. It is accurate at the time of compilation but is subject to change from time to time as deemed appropriate by CharlotteLaw in order to fulfill its role and mission or to accommodate to circumstances beyond its control. Any such changes may be implemented without prior notice and without obligation and, unless specified otherwise, are effective when made.

Changes may affect program requirements, degree status, tuition, fees, financial aid, and any other aspect of or relating to enrollment at CharlotteLaw. CharlotteLaw will apprise students of changes to the content of the Student Manual by way of notices appearing on the class schedules published prior to each semester, through correspondence placed in student mailboxes, or through email.

The inclusion of American Bar Association (“ABA”) Standards for Approval of Law Schools is for reference purposes only and does not incorporate the referenced *Standards* into the policies or procedures of CharlotteLaw.

This Student Manual is not intended to be a contract. It is not to be construed as a contract between the students and CharlotteLaw. Students are urged to carefully read this document and all School publications and correspondence, and to consult regularly with the appropriate School personnel for additional information. Specific information concerning the rights and responsibilities of students attending Charlotte School of Law may be obtained from the Office of Student Services.

# CHAPTER I

## STUDENTS AS COLLABORATORS

*“Education is a social process. Education is growth. Education is, not a preparation for life; education is life itself.” John Dewey*

### **ABA Standard 208. INVOLVEMENT OF ALUMNI, STUDENTS AND OTHERS**

*A law school may involve alumni, students, and others in a participatory or advisory capacity but the dean and faculty shall retain control over matters affecting the educational program of the school.*

**1.0 Scope and Application.** This chapter contains policies and regulations that identify the philosophy and purposes of Charlotte School of Law and its organizational structure. It does not contain a description of every organizational unit but focuses on principal units that are the principal liaisons with students. The Student Manual is not the official or authoritative source for this material.

### **1.1 CharlotteLaw in Context.**

**1.1.1 School Culture and Student Engagement.** A special feature of the academic community of CharlotteLaw is its culture. Our core belief in the values of student centeredness and practice readiness is designed to engender a learning climate that is focused on comprehensive professional development. More powerful than strategic plans are what we do every day and the way that our beliefs, values, norms and philosophy are reflected in everything we do—in other words our ‘culture’. For Charlotte School of Law, that culture results in an organization that believes that inspiration is a better motivator than ‘command and control’. It is a belief in commitment to process, continuous improvement, measured outcomes, and team goals, as opposed to individual agendas. It is a belief in interdependence, the power of the consortium and the creation of best practices by a commitment to continuous improvement in what we do.

Student centeredness is a state of mind that manifests itself in how our priorities are ordered. This ethos does not mean that students are entitled to a particular grade or outcome, or that the administration and faculty abandon or redistribute their traditional responsibilities. It assumes, however, that students will receive clear answers to their questions, reasoned explanation of any decision affecting a student individually, and timely access to those persons who are in positions of administrative or academic responsibility. CharlotteLaw’s course of study is calibrated to the demands that the legal profession will impose upon our graduates. Students are entitled to receive, and administrators, faculty and staff are expected to provide, prompt attention to student needs and concerns. Mentoring that facilitates professional development and networking is integral to the performance of teaching responsibilities. Student centeredness is not intended to and should not diminish or dilute the rigorous nature of legal education. It assumes, however, that the challenge of learning will be undertaken in a supportive learning environment.

Not leaving our culture to emerge by accident, each member of Team Charlotte has been involved in leadership education. This education enables us to determine how best to

give substance to our mission pillars and work effectively as a team in pursuit of our goal of becoming the “Best of Brand” in legal education. We will work hard to ensure that our culture (that which makes us special) is also reflected by our students. That will include modeling and promoting in our students “humility-based” leadership that combines outstanding professional skills with a focus on achieving lasting results for the team and organization.

It is the essence of the philosophy and mission pillars of Charlotte School of Law that students should be fully engaged as collaborators in the academic life of this community of learners. It calls the students to be more than learners; rather to fully engage as colleagues, friends and contributors to the culture, the educational processes and, as emerging professionals, to the professional community.

**1.1.2 System Purpose and Mission.** The InfiLaw System is a consortium of independent, community-based law schools that seeks to establish itself as a leader in making legal education more responsive to the realities of modern legal practice. The consortium includes Florida Coastal School of Law in Jacksonville, Florida, Phoenix School of Law in Phoenix, Arizona and Charlotte School of Law in Charlotte, North Carolina. The mission of the consortium is to transform the lives of its law students through inspiration and humility-based leadership, enabling them to reach their greatest potential. Charlotte School of Law is committed to taking full advantage of its unique organizational heritage. It is pioneering the advantages of efficient access to private equity capitalization that is unfettered by the traditional funding restraints (e.g., taxpayer cycles, political vagaries, conditional grants, and donations) associated with pre-existing public and private education models. A key element of this model is a faculty stewardship role that, through successful execution of mission, creates pathways for student success and ensures protection of investor interests. The central aspect of this responsibility is an outcome orientation that provides the basis for best practices, continuous improvement, and building and maintaining the preeminent brand in legal education.

**1.1.3 School Mission and Values.** Consistent with the System’s objective of being the markets-leading source of practice-ready law school graduates, CharlotteLaw aims to establish itself as one of the region’s and nation’s premier source of practice-ready graduates. Toward these ends, the institution is grounded in processes that enable it to decisively and nimbly move toward its objectives; adapt to changing markets; establish and facilitate best practices in teaching, mentoring, and other activities; and function on the basis of positive group dynamics. As noted above, CharlotteLaw’s mission is based upon three primary pillars: 1) an educational experience that is student-centered, 2) outcome-driven programs and performances that yield practice-ready graduates, and 3) a commitment to serving underserved communities. These cornerstones reflect a sense that legacy and benchmark status is dependent upon the capacity to respond positively and effectively to change in the legal profession and the market for legal education.

**1.1.4 School Vision.** CharlotteLaw has consciously structured and defined itself on the basis of some significant differentiations from traditional law schools. CharlotteLaw sets itself apart on the basis of its culture, a student-centered orientation, a practice-readying educational experience, service to underserved communities, and accountability of the faculty for market-leading student outcomes. These distinguishing characteristics aim

toward establishing CharlotteLaw as a benchmark institution for legal education in the 21<sup>st</sup> century. CharlotteLaw encourages prospective students, in gauging their interest in pursuing enrollment at CharlotteLaw, to reflect upon these institutional traits and the implications for their legal studies and career development.

**1.1.4.1 A Humility and Transparency Based Culture.** Personal security, productivity, and timely institutional movement depend heavily upon positive group dynamics. This condition is optimized to the extent persons in leadership positions, including students; interact on the basis of personal humility, transparency, and accountability for maintenance of a culture based upon these habits. It is a founding premise that these personal qualities are linchpins for institutional leadership and organizational role modeling. The following characteristics, habits, or understandings thus are critical to each persons successful engagement with the CharlotteLaw community:

- a. An appreciation of and disposition toward humility and transparency-based values;
- b. A commitment to processes of personal development that strengthen the above qualities and enable members of the CharlotteLaw community to be effective team members;
- c. A resistance to trading on the basis of manipulation or, without disclosing bias or self-validating agendas;
- d. A readiness to view institutional process from a transcendent rather than self-interested perspective; and
- e. An understanding that the misuse of power within personal and professional relationships compromises academic freedom and professional development.

**1.1.4.2 A Student-Centered Learning Experience.** Student centeredness is a priority at CharlotteLaw. Students, staff, administrators, and faculty have a shared responsibility to help students develop the values, skills, and knowledge required of legal professionals. Recognizing the rigors of a legal education, all members of the CharlotteLaw community are expected to contribute to an intellectually demanding, supportive, multicultural learning environment, and maintain an organizational culture of humility, transparency, dignity, fairness, and respect.

Faculty commit to:

- a. Preparing students to succeed academically and professionally by modeling ethics, values, and skills, sharing knowledge, providing feedback to students and leading in course and class design;

- b. Maintaining a positive, challenging, and relevant learning environment and evaluating student performance according to rigorous but fair criteria;
- c. Being accessible to students, including mentoring, counseling, and responding responsibly to student questions and concerns; and
- d. Promoting understanding and sensitivity to differences based on gender, ethnicity, race, sexual preference, and religion.

Staff and administrators commit to:

- a. Developing methods and processes that provide timely and accurate information to students in all aspects of their CharlotteLaw experience;
- b. Providing a healthy learning environment that nurtures and promotes personal growth, encouraging students to feel connected to the school community;
- c. Providing mutual respect for students and CharlotteLaw staff and faculty while promoting personal responsibility and accountability at all levels of the institution; and
- d. Working collectively with faculty as an additional support system and resource for students with regard to information and communication.

Students commit to:

- a. Studying with integrity, intellectual curiosity, and diligent attention to concepts, rules and procedures;
- b. Promoting an atmosphere of camaraderie and growth;
- c. Acting with respect and professionalism toward each other, administrators, staff, and faculty;
- d. Supporting one another in pursuing success; and
- e. Strengthening the reputation of CharlotteLaw through competency and conduct in the classroom and community.

**1.1.4.3 Training Practice-Ready Lawyers.** Historically, legal education has stressed instruction in academic theory and left much of the skills training load to law firms. Changes in law firm economics have unsettled this convention at the same time that most graduates anticipate employment in small firms or on their own. Within this context, and setting aside elite schools that may continue to trade upon their traditional currency, the value of a contemporary legal education rests upon how well it readies students for professional reality. Practice-readiness requires not merely training in essential skills but understanding of the personal

habits and interactive qualities associated with personal success and career satisfaction. CharlotteLaw aims to establish itself as one of the region's and nation's premier source of practice-ready graduates and, consistent with this goal, assemble a faculty that has the ability to effectively teach and train its students. Toward this end, essential faculty traits and responsibilities include the following:

- a. Exposure to and experience in legal practice sufficient to provide relevant practice-related insight and understanding;
- b. The ability to transfer knowledge and perspective that contribute to an appreciation and grasp of practice realities;
- c. A commitment to implementing skills training into his or her course plan;
- d. Attention to effective preparation for the bar examination;
- e. The capacity to diversify beyond traditional Socratic teaching methodology and incorporate other methodologies, e.g., problem-solving and skills facilitation exercises; and
- f. An appreciation for how qualities unrelated to raw intelligence, such as intuitiveness and interpersonal competence, are critical to personal success.

**1.1.4.4 Serving the Underserved.** CharlotteLaw has a special mission to encourage and promote entry into the profession by groups who have been traditionally under-represented. It also has a commitment to diversity in the broadest sense of the word so that the profession represents the larger society it is dedicated to serving as it promotes the rule of law in a democratic society. The commitment to serving underserved communities reflects an interest in establishing relevance beyond the four corners of the institution. This premise has a broad spectrum and non-ideological cast, and begins with the location of CharlotteLaw in a community that historically has been underserved by legal education. Also implicit in this commitment is an understanding that the ability to interact effectively with persons of diverse backgrounds and experiences is a critical skill for the 21<sup>st</sup> century. Globalization and demographic trends make this competence an increasingly significant factor in institutional and career success. It is a capacity that has particular relevance for modern law school graduates, whether their professional destiny is with a large organization, a small firm, or in solo practice. In any of these contexts, the ability to succeed and to serve depends upon the ability to connect with the broadest spectrum of opportunity. Against this backdrop, it is desirable that faculty possess the following interests and capacities:

- a. Readiness and enthusiasm for teaching evening as well as day classes;
- b. A commitment to public service that enhances the institution's relevance to the community;

- c. An interest in developing new service programs and initiatives or adding value to existing undertakings;
- d. The ability to interact positively and effectively with persons from diverse backgrounds and life experiences; and
- e. An international outlook and connectivity.

**1.1.4.5 Market-leading Student Success.** It is the goal of CharlotteLaw to become a “Regional Center of Excellence” committed to a student-centered educational model that prepares students for modern legal practice. We serve the under-served by providing a high quality legal education to those persons who might not otherwise be able to attend law school. Our students are immersed in a culture that encourages service to individuals and entities that have historically been under-served by the legal profession.

In our model a *Regional Center of Excellence* is an educational institution that:

- a. Attracts and educates talented and diverse students.
- b. Leads the market in student outcomes in bar passage rates and career placement.
- c. Recruits and retains a high quality faculty and staff guided by a humility-based culture emphasizing high EQ (Emotional Intelligence).
- d. Prepares its graduates to be effective leaders.
- e. Provides valuable service, intellectual capital, and leadership to the Southeastern United States.

**1.1.5 Accreditation and Approvals.** CharlotteLaw was provisionally approved by the Council of Legal Education and Admissions to the Bar of the American Bar Association on June 7, 2008. Provisional approval “is granted [to a law school] if it establishes that it is in substantial compliance with each of the Standards [for accreditation] and presents a reliable plan for bringing the law school into full compliance with the Standards within three years after receiving provisional approval.” *ABA Standards for Approval of Law Schools, Standard 102*. CharlotteLaw is also licensed to operate in the State of North Carolina by the Board of Governors for the University of North Carolina. The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. CharlotteLaw makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

## 1.2 Governance.

**1.2.1 System Governance.** CharlotteLaw is affiliated with The InfiLaw System™ and is owned by InfiLaw Holding, LLC (“InfiLaw”). The relationship between CharlotteLaw and InfiLaw parallels the traditional university-law school administrative structure. InfiLaw provides university-like “Central Services” support functions including: funding; equipping facilities; and establishing and maintaining the technology infrastructure. In addition, InfiLaw plays a consultative role, promoting continuous improvement by facilitating the sharing of best practices across all of the law schools in the consortium. InfiLaw is governed by a board of directors. The actions and undertakings of that Board are advised and influenced by an advisory board composed of leaders in legal and higher education, business, and governmental affairs selected from a national and international pool of candidates. Similarly, CharlotteLaw is governed directly by a board of directors which, in turn, is advised by an advisory board of leaders in legal and higher education, business and governmental affairs who are resident in North Carolina or the region. The national and School fiduciary and advisory boards are sometimes referred to herein as the “governing boards.”

**1.2.1.1 National Board of Directors (National Fiduciary Board).** The board of directors of InfiLaw Holding, LLC is the governing body of the company that holds all ownership interests and rights in and to Charlotte School of Law, LLC and the other law schools that are a part of the InfiLaw System. The board is populated by individuals who bring broad business experience and expertise in a variety of industries but with particular prominence in higher education. The board provides oversight and executive policy direction for the System and plays a critical role in forming and maintaining the financial infrastructure that supports the growth and operation of the System and each of its constituent schools.

**1.2.1.2 National Board of Advisors (National Advisory Board).** A national board of advisors was established by the chief executive officer of InfiLaw to provide advice and counsel to the National Fiduciary Board and the CEO. That board is composed of individuals who bring substantial national experience and expertise in law school operations and national legal education policy and accreditation. The board is typically composed of leading legal educators, former ABA officers and committee members, and current and former deans of law schools. The board plays an influential role in the formulation of policy and the development of strategic directions for the System and constituent schools.

## 1.2.2 School Governance.

**1.2.2.1 School Board of Directors.** The Board of Directors is the governing body of CharlotteLaw. The Board exercises all of the powers, rights and privileges appertaining to the company. The primary function of the Board is policy making and general oversight of the executive and management operations of CharlotteLaw. It formulates and establishes the general, educational, and financial policies as it deems necessary, appropriate, and convenient for the proper

development and management of CharlotteLaw in pursuit of its established purposes. The Board delegates such of its authority as it deems proper and convenient to the President, the Dean/Chief Academic Officer, the Faculty and other offices, officials and groups, provided that the Board always reserves to itself the final and ultimate power and authority to act at any time on any and all matters essential to the proper functioning of CharlotteLaw. The Board, *inter alia*, approves the conferral of degrees, the elevation of faculty to tenure and extended term contract status, and promotions in rank.

**1.2.2.2 School Board of Advisors.** CharlotteLaw’s Board of Advisors is composed of individuals with significant professional backgrounds, including backgrounds in law and legal education. Each member of the Board of Advisors has been appointed because of his or her expertise and experience in areas relating to the academic program and/or the legal profession, as well as his or her representation of a cross-section of the local community. Accordingly, great weight and deference are given to the recommendations of the Board of Advisors. With respect to appointments, promotion, tenure and other forms of security of position, there is a strong presumption by the Board of Directors in favor of the recommendation of the Dean and faculty and the Board of Advisors. The primary responsibility of the Board of Advisors is to make recommendations to the CharlotteLaw Board of Directors on academic policy, standards, and processes.

**1.2.2.3 School Administration.** The administration of Charlotte School of Law is focused through a structure that dedicates the energies of all participants to a culture of collaboration and teamwork. Guiding each individual’s contributions to the success of that cultural framework is his or her commitment to primary responsibility for a portfolio of duties and responsibilities.

**1.2.2.3.1 President.** The President is the chief executive officer of CharlotteLaw and is responsible to the governing boards (as defined in Section 1.4.1 below) for the execution of governing board policies and the general oversight and superintendence of corporate operations. The President is primarily responsible for ensuring that the corporate mission, vision and objectives are achieved, that corporate finances and assets are sufficient to support corporate purposes, and that the assets of CharlotteLaw are properly secured.

**1.2.2.3.2 Dean/Chief Academic Officer.** Appointed by the Board of Directors, with the advice, consultation and recommendation of the faculty, the Dean/Chief Academic Officer (“Dean”) is the chief academic and administrative officer of CharlotteLaw. The Dean's responsibility is to provide leadership that will support the Mission Pillars and achieve the objectives of the Regional Center of Excellence Plan.

**1.2.2.3.3 Associate Dean for Academics.** The Associate Dean for Academics reports to the Dean and is a member of the senior management

team responsible for effectively developing and administering academic programs and policies. The Associate Dean provides leadership for the academic team and supports the Dean in administration of a stimulating legal education program.

**1.2.2.3.4 Associate Dean for Students.** The Associate Dean for Students reports to the Dean and is responsible for creating and maintaining a safe, healthy, and supportive environment and culture that synthesizes the intellectual, social, and emotional development of CharlotteLaw students.

**1.2.2.3.5 Associate Dean for Business and Finance.** The Associate Dean, Business and Finance (ADBF) serves as the Chief Financial Officer leading the school towards favorable long-term financial results in support of the School's mission. The ADBF provides oversight to the financial, budgeting, security, financial aid, facility management and space planning functions, as well as the business office. The ADBF represents the School within the Infilaw consortium and to the outside community on matters related to business and finance. As a member of the senior leadership team, the ADBF works closely with the school's dean and other associate deans to provide coordinated leadership of the school.

**1.2.2.3.6 Associate Dean for Library and Information Services.** The Associate Dean for Library and Information Services manages and supervises library and information services operations of CharlotteLaw and develops the law library collection in all formats that will meet ABA accreditation standards.

**1.2.2.3.7 Assistant Dean for Admissions.** The Assistant Dean for Admissions is responsible for the overall leadership and strategic direction of the admissions department. The Assistant Dean reports to the Dean and is responsible for organizing and administering the admissions department, hiring staff, and creating policies/procedures, as necessary. The Assistant Dean assists with the American Bar Association accreditation process and serves on the academic team guiding the process.

**1.2.2.4 Faculty Participation in School Governance.** Faculty members acting in their official individual roles and as a corporate body are co-managers with the administration and the governing boards in areas of academic policy and administration. They lend their expertise to the management and administration of other areas of School operations such as finances, personnel management, regulatory compliance, and student affairs administration.

Faculty members play an essential managerial role of influence in the formulation and effectuation of academic policy. This includes the primary role and effective participation in the development and administration of policies concerning: grading, classroom student conduct, student progress, degree requirements, curricular content, course offerings, admission standards, departmental staffing,

educational policies and standards, faculty promotion, faculty tenure, faculty appointment and retention, and faculty professional development.

**1.2.2.5 School Management Teams.** A substantial portion of the administrative and managerial functions of CharlotteLaw are carried out through the work of teams. At CharlotteLaw we prefer to use the word “team” as opposed to “committee”, which, in our view, is bureaucratic and counter to our culture. The word “team” in contrast, contains notions of a shared commitment to organizational goals and to each other. The following are standing teams that exercise authority over student matters or that include students among their members.

**1.2.2.5.1 Academic Standards Team.** The Academic Standards Team will hear and decide petitions filed by students who have been academically dismissed, seek readmission, or desire a waiver of one of the academic rules or requirements for graduation. The Team will periodically review, and make recommendations to the Faculty and the Dean for amendment where appropriate, the academic standards for dismissal, retention, and graduation of law students, as well as the Student Honor Code.

**1.2.2.5.2 Admissions and Financial Aid Team.** The Admissions and Financial Aid Team will recommend general guidelines for the admission of students to the Faculty and the Dean. In consultation with the Dean, the Team will recommend criteria and parameters for awarding financial assistance. The Team will make recommendations with respect to approving or denying applications for admission. It may establish criteria for admission under which it delegates authority to the Associate Dean for Admissions and Financial Aid for admitting or rejecting students on the basis of criteria set by the Team and approved by the Dean.

**1.2.2.5.3 Professional Readiness Team.** The Professional Readiness Team will evaluate and recommend modifications to the CharlotteLaw curriculum and the school’s program for bar examination preparation. The Team will assess proposed courses, and recommend standards regarding instructional quality and programs, course requirements, and content. The Team will also monitor CharlotteLaw graduates’ bar examination performance and recommend institutional efforts to facilitate bar examination preparation and performance. The Associate Dean for Academics will be a permanent member of the Team.

**1.2.2.5.4 Academic Disciplinary Team.** The Academic Disciplinary Team will hear all complaints of violation of the Honor Code and will make a final ruling on the disposition of such complaints. The composition of the Academic Disciplinary Team will be consistent with the policies set out in the Honor Code, *infra* Chapter 3.

**1.2.2.5.5 Student Services & Multiculturalism.** This Team will make recommendations to Associate Dean for Students regarding implementation of co-curriculum programs such as journals, competition Teams, pro bono, special events such as lecture series and short-term visitors. The Team will help to develop the Student Bar Association and other student organizations. It will work with the Associate Dean for Students to develop and articulate policies and procedures regarding students with disabilities. It will also develop guidelines regarding career services.

**1.2.2.5.6 Faculty Appointments Team.** The Faculty Appointments Team, in coordination with the Dean and the Director of Human Resources, will coordinate faculty recruiting. At the beginning of each academic year, the Team and the Dean will meet to identify anticipated hiring needs and develop hiring standards. The Team will then determine which candidates to invite to campus for interviews and, following such visits, will advise the Faculty regarding each candidate. The Faculty will consider the Team's advice, and forward positive recommendations to the Dean only for those candidates receiving support from a majority of the voting faculty. This process pertains only to those recommended for full time tenure track faculty employment.

**1.2.2.5.7 Faculty Development and Review Team.** The Faculty Development and Review Team will review and evaluate the qualifications and accomplishments of those faculty members eligible for promotion, tenure, or retention and submit recommendations thereon to the Dean and the Board of Trustees. Only tenured members will sit in review of candidates for tenure. The Team will use the criteria and procedures set forth in this Student Manual. The Team will also be responsible for administering the post-tenure review program set forth in this Student Manual.

**1.2.2.5.8 Information Technology Team.** The Information Technology Team, in consultation with the Dean and the Associate Dean for Library and Information Resources, will provide input on the planning and development of the law school's information and technology resources. It will provide advice and direction regarding the library, the institution's technology infrastructure, and instructional technology that enhances the learning process.

**1.2.2.5.9 Library Team.** The Library Team will assist the Associate Dean for Library and Information Resources where needed to ensure that the library needs of faculty and staff are met and adequately support the curriculum of CharlotteLaw.

**1.2.2.5.10 Internationalization Team.** This Team will work develop international programs and to create opportunities for student/faculty exchanges.





# Charlotte School of Law Organization Chart\*

## 1.2.2.6 School Organizational Chart.



\*Subject to Budgetary and SLT approval

## **1.3 Student Corporate Deliberative Processes.**

**1.3.1 Student Participation in Governance.** Consistent with the mission pillars of CharlotteLaw and its focus on a collaborative learning environment that is student-centered, students play a significant and essential role in the organizational life of CharlotteLaw. Accordingly, students are encouraged to commit to active participation, formally and informally, in pursuit of the mission of CharlotteLaw, the well-being of the academic community and the goal of creating a best practices environment.

**1.3.2 Student Bar Association.** The Student Bar Association (SBA) is the student government and service organization of Charlotte School of Law. Every law student is automatically a member of the SBA. The Authority of the SBA is divided between the Executive and the Legislative.

The executive power of the SBA is vested in the Executive Board. The Executive Board is elected in accordance with rules set forth by the SBA election committee. The authority of the Student Bar Association executive branch is vested in the SBA Executive Board with the SBA President serving as Chairperson. The Standing Executive Board membership consists of the President, Vice-President, Treasurer and Secretary.

The legislative power of the Student Bar Association is vested in the Senate. Senators are also known as “Representatives. The composition and election of senators is fully set forth in the SBA constitution.

The SBA constitution is contained in Appendix I

### **1.3.3 Student Committees/Teams. [Reserved]**

## **1.4 Publications and Student Organizations.**

### **1.4.1 Student Publications.**

**1.4.1.1 The CharlotteLaw Docket.** The CharlotteLaw newsletter contains news about the law school, information from the Dean’s Office, registration and curriculum information, student news and commentary. The newsletter is published through the Office of Student Services. Students are encouraged to develop other publications for the purpose of addressing legal issues and other concerns.

**1.4.1.2 Law Review.** The Charlotte Law Review is a student-run organization whose main purpose is to publish scholarly and practice-oriented works on a broad array of legal issues. As a student-run organization, the review serves as both a forum to the legal community, and a tool for law students to further their skill in legal writing, editing, and researching. The Charlotte Law Review strives to serve as a scholarly forum for discussing the pertinent issues in the practice of law.

The Review accepts article submissions from judges, professors, practitioners, and experts in the legal field, as well as notes from student writers. These submissions are then subjected to high standards of editorial review to ensure the published works further the legal commentary disseminated through the journal.

Through this process, the Review strives to provide a forum for academic scholarship and an instrument to develop student members' academic and practice-ready experience.

**1.4.2 Student Organizations.** CharlotteLaw welcomes and supports a variety of student organizations and activities. Consistent with this orientation, it encourages students to organize groups that reflect their common and diverse interests. The Dean for Students is a primary resource for information on and facilitation of organization development and maintenance.

Much of the student interaction within the law school occurs in the context of student organizations. Some of the organizations have a general focus, while others are more specialized in their orientation. By participating in such organizations, students learn from each other and facilitate their personal and professional growth.

Students are invited to develop organizations and forums for the purpose of addressing legal issues and other concerns. Charlotte School of Law encourages students to engage in robust, open, and uninhibited dialogue and to participate in various opportunities for social interaction with faculty, administrators and other students.

**1.4.2.1 Women in Law.** The Women in Law student organization aims to encourage women law students to excel in their legal studies and prepare for careers of superior achievement and service by sharing information, providing support, promoting contacts among women students and forging relationships with women in the North Carolina legal community. In particular, the Women in Law group has formed a special relationship and mentorship program with the North Carolina Association of Women Attorneys (“NCAWA”). NCAWA furthers the success of women lawyers in North Carolina by distributing information, forming relationships between women lawyers in the state and honoring achievements of women lawyers in North Carolina.

**1.4.2.2 CharlotteLaw Diversity Alliance.** CharlotteLaw’s Diversity Alliance brings together students who share a vested interest in academic success, creating a culture of excellence, building and cultivating professional relationships, providing an ongoing resource for cultural understanding, promoting tolerant and empathetic attitudes in the student body, faculty and Charlotte professional community, and being a utility for the strengthening of cross-cultural bonds.

**1.4.2.3 Environmental Legal Society.** The purpose of the CharlotteLaw Environmental Legal Society is to promote environmental awareness and to volunteer in environmental capacities around CharlotteLaw and throughout the community. In fall 2006, the Environmental Legal Society sponsored a “walk in nature” to sensitize students and faculty to the importance of a clean environment. The Environmental Legal Society spearheaded CharlotteLaw’s recycling project. It continues to work with and encourage faculty, staff, and students to support CharlotteLaw’s recycling efforts.

**1.4.2.4 CharlotteLaw Cares.** CharlotteLaw Cares is a philanthropic student organization that aspires to improve the Charlotte community by volunteering to aid those in need. The goals of the organization are to:

- Reach out to those in need in our community, specifically focusing on child advocacy programs, and aiding domestic abuse and homeless shelters in the community.
- Participate in local charity fundraisers, such as Relay for Life and Juvenile Diabetes Research Foundation.
- Offer mentoring programs to provide positive influences to young people in the community.
- Hold forums and discussions with guest speakers to talk about problems with underprivileged citizens.
- Implement a possible future volunteer program with the local court system.

**1.4.2.5 Federalist Society.** Charlotte School of Law Federalist Society is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The Federalist Society promotes awareness of these principles through activities such as speeches and debates by noted legal scholars and political figures and through a number of social events.

**1.4.2.6 Part-Time Student Association.** The purpose of this organization is to advocate the concerns of the part-time student body at CharlotteLaw and to organize events and opportunities with the part-time students in mind. The events are open to the entire CharlotteLaw community.

**1.4.2.7 American Constitution Society for Law and Policy at Charlotte School of Law (ACS).** The American Constitution Society for Law and Policy is concerned about the pervasive conservative orthodoxy in American law and politics. The mission of the American Constitution Society is to harness these values of compassion and respect for each individual and to reincorporate them into American Law and politics in order to build a stronger and more decent national community.

**1.4.2.8. International Law Society.** Charlotte School of Law International Law Society provides a forum for education and discussion about international issues that face the legal community. The purpose of ILS is to encourage education and discussion about important legal issues that face an increasingly interconnected global community. ILS encourages students to pursue knowledge and understanding of the vast and diverse global legal community. ILS hopes to accomplish these goals by means of discussion, debate, seminars, guest lecturers and so forth.

**1.4.2.9 Black Law Student Association (BLSA).** The Black Law Student Association is a forum for sharing and solving problems unique to Black students in the law school community. BLSA has made a commitment to proportionate

representation in the professional arena, supported by sponsoring workshops and symposia and by supplying individualized assistance. BLSA sponsors social events throughout the year. The Black Law Student Association is affiliated with the National Black Law Student Association (NBLSA).

**1.4.2.10 Real Estate Law Society.** The goals of the organization are to reach out the community and provide support when and where needs arise, promote ready law students through professional exercises and seminars and promote our members to engage the real estate and related legal community in Charlotte to enable opportunities to establish lasting relationships.

## CHAPTER II

### STUDENTS AS LEARNERS

*“Learning is not attained by chance; it must be sought for with ardor and attended to with diligence.” Abigail Adams*

*“Only the curious will learn and only the resolute overcome the obstacles to learning. The quest quotient has always excited me more than the intelligence quotient.” Eugene S. Wilson*

#### **ABA Standard 301. OBJECTIVES**

- (a) A law school shall maintain an educational program that prepares its students for admission to the bar, and effective and responsible participation in the legal profession.
- (b) A law school shall ensure that all students have reasonably comparable opportunities to take advantage of the school’s educational program, co-curricular programs, and other educational benefits.

#### **Interpretation 301-3:**

*Among the factors to be considered in assessing the extent to which a law school complies with this Standard are the rigor of its academic program, including its assessment of student performance, and the bar passage rates of its graduates.*

#### **ABA Standard 302. CURRICULUM**

- (a) A law school shall require that each student receive substantial instruction in:
  - (1) the substantive law generally regarded as necessary to effective and responsible participation in the legal profession;
  - (2) legal analysis and reasoning, legal research, problem solving, and oral communication;
  - (3) writing in a legal context, including at least one rigorous writing experience in the first year and at least one additional rigorous writing experience after the first year;
  - (4) other professional skills generally regarded as necessary for effective and responsible participation in the legal profession; and
  - (5) the history, goals, structure, values, rules, and responsibilities of the legal profession and its members
- (b) A law school shall offer substantial opportunities for:
  - (1) live-client or other real-life practice experiences, appropriately supervised and designed to encourage reflection by students on their experiences and on the values and responsibilities of the legal profession, and the development of one’s ability to assess his or her performance and level of competence
  - (3) small group work through seminars, directed research, small classes, or collaborative work.

#### **ABA Standard 305. STUDY OUTSIDE THE CLASSROOM**

- (a) A law school may grant credit toward the J.D. degree for courses or a program that permits or required student participation in studies or activities away from or outside the law school or in a format that does not involve attendance at regularly scheduled class sessions.
- (b) Credit granted shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.

#### **Interpretation 305-1:**

*Activities covered by Standard 305(a) include field placement, moot court, law review, and directed research programs or courses for which credit toward the J.D. degree is granted, as well as courses taken in parts of the college or university outside the law school for which credit toward the J.D. is granted.*

## 2.1 Matriculation.

**2.1.1 Reservation of Rights.** CharlotteLaw reserves the right to deny admission, services, continued enrollment and re-enrollment to any applicants, students or other persons whose personal history, medical history, background, or behavior indicates that their presence in School facilities, programs, or activities, or use of School services would endanger themselves, the health, safety, welfare, well-being or property of CharlotteLaw, its employees, students, guests, or others, or would interfere with the orderly performance and conduct or CharlotteLaw's or affiliated agencies' functions.

### 2.1.2 Registration.

#### 2.1.2.1 Course Load.

***ABA Standard 304. COURSE OF STUDY AND ACADEMIC CALENDAR***

*(e) A law school shall not permit a student to be enrolled at any time in coursework that, if successfully completed, would exceed 20 percent of the total coursework required by that school for graduation.*

The standard course load for full-time students is 13 to 16 credit hours per semester. The standard course load for part-time students is 9 to 12 credit hours per semester. Any student who wishes to enroll in a non-standard number of credit hours, (i.e. more than 16 credit hours in the full-time division or fewer than 9 credit hours in the part-time division) must obtain written approval from the Associate Dean for Academics.

There is no minimum course load for enrollment in a summer session. The maximum load in any summer for full- or part-time students is nine (9) credit hours or three (3) courses, whichever is less.

It is expected that students enrolling in the full-time division will graduate in three (3) years and those in the part-time division in four (4) years. Students are generally expected to take courses in the sequence listed in the course schedules on the law school website at charlottelaw.org. Accelerating the academic course program is generally inadvisable and requires advance approval by the Associate Dean for Academics.

**2.1.2.2 Withdrawing From Required First-Year Courses.** All students must take the required first-year courses. In extraordinary circumstances, however, a first-year student might be permitted to withdraw from a course with the prior written permission of the Associate Dean for Academics, who may impose special requirements.

**2.1.2.3 Drop/Add Period.** A student may drop or add (subject to enrollment restrictions) a course without consequence during the official Drop/Add period. The Drop/Add period is typically the first week of the semester and the first day of each summer session. This provision does not apply to students enrolled in first year courses.

After the Drop/Add period, a student may only withdraw from a course in accordance with the policy set forth below – Withdrawing from Upper Division Courses.

Failure to attend a class does not constitute a drop. Additionally, notification to the instructor of an intention to stop attending classes does not constitute a drop. A student must complete the Drop/Add process with the Registrar to officially drop a course.

Students become liable for fees the first day classes begin. Refunds are given based on time attended. For refund information please see the financial aid section of the CharlotteLaw website.

**2.1.2.4 Withdrawing From Upper Division Courses.** If a final examination is the final work product due in the semester in a particular course, Students may withdraw from that course at any time before the last day of classes and the grade of “W” will be entered. If a final examination is not the final work product due in the semester in a particular course, the course may be dropped at any time before such final work product is due for the course, and the grade of “W” will be entered. Thereafter, a course may not be dropped. Students seeking to drop an upper division course must first see the Registrar who will provide them with the appropriate paper work.

#### **2.1.2.5 Rules for Students Repeating a Course.**

**2.1.2.5.1 Full-Time Students.** A full-time student who receives an “F” in any required course is required to repeat that course during the next semester in which that course is offered at Charlotte School of Law. Both the original grade earned and the grade earned on repetition shall be reported on the transcript and computed as part of the student’s cumulative average.

**2.1.2.5.2 Part-Time Students.** A part-time student who receives an “F” in any required course must consult the Associate Dean for Academics to determine when the course is next offered in the part time rotation and should plan to take the course at that time. Both the original grade earned and the grade earned on repetition shall be reported on the transcript and computed as part of the student’s cumulative average.

**2.1.2.6 Transfers between Full- and Part-Time Programs.** Requests for permission to transfer between programs must be submitted in writing to the Associate Dean for Academics. A transfer is not automatic, and generally will not be granted before successful completion of the first year in either program. A student will not be permitted to transfer programs more than one time without the specific written permission of the Associate Dean for Academics.

#### **2.1.3 Class Attendance.**

*ABA Standard 304. COURSE OF STUDY AND ACADEMIC CALENDAR*

(d) A law school shall require regular and punctual class attendance.

**2.1.3.1 Attendance Policy.** Regular attendance and preparation are required in all courses. A first year student whose absences exceed fifteen percent (15%) of the total number of classes in a course will be withdrawn from the course and receive a grade of “WF”. They will be barred from attending class, completing further class work, taking the final examination, and submitting any other course assignments. Second and third year students whose absences exceed fifteen percent (15%) of the number of classes in a course will be withdrawn from the course and will receive a grade of “W”.

The attendance rules apply to all absences. Subject to the “extraordinary circumstances” discussed below, no distinction is made between excused and unexcused absences. A student who misses a class during the drop/add period is treated as absent. The table below indicates the maximum number of absences allowed before a student is withdrawn from the course.

Number of Class Meetings	Maximum Absences
1, 2, 3, 4, 5 or 6	0
7, 8, 9, 10, 11, 12 or 13	1
14, 15, 16, 17, 18 or 19	2
20, 21, 22, 23, 24 or 25	3
26, 27, 28, 29, 30, 31, 32 or 33	4
34, 35, 36, 37, 38 or 39	5
40, 41, 42, 43, 44, 45 or 46	6
47, 48, 49, 50, 51, 52 or 53	7
54, 55, 56, 57, 58 or 59	8

“Extraordinary circumstance” is defined to include those circumstances that are not of the student’s making that prevent the student from attending class, such as: 1) serious or prolonged illness or injury; 2) admittance to a hospital; 3) death in the student’s immediate family (i.e., grand-parents, parents, siblings, spouses and children); 4) jury duty or required court appearance; and 5) other extraordinary circumstances as determined by the Academic Standards and Outputs Team. If a student exceeds the maximum number of allowed absences, the Academic Standards Team (AST) may consider whether any

extraordinary circumstance justifies exceeding the maximum number of allowed absences.

**2.1.3.2 Summer School Attendance Policy.** In no event shall the maximum number of allowed absences for any three credit summer school course fall below two.

#### **2.1.4 Employment.**

***ABA Standard 304. COURSE OF STUDY AND ACADEMIC CALENDAR***

*(f) A student may not be employed more than 20 hours per week in any week in which the student is enrolled in more than twelve class hours.*

***ABA Standard 304. COURSE OF STUDY AND ACADEMIC CALENDAR***

*(e) A law school shall not permit a student to be enrolled at any time in coursework that, if successfully completed, would exceed 20 percent of the total coursework required by that school for graduation.*

Full-time students must devote substantially all working hours to the study of law. A student may not engage in employment for more than 20 hours per week in any semester in which the student is enrolled in more than 12 credit hours. At the beginning of each academic school year, full-time students (students taking 12 or more credits) must certify that they are not devoting more than 20 hours per week to outside employment. A false, inaccurate or misleading statement on this certification shall be grounds for dismissal or such other disciplinary action as is deemed appropriate by the Associate Dean for Academics. Such disciplinary action may include, but is not limited to, a denial of credit hours for all course work taken in excess of 12 credit hours, beginning with the courses in which the student obtained the highest letter grade(s). Refunds will not be granted for credit hours denied under this section.

**2.1.5 Leaves of Absence.** For good cause shown, a student may obtain a leave of absence for up to one calendar year (two consecutive semesters). To obtain a Leave of Absence for up to one year, a student must first consult with the Associate Dean for Students. Upon a finding that good cause exists for a leave, the Associate Dean for Students shall forward the request to the Associate Dean for Academics. The final determination for granting a leave of absence shall be made in the discretion of the Associate Dean for Academics. To obtain a Leave of Absence, a student must submit a letter requesting a leave of absence or withdrawal from Charlotte School of Law to the Associate Dean for Academics. The student must also satisfy or make arrangements to satisfy all obligations owed to the Charlotte School of Law (including return of library materials) prior to the request being granted.

**2.1.6 Withdrawal from Charlotte Law.** A student considering withdrawing from Charlotte School of Law should first consult with the Associate Dean for Student Services. A student's academic status--Good Standing, on Academic Probation, or Academically Dismissed--will not be changed because the student decides to withdraw from Charlotte School of Law.

To withdraw from Charlotte School of Law prior to the start of the term, a student must submit a letter requesting a leave of absence or withdrawal from Charlotte School of Law

to the Associate Dean for Students. After classes have started, a student wishing to withdraw from all classes must submit a completed official withdrawal form to the Registrar's office. A withdraw becomes official on the date that the Registrar receives a completed withdrawal form. The student must also satisfy or make arrangements to satisfy all obligations owed to Charlotte School of Law (including return of library materials) prior to the request being granted.

**2.1.7 Transfer of Credit.** A student who has transferred from another law school must successfully complete at least sixty (60) credit hours at Charlotte School of Law, attain a cumulative grade point average of 2.00 or better in all credit hours completed at CharlotteLaw, complete all required courses or their substantial equivalent, satisfy the advanced writing requirement, and satisfy all other applicable degree and CharlotteLaw requirements to receive a degree from Charlotte School of Law.

Credits for courses completed at another approved law school are evaluated by the Associate Dean for Academics on an individual basis. Only courses completed with a grade of C or better on first pass are transferable. All credits must have been obtained within two academic years prior to matriculation. No course completed at another institution in which a grade of less than C was earned shall be given credit at Charlotte School of Law.

**2.1.8 Transient Students – Transfer and Residence Credit.** A student in good standing may, with the advance permission of the Associate Dean for Academics, take a Fall/Spring semester or summer session at an ABA-accredited law school. The Associate Dean for Academics shall grant such permission if he or she finds that granting the student permission is in the best interest of the student and CharlotteLaw. The Associate Dean for Academics may consider, among other factors, the nature of the course proposed to be taken, its relationship to the student's course of study at Charlotte School of Law, the institution at which the course is offered, the student's academic record at Charlotte School of Law, and the student's prior education. Only grades of a "C" or better will be transferable to Charlotte School of Law. Students earning credits at another institution (summer abroad, visiting away from Charlotte School of Law for a semester or more) must earn a minimum of sixty (60) credits at Charlotte School of Law for a Charlotte School of Law degree. In no instance may a student receive more than nine (9) course credits, or credit for more than three courses, whichever is less, in a single summer. Moreover, no student may receive credit in excess of the amount permitted by the ABA Rules regarding the minimum number of class hours necessary to receive credit in a course.

**2.1.9 Co-curricular Course Credits.** A student may enroll in and apply toward the course credit requirements up to nine (9) co-curricula course credits. Co-curricular course credits consist of work on a journal, intramural moot court or trial practice, moot court or trial practice boards, and additional co-curricular activities as are approved by the faculty for co-curricular course credit and so designated in Charlotte School of Law Student Manual, registration materials or other official CharlotteLaw statements.

A student may be dropped from a co-curricular course activity during the term if the faculty advisor determines that the student has missed an excessive number of required meetings or otherwise failed to participate fully and effectively in the activity. Credit for

a co-curricular course activity shall be conferred on a pass/no credit basis by the faculty advisor designated by the Dean or Associate Dean for Academics for that activity.

### **2.1.10 Graduate Credit. [Reserved].**

**2.1.11 International Students.** An applicant whose pre-legal work is from an institution located outside the United States may be admitted after an evaluation of his or her record by an appropriate agency skilled in evaluating foreign institutions, provided that this record meets the substance of the requirements for regular students as determined by CharlotteLaw. Such an applicant will be admitted only after presenting evidence sufficient and acceptable to Charlotte School of Law that establishes that his or her knowledge and usage of the English language is at a level of proficiency that will support successful study at CharlotteLaw without assistance. Persons whose undergraduate work was taken outside the United States are reminded that the source of their degree may bear upon their eligibility to practice law in a particular state. Others who are not American citizens are advised that practices in various state may differ regarding eligibility to be examined for admission to the bar, regardless of where their undergraduate and law degrees were obtained. Foreign students are encouraged to contact the US Immigration and Customs Enforcement agency for information on terms and conditions governing entry into the United States. (see <http://www.ice.gov/sevis/index.htm>)

### **2.1.12 Finances.**

#### ***ABA Standard 510. STUDENT LOAN PROGRAMS***

*A law school shall take reasonable steps to minimize student loan defaults, including provision of debt counseling at the inception of a student's loan obligations and prior to graduation.*

All tuition and fees for each semester are payable two weeks in advance of the commencement of classes. Students are advised to check their tuition invoice and/or check with the Registrar's office for exact amounts.

## **2.2 The Law School Program.**

**2.2.1 Required Courses.** The required first-year curriculum is designed to give students a firm foundation to build upon as they move forward in the law school program. The required courses are: Civil Procedure I & II, Contracts I & II, Torts I & II, Lawyering Process I & II, Property I & II, Criminal Law and (effective Fall 2009) Passport to Effective Practice.

The upper division required courses are: Business Associations, Commercial Law, Constitutional Law I & II, Criminal Procedure, Professional Responsibility, Wills, Trusts & Estates and (prior to Fall 2008) Negotiations.

In addition, each student must meet the following curriculum requirements:

**Clinical/Skills Requirement:** Each student must complete and pass 3 credits in a qualifying clinical or skills course. Examples of courses that will meet the clinical/skill requirement are Alternative Dispute Resolution, Appellate Advocacy,

Mediation, Trial Practice, a qualifying externship and a clinical course. These and/or other skills courses will be offered on a regular basis.

- **Advanced Writing Requirement:** Each student must satisfy an advanced-writing requirement through completion of one of the following courses with a grade of C+ or better: (i) a seminar or perspective course (enrollment of 20 or fewer students); (ii) an independent study program approved by a full-time faculty member; (iii) a legal writing or drafting course such as “Advanced Legal Writing”, “Legislative Drafting and Statutory Interpretation”, or “Legal Drafting”; or (iv) with the permission of the faculty advisor, who must be a full-time faculty member, any other course that contains a rigorous writing requirement. Students taking seminar courses and journal or Moot Court members may satisfy the requirement by completing a written project that a full-time faculty member certifies will meet the standard of a rigorous drafting requirement. A rigorous drafting requirement means that a student must write a paper of at least 12 pages (excluding footnotes or endnotes) per credit hour received, or complete a series of writing assignments (at least three assignments) amounting to at least 12 pages of drafting (excluding footnotes and endnotes) per credit hour received. If only one paper is written to satisfy the advanced writing requirement, as opposed to a series of papers, the student must generate at least two drafts on which the student is provided written feedback (and copies of the drafts and final paper must be retained on file by the faculty member). A minimum of two credit hours must be taken to satisfy the advanced legal writing requirement.
- **Pro Bono and Community Service Requirements:** Each student must complete 20 hours of pro bono service and 10 hours of community service prior to graduation. Pro bono service differs from community service as it involves legal-related assistance to persons of limited means. For more information, see section 4.7.1.)

The faculty continues to consider other requirements that may best achieve CharlotteLaw’s mission of producing practice-ready attorneys and may implement changes at any time. Students may be required to complete other course requirements such as, but not limited to a substantive practice-ready course or perspective course prior to graduation.

In addition to the courses specified above, the following courses are highly recommended: Tax, Administrative Law, Remedies, Family Law, Real Estate Finance (North Carolina Bar) and Insurance Law (South Carolina Bar).

All required courses must be taken at Charlotte School of Law. The Associate Dean for Academics, after consultation with the faculty, may waive this requirement under extraordinary circumstances.

**2.2.2 Course Load.** The standard course load for full-time students is 16 credit hours per semester and the standard course load for part-time students is 9 to 12 credit hours per semester. Any student who wished to enroll in a non-standard number of credit hours, i.e., more than 16 credit hours in the full-time division or fewer than 9 credit hours in the part-time division, must obtain the written approval of the Associate Dean for Academics. Absent extraordinary circumstances, such approval will not be granted.

**2.2.3 Lawyering Process Program.** Charlotte School of Law's Lawyering Process Program seeks to lay the foundation for solid legal analysis and research skills, as well as provide students with excellent oral and written skills in both legal and non-legal settings. The program supports law classes by teaching the foundational skills of case briefing, element analysis, synthesizing rules, case law and statutory interpretation, public policy analysis, and solid writing skills that emphasize proper organization, conciseness and preciseness.

The Lawyering Process Program is also committed to teaching students how to understand legal authorities with the ability to conduct in-depth legal research and to organize and articulate the results of that research in well-reasoned and well-written legal analysis. The program instructs students in theoretical and ethical considerations, as well as practical applications of the law and creative problem solving. At the end of second semester, students engage in oral arguments based on appellate or trial briefs that they have prepared.

Charlotte School of Law's Lawyering Process Program seeks to be innovative and to train students in more than traditional research and writing skills that are typical in most first-year law school programs. In addition to traditional research and writing assignments that provide the foundations of students' development in the legal field, students have assignments in other areas like client-centered interviewing and counseling, complaint and discover drafting, letter drafting, negotiation, professionalism and ethics. Since understanding the legal process is extremely critical, regardless of the type of law a student may wish to practice, the Lawyering Process Program may require that students attend court observations.

**2.2.4 Independent Study.** CharlotteLaw allows students to participate in independent research and independent projects. Independent Research permits a student to engage in supervised research with a faculty member in an area of interest to both. The research must produce a definable written product of significant educational value that is capable of effective critique and evaluation. This product must be presented orally to the faculty advisor, or panel of interested persons organized by the faculty advisor, or as part of a public discussion. Independent Project provides a flexible opportunity for a student to work closely with a faculty member on an intensive, real-world project that builds on previous study and integrates academic and practical learning. Projects must involve significant legal, social or empirical research or experiences. The product of the Independent Project must be presented orally to the faculty advisor, or panel of interested persons organized by the faculty advisor, or as part of a public discussion.

**2.2.5 Summer Study Abroad.** The world is becoming an increasingly smaller place and law practice is more likely today to involve an international component. Recognizing the growing importance of this international dimension, it is CharlotteLaw's intent to promote international and comparative perspectives throughout the curriculum. CharlotteLaw has already formed an "International Panel" to help track international and comparative developments and seek mutual opportunities for cooperation and partnership with other law schools.

CharlotteLaw encourages students to participate in an international experience. While CharlotteLaw does not currently offer any study abroad courses, in order to give students maximum choice and flexibility a list of summer abroad programs offered by other law schools and open to law students from multiple institutions is maintained. A student in good standing may, with the advance permission of the Associate Dean for Academics, participate in a study abroad session at or sponsored by an ABA-accredited law school. Information concerning study abroad opportunities from the Associate Dean for Students.

#### **2.2.6 Reserved.**

**2.2.7 Clinics and Externships.** Charlotte School of Law will provide curricular opportunities for students to have live client contact designed to develop and enhance practical skills.

Upper-level students in good academic standing may apply to participate in a for-credit externship program. Through this program students engage in law-related public interest work under the supervision of a lawyer in the community. Students also attend a classroom component that provides a link between the placement setting and the learning process. A faculty member teaches the course and coordinates the program.

**2.2.8 Infusion Curriculum and Skills Training.** The Infusion Curriculum and skills-training courses aim to expose students to real-life practice situations within the confines of the classroom. Simulations and practical exercises are incorporated into a wide variety of courses to demonstrate how legal principles function and provide the students with an opportunity to learn and practice essential skills. Trial and appellate advocacy courses, and offerings in alternative dispute resolution, are examples of courses dedicated to skills-training. Co-curricular activities, such as moot court competitions, also provide enhanced opportunities for skills development.

**2.2.9 Teaching Assistants.** Teaching Assistants will lead “TA sessions” relating to core courses on a schedule designed to allow maximum coverage of subjects for both day and evening students. They are required to attend the classes for which they “TA”, so long as they themselves are not in class. They will meet regularly with the professor teaching the course and spend adequate time preparing in advance for their sessions with students in a manner consistent with the professor’s directions. TA’s will also meet once biweekly with the Academic Success Counselor to report on any issues affecting such factors as attendance, participation and upcoming scheduling conflicts. Students who have achieved a B+ or better in a specific course, and who maintain a cumulative GPA of 3.0 or above are eligible to apply. The positions are expected to require 10 hours of work per week.

**2.2.10 Research Assistants.** Research Assistants will assist professors with their scholarship goals and teaching preparation by effectively and thoroughly undertaking factual and legal research using current technologies to retrieve and analyze information and ultimately make a positive, demonstrable contribution to the research goals of the professor to whom they are assigned. The positions are expected to require approximately 10 hours of work per week. Students who have achieved a B+ or better in

a specific course, and who maintain a cumulative GPA of 3.0 or above are eligible to apply.

**2.2.11 Limitations of Time.** Unless waived by the Academic Standards Team for good cause, students must complete all degree requirements within five (5) years (10 academic terms counting fall and spring semesters only) of beginning studies as a full-time student (six years or 12 academic terms from the beginning of studies as a part-time student). The faculty will not grant a waiver that would result in a student completing the program more than seven (7) years (14 academic terms) after beginning studies. For transfer students, the time limit for completion will be determined as if all of their transfer credits had been earned at CharlotteLaw in continuous pursuit of their degree (e.g., 15 transfer credits will reduce the time limit by one semester).

## **2.3 Assessment and Progression.**

### **2.3.1 Examinations.**

#### ***Interpretation 303-1:***

*Scholastic achievement of students shall be evaluated by examinations of suitable length and complexity...*

**2.3.1.1 Absences from Examinations.** A student may obtain an excused absence from a final examination only from the Associate Dean for Academics. The Associate Dean for Academics will rarely excuse an absence from an examination and, in any case, excuses will only be granted for demonstrable good cause presented in advance of the examination for which the excuse is sought. Requests for excused absences must be submitted in writing, setting forth the reasons for the request. Requests should be submitted as soon as practicable under the circumstances. A student whose absence is excused by the Associate Dean for Academics will receive a grade of Incomplete "I" for the course. A student who, without prior approval from the Associate Dean for Academics, is absent from a final examination will receive an "F" for the course.

**2.3.1.2 Extensions of Time.** Where a work product other than an examination is required for a course, the instructor may, in his or her discretion, grant an extension of time for the completion of such work. Such extensions may be for such periods as the instructor shall determine, but in no event may the instructor permit the work product to be completed later than three (3) months after the scheduled due date of the work product. When an extension of time is granted under this rule, the extended due date for the work should be communicated to the student in writing, and a copy must be given to the Associate Dean for Academics. An instructor may, in his or her discretion, reduce the grade of a student who is granted an extension under this rule. If the work is not completed before the extended time limit has expired, the grade of "F" will be awarded for the late work. Extensions are not granted lightly.

**2.3.1.3 Late Arrival for Exams.** A student who arrives late for an examination will be permitted to take it without excuse, but the time for completing the examination will not be extended beyond that specified for completion by those students who arrived on time.

**2.3.1.4 Examination Schedule Conflicts.** A student may request that a scheduled exam be rescheduled under the following circumstances: (a) two examinations are scheduled at the same time; (b) three examinations are scheduled in a twenty-four hour period; (c) two examinations are scheduled in which there is less than four hours from the end of the first examination and the beginning of the second examination; or (d) a verified religious observance. Rescheduled examinations will be marked and grades will be rendered in the normal course.

All requests for rescheduled examinations for one of the four reasons set forth in the preceding paragraph must be in writing and presented to the Associate Dean for Academics with any supporting documentation. All such requests must be made at least three (3) weeks prior to the beginning of the examination period since students will be informed of the examination schedule at the beginning of the semester. Rescheduled examinations must be taken after the regularly scheduled examination unless excused at the discretion of the Associate Dean for Academics.

**2.3.2 Standing.** To be in good academic standing, a student must have a cumulative grade point average of at least 2.00. A student whose cumulative grade point average is below 2.00 is not in good standing.

### **2.3.3 Grading.**

**2.3.3.1 Standing Points of Assessment.** A student's compliance with the Honor Code and the conduct standards promulgated by CharlotteLaw are standing points of assessment in considering grades to be given in every course and educational activity.

**2.3.3.2 Grading Scale.** Grades are given each semester in each course. The grade scale is as follows:

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

**2.3.3.3 Grade Distribution.** To avoid inequities that result when different professors employ different criteria, and to defuse pressures which may result in grade inflation and lack of academic rigor, the faculty has adopted a grade distribution policy. This policy aims to avert individual grading standards and

establish a faculty-wide grading criterion. It is also designed to facilitate instructor and course selections for sound academic reasons.

It is the faculty member's prerogative and responsibility to assign grades. To the extent his or her grade distributions deviate significantly from the recommended curve, he or she must provide the Associate Dean for Academics with a written notation and rationale for the departure. All grades are submitted to the Associate Dean for Academics. The Associate Dean for Academics will forward the grades to the Registrar for appropriate data entry purposes.

The recommended grade distribution for first-year courses is:

A, A-	15%
B+, B,	25%
B-, C+, C	45%
C-, D+, D, D-, F	15%

First-year courses are those designated by the faculty to be taught in the first-year full-time program regardless of the year in which a student takes a particular course. This recommended grade distribution does not apply to Lawyering Process I and II.

The recommended grade distribution for second and third year courses is:

A, A-	15%
B+, B,	30%
B-, C+, C	40%
C-, D+, D, D-, F	15%

This policy does not apply to seminars or courses with an enrollment of less than twenty (20) students, lawyering process courses, or to pass/fail courses.

**2.3.3.4 Incompletes.** A student shall receive an Incomplete ("I") if, and only if, either (i) his or her absence from the final examination was excused by the Associate Dean for Academics or (ii) the instructor granted the student additional time to complete the course requirements *before* the end of the regularly scheduled examination period for that semester. Instructors granting such permission must submit written notice to the Associate Dean for Academics no later than the last day of classes. An instructor may not grant permission for a student to delay or defer sitting for the final examination.

An Incomplete ("I") may be expunged by taking an examination or completing other unfulfilled course requirements within such time as may be fixed by the instructor or the Associate Dean for Academics, as applicable, but, in no event, later than three (3) months after the end of the examination period for the semester for which the Incomplete ("I") was granted. A student who fails to expunge an Incomplete ("I") as provided herein will receive an "F" for the course.

**2.3.3.5 Posting of Grades.** Grades will be posted consistent with policies and procedures established by the Office of the Registrar after consultation with the Associate Dean for Academics.

**2.3.3.6 Class Rank.** The goal of Charlotte School of Law ranking system is to rank together all those students who are likely to graduate in the same academic year. Below are the cohorts for ranking students:

Students with 26 credit hours or below will NOT be ranked  
Students between 26 – 31 credit hours will be ranked together  
Students between 32 – 66 credit hours will be ranked together  
Students with 67 credit hours and above will be ranked together

Please note: There is a possibility a student will remain in a category for more than one academic year.

Students with 67 credit hours or above who do not graduate at the end of the academic year will not be ranked

**2.3.3.7 Repeated Courses.** A student may, as a matter of right, repeat any course from which he or she withdrew or which he or she dropped. A student who receives a grade of “F,” or “W,” in a required course must repeat the course the next time the course is offered. In all other cases, a student shall not be permitted to repeat any course without the approval of the Associate Dean for Academics. In the case of repetition of a course, both the original grade earned and the grade earned on repetition shall be reported on the transcript and computed as part of the student’s cumulative average.

**2.3.3.8 Anonymous Grading.** Written examinations are graded without the grader knowing the identity of the test taker. Student Grading Numbers (SGN) are confidential. Each student is assigned a unique SGN for use on examinations. Faculty members or other individuals engaged in grading student work do not have access to SGN. Students who fail to use an SGN or who otherwise reveal their identity may be subject to sanctions by the administration or the professor including, but not limited to, substantial grade reductions. Students with questions concerning SGN should consult the Registrar.

Grades in each course reflect academic performance as evaluated by the faculty member. Class participation and other assigned projects (including written assignments) may be evaluated on a non-anonymous basis. Faculty members will provide students with a syllabus of course work and an explanation of the testing and grading requirements for the course, including any non-anonymous grading policies. To preserve anonymity in the grading of written examinations only, faculty must submit a list of student names and non-anonymous points earned to the Registrar prior to the date of the final examination in the course. The anonymous grading policy does not apply to written assignments required to be turned in any course (whether graded or not), including in Lawyering Process I and II and upper level writing or skills courses). In a course in which students are required to submit a paper or complete some other written exercise in addition to

the final examination, the final examination(s) will still be subject to the blind grading policy.

**2.3.4 Grade Appeals.** If a student believes a grade was incorrect, he or she may submit a written petition to the Associate Dean for Academics no later than forty-two calendar days after the grade has been posted by the Registrar (or within forty-two calendar days after return from study abroad, if applicable) setting forth all information which the student deems relevant. The Associate Dean for Academics will provide a copy of the petition to the faculty member. Where appropriate, the Associate Dean for Academics may convene a meeting between the student and the faculty member to resolve the dispute. The decision of the Associate Dean for Academics shall be final.

**2.3.5 Finality of Grades.** Grades are deemed final when posted by the Registrar. Grades may only be appealed for one of the two reasons listed below. All grade appeals must be made no later than forty-two calendar days after the grade has been posted by the Registrar.

- a. A faculty member may change a grade only if there has been an arithmetical error in calculating the grade. If a student believes that an arithmetical error occurred, he or she must discuss the matter with the faculty member. If the faculty member determines that there is an arithmetical error, the faculty member must complete a grade change form and submit it to the Associate Dean for Academics. The decision of the faculty member is final, subject to the approval of the Associate Dean for Academics.
- b. If a student believes a grade was motivated by animus or given arbitrarily, he or she may submit a written petition to the Academic Standards Team setting forth all information which the student deems relevant. The Academic Standards Team will provide a copy of the petition to the faculty member. Where appropriate, at the request of the Academic Standards Team, the Associate Dean for Academics may convene a meeting between the student and the faculty member to resolve the dispute. The decision of the Academic Standards Team shall be final.

**2.3.6 CharlotteLaw Program for Academic Success (CPAS).** To help our students maximize their potential for learning and understanding the law, Charlotte School of Law provides a program for academic success. The program provides students the opportunity to work with academic success staff through workshops, in small group settings, and on a one-on one basis. The objectives of the program include helping our students discover their particular needs and learning styles, and providing them with the tools they need to meet the rigors of law school with confidence.

While CPAS Programs are open to all students, particular emphasis is placed upon helping first-year students. The program offers several types of workshops throughout each semester on a variety of topics such as exam-taking skills, outlining, time-management, and note taking. A schedule of the CPAS workshops is available at the beginning of each semester.

**2.3.7 Academic Discipline.**

**2.3.7.1 Probation.** Any student who has attempted fewer than twenty-four (24) credit hours and fails to attain a cumulative grade point average of at least 2.00 for all work attempted will be placed on academic probation for a period of one semester for full-time students and up to two semesters for part-time students (depending on number of hours completed, except that students with a cumulative grade point average below 1.50 may be subject to dismissal without a probationary semester pursuant to the terms of Section 2.3.7.2.1 below. A student on academic probation may not actively participate in Moot Court, journals, or hold office in any student organization, any legal fraternity, or be a representative or officer in the Student Bar Association. A student on academic probation may not enroll in or continue in any clinical program. He or she is also required to relinquish all other voluntary outside activities including, in the case of a full-time student, employment. A student on academic probation will be required to participate in CPAS activities as a condition of academic probation. CPAS may impose such additional conditions during the period of academic probation as it deems necessary.

**2.3.7.2 Dismissal.** Charlotte School of Law complies with the American Bar Association mandate regarding scholastic evaluation of law students. ABA Standard 303(b) requires that: “[a] law school shall not continue the enrollment of a student whose inability to do satisfactory work is sufficiently manifest so that the student’s continuation in school would inculcate false hopes, constitute economic exploitation, or detrimentally affect the education of other students.”

Accordingly, each student’s academic record will be reviewed at the conclusion of each semester of enrollment, and academic dismissal shall be determined at the conclusion of the fall and spring semester, as follows:

**2.3.7.2.1.** Dismissal after 15 credit hours of study. A student who has attempted at least fifteen (15) credit hours of study and has a cumulative grade point average below 1.50 for all work attempted will be subject to academic dismissal from Charlotte School of Law.

**2.3.7.2.2.** Dismissal after 24 credit hours of study. A student who has attempted at least twenty-four (24) credit hours of study and has a cumulative grade point average below 2.00 for all work attempted will be subject to academic dismissal from Charlotte School of Law.

Academic dismissal from Charlotte School of Law may have a financial aid impact on the student. Therefore, any student who is academically dismissed must schedule an appointment to consult with the Office of Financial Assistance.

## **2.3.8 Reinstatement or Readmission.**

**2.3.8.1 Eligibility to Petition for Reinstatement.** If a student is academically dismissed, he or she may petition the Academic Standards Team seeking reinstatement for one probationary semester provided their cumulative GPA is 1.8

or higher. The petition for reinstatement must be filed as follows: (a) for students dismissed at the end of the fall semester, no sooner than March 1 and no later than March 15 of the following semester or (b) for students dismissed at the end of the spring semester, no sooner than July 15 and no later than August 1 of the following semester. A reinstatement that is granted will be effective no earlier than the summer following a fall semester dismissal, and no earlier than the fall semester following a spring semester dismissal. Notwithstanding the foregoing, the terms and timing of a reinstatement shall be within the sole discretion of the Academic Standards Team. No student reinstated under this section who is subsequently academically dismissed may seek a second petition for reinstatement.

The petition must be in writing, stating the reasons that may warrant reinstatement. In the event that the Academic Standards Team grants a student's petition for reinstatement, that student must ordinarily complete the probationary semester in the next fall or spring semester, whichever is earlier. A reinstated student who fails to attain a cumulative grade point average of 2.00 at the end of this probationary term will be academically dismissed. Reinstated students on probation are required to attend all Academic Success Program workshops.

A petition for reinstatement filed by an academically dismissed student who has a cumulative grade point average below 1.80 will be acted upon by the Academic Standards Team in accordance with an abbreviated review procedure. Under this abbreviated procedure, petitions for reinstatement will be distributed in writing to all members of the Academic Standards Team. Within seven (7) calendar days of the date of distribution of the petition for reinstatement, any member of the Academic Standards Team may direct that the petition be placed on the agenda for consideration at the next regularly scheduled committee meeting. If no member directs placement of the petition on the agenda within seven (7) calendar days of the date of distribution, the petition is deemed denied. A petition denied under this procedure shall have no further right of rehearing

**2.3.8.2 Content of Petition.** A student who seeks reinstatement must demonstrate with specificity through his or her petition to the Academic Standards Team the following information: (a) the extraordinary circumstances that led to the student's deficient academic performance; (b) that those extraordinary circumstances no longer are present; (c) a detailed plan for academic success if the student is reinstated; and (d) that the student's past record contains sufficient indicia of success in law school and ability to pass a bar examination.

"Extraordinary circumstance" is defined to include those circumstances which are not of the student's making that caused the student's deficient academic performance, such as: 1) serious or prolonged illness or injury of the student or of the student's spouse or dependent; 2) admittance to a hospital; 3) death in the student's immediate family (i.e., grand-parents, parents, siblings, spouses and children); 4) extended jury duty or required court appearance; and 5) birth of a child during the relevant semester and 6) other extraordinary circumstances as determined by the Academic Standards and Outputs Team. The determination as to whether an extraordinary circumstance, as defined above, caused a student's

deficient academic performance will be made only for the semester immediately preceding academic dismissal.

**2.3.8.3 Committee Action.** The Academic Standards Team shall act on all petitions for reinstatement in a timely fashion. The Committee may grant or deny the petition in its sole discretion. In the event that the petition is granted, the Academic Standards Team shall reinstate the student under such conditions as the Committee deems appropriate. Students will be notified in writing of the Committee's decision.

**2.3.8.4 Rehearing.** Following a negative vote by the Academic Standards Team, a student may petition for rehearing. To obtain a rehearing, the student must submit a written "Petition for Rehearing" within seven (7) calendar days of receipt of notice of the Academic Standards Team's action. The petition must set forth that the petitioner has evidence that (a) is relevant to the issues in the petitioner's case, (b) could not have been available at the time of the Committee's original hearing, and (c) is of such a nature that it reasonably could have caused a different decision in the petitioner's case. Absent such a showing, rehearing will not be granted. Petitions for rehearing may be acted upon in accordance with the abbreviated procedure described above. Rehearing will not be granted unless the Committee approves the rehearing petition by two-thirds vote of the members present.

**2.3.9 Graduation/Degree Requirements.** Graduation is conditioned upon:

- a. Attaining a cumulative grade point average of at least 2.00 in at least ninety (90) credit hours of course work;
- b. Completing a minimum of sixty (60) credit hours in residence at CharlotteLaw and matriculating at CharlotteLaw for a minimum of twenty-four (24) months;
- c. Successfully completing all required courses;
- d. Satisfying the advanced legal writing and skills/clinic requirements; and
- e. Successfully completing all required pro-bono and community service hours.

Credit hours are awarded for courses in which the candidate for the degree has earned a grade of "D-" or better, or in the case of a course that is graded pass/fail a "P," or for which he or she has received advanced standing credit on the basis of work at another law school.

**2.3.9.1 Advisors.** Advisors are provided to assist students in planning their academic program. They are not authorized to change established policy of CharlotteLaw. Students are solely responsible for ensuring that their academic program complies with the policies of CharlotteLaw and that they satisfy all requirements for graduation and receipt of a degree. Any advice which is at variance with established policy must be confirmed by the Dean's Office.

### 2.3.10 Honor and Distinctions

**2.3.10.1 Deans List** At the conclusion of each semester the Law School selects students who have earned “Dean’s List” recognition for excellent academic achievement during that semester.

To qualify for the Dean’s List, a student must achieve a 3.00 or higher semester average while carrying **nine** or more credits that are Law School courses graded other than on a Satisfactory/Unsatisfactory basis.

**2.3.10.2 Graduation With Honors.** . A student graduates with honors by earning the following cumulative grade point average for all course work completed at Charlotte School of Law:

Summa Cum Laude	3.75
Magna Cum Laude	3.50
Cum Laude	3.25

**2.3.11 Academic Grievances.** In fostering open communication between students and faculty, students are encouraged to discuss any concerns or grievances concerning academic matters directly with the faculty or other student(s) involved. The student should bring unresolved academic matters to the attention of the Associate Dean for Academics, who will meet with the student and any other material parties in an attempt to resolve the matter. The Associate Dean for Academics’ resolution is subject, upon request, to review by the Dean. The decision of the Dean shall be the final resolution of the matter.

## CHAPTER III

### STUDENTS AS CITIZENS

*“I regard it as a duty which I owed, not just to my people, but also to my profession, to the practice of law, and to the justice for all mankind, to cry out against this discrimination which is essentially unjust and opposed to the whole basis of the attitude towards justice which is part of the tradition of legal training in this country. I believed that in taking up a stand against this injustice I was upholding the dignity of what should be an honorable profession.” Nelson Mandela*

*“Character is higher than intellect.” Ralph Waldo Emerson*

#### **ABA Standard 211. NON-DISCRIMINATION AND EQUALITY OF OPPORTUNITY**

*A law school shall foster and maintain equality of opportunity in legal education, including employment of faculty and staff, without discrimination or segregation on the basis of race, color, religion, national origin, gender or sexual orientation, age or disability.*

#### **ABA Standard 212. EQUAL OPPORTUNITY AND DIVERSITY**

*Consistent with sound legal education policy and the Standards, a law school shall demonstrate by concrete action a commitment to providing full opportunities for the study of law and entry into the profession by members of underrepresented groups, particularly racial and ethnic minorities, and a commitment to having a student body that is diverse with respect to gender, race, and ethnicity.*

#### **ABA Standard 504. CHARACTER AND FITNESS**

*(a) ...The law school should, as soon after matriculation as is practicable, take additional steps to apprise entering students of the importance of determining the applicable character, fitness and other qualifications.*

#### **ABA Standard 511. STUDENT SUPPORT SERVICES**

*A law school shall provide all its students, regardless of enrollment or scheduling option, with basic student services, including maintenance of accurate student records, academic advising and counseling, financial aid counseling, and an active career counseling service to assist students in making sound career choices and obtaining employment.*

**3.1 Re-affirmation of Principles.** The governing boards, charged by law with the responsibility for the governance of CharlotteLaw, re-affirm the following general principles as fundamental to the functioning of a School in a free society and declare them to be fully applicable at CharlotteLaw:

- a. **Academic Freedom.** All members of the CharlotteLaw community (administrators, faculty, staff and students) enjoy certain rights grounded in the nature of the community, the vitality of the educational process, and the requirements of the search for truth and its free dissemination. There exist inherent rights of academic freedom that include the freedom to learn, the freedom to teach, and the freedom to conduct research and to publish findings in a spirit and atmosphere of free and open inquiry to be exercised in concert with the established educational and deliberative processes of CharlotteLaw.
- b. **Rights and Responsibilities.** The rights and privileges held by members of the CharlotteLaw community carry correlative responsibilities and obligations. Among these is the duty to respect and follow rules and regulations as have been, or may be, from time to time established. Such rules and regulations are designed to reflect the

educational purpose of the institution, to protect the safety of the campus and its citizens and will be enforced by CharlotteLaw.

- c. **Security of the Campus.** The purpose of CharlotteLaw is educational: teaching, learning, discussion, research, and service. The appropriate governing board(s) and the administration, faculty, staff, students, alumni, and citizens must share the same goal for CharlotteLaw - - that it be a stable and peaceful center of education and inquiry, free from violence, the unlawful or improper use of force, coercion, intimidation, harassment, or personal abuse. The employment of such objectionable tactics violates the rights of others and has an adverse effect on the entire institution. No such actions have any place in an academic institution.
- d. **Right of Dissent.** CharlotteLaw supports the academic freedom of all members of the CharlotteLaw community and does not seek conformity, but it insists that persons who choose to associate with CharlotteLaw actively support its mission, culture and business purposes and not engage in activities or conduct that are detrimental to the brand, image, or values of the System or CharlotteLaw or the investment that students have made in obtaining their legal education from CharlotteLaw. Any expression of dissent must be made by legitimate means in accord with established governance processes of CharlotteLaw. The exercise of the freedom to dissent does not include the right to interfere with the rights of others or the business interests and educational processes of the System and CharlotteLaw.
- e. **Communication.** Broad avenues of communication are essential to the orderly functioning of CharlotteLaw. Normally, input from all appropriate segments of the CharlotteLaw community will be sought and considered in the establishment of governing principles of CharlotteLaw. The serious consideration of diverse viewpoints does not necessarily mean that such views will be accepted in whole or in part. The governing boards call upon the administration and the faculty to continue to implement reasonable means for hearing the voices of all elements of the CharlotteLaw community as a method of ensuring harmony and understanding and to work toward improving communication among all constituencies of the institution.
- f. **Partisan Politics.** In exercising the rights of free speech and the honest expression of opinion on any subject, each member of the CharlotteLaw community has a concurrent obligation not to speak or act on behalf of CharlotteLaw without authorization to do so. In order to assure its autonomy and integrity, CharlotteLaw should not become an instrument of partisan political action. The expression of political opinions and viewpoints must be identified as those of the individual and not of CharlotteLaw. The governing boards will maintain and protect the autonomy and integrity of CharlotteLaw and defend the academic process from both internal and external attacks and will prevent CharlotteLaw from being exploited and being converted to an instrument of partisan political action.

**3.2 Honor Code.** Just as lawyers are expected to adhere to the highest standards of professional behavior, Charlotte School of Law expects its students to adhere to high standards of behavior during their legal education, and to avoid even the appearance of impropriety. The Honor Code

is adopted in recognition that law school is a student's first step toward becoming a member of the legal profession.

The Honor Code is based on the fundamental principles of mutual trust and respect. Each student who joins the law school community affirms, by the student's acceptance of a position in the community, this commitment to integrity, trust and respect. Each student is presumed not to have violated this commitment unless and until proven otherwise.

Violation of one or more of the following principles constitutes a violation of the CharlotteLaw Honor Code.

**3.2.1 Principle One: Every law student shall perform all work in academic matters honestly.** To do otherwise constitutes "Academic Dishonesty." Academic Dishonesty means any conduct in any course or educational activity by a student that violates any of the following standards:

- a. **Unfair Advantage.** No student may engage in any activity that gains or is intended to gain an unfair advantage in any law school activity or academic matter, either on behalf of the student personally or for another. An unfair advantage is one that is not generally available to all students. It encompasses, but is not limited to, 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 not intended to be circulated. A student is expected to act honestly after an exam, before final grades are issued, and shall 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.
- b. **Plagiarism.** All academic work, whether curricular and co-curricular, must be the original work of the student. Intentional plagiarism is forbidden. Plagiarism is the appropriation of any other person's work without acknowledgment in one's own work, which is offered for any academic purpose. The following are examples of plagiarism, but not an exhaustive list of situations in which plagiarism can occur.
  1. To use someone else's words without unambiguous acknowledgment.
  2. To paraphrase someone else's words without unambiguous acknowledgment.
  3. To use someone else's ideas without unambiguous acknowledgment.
- c. **Unauthorized Assistance.** A student may not provide or receive unauthorized assistance in the taking of examinations, tests, or quizzes or in the preparation of any other performance requirements of a course or educational activity. Such restrictions shall include, but not be limited to, the following practices or activities:

1. The use of any unauthorized material in the taking of an examination, test or quiz or in the preparation of course, program, educational activity, clinical or degree work;
2. The solicitation or use of a proxy test taker or the taking of a text, examination or quiz or the preparation or presentation of a course, program, educational activity, clinical or degree assignment or requirement on behalf of another;
3. Obtaining or providing assistance to another person or group of persons without the instructor's express prior permission during an examination, test or quiz;
4. The submission or presentation of a falsified excuse for an absence from a course requirement, examination, test or quiz either directly or through another source;
5. The presentation of false identification or credentials in order to gain admission to a course, examination, test or quiz, degree program, educational, clinical or school sponsored or related activity.

d. **Misrepresentation.** No student shall provide false or misleading information to or in response to any request for information from CharlotteLaw or any of its faculty members, educational affiliates, regulatory or professional organizations.

**3.2.2. Principle Two: Every law student shall act professionally, respectfully and with integrity.** This principle applies in dealings with CharlotteLaw and members of the academic community, and in dealings with community and professional organizations that approve, supervise or regulate the students' performance of activities that are a part of or related to the educational or other programs of CharlotteLaw. Law students are required to conduct themselves at all times when in attendance at School activities or sponsored events in a manner that is befitting the status of the legal profession that they are preparing to enter. Accordingly, students are required to cooperate with and show respect for members of the academic community, including administrators, faculty, staff and fellow students. To do otherwise constitutes "Unprofessional Conduct" and, in severe circumstances, will constitute an Honor Code violation. Unprofessional Conduct includes any act by a student that violates any rules of conduct promulgated by CharlotteLaw, ethical standards promulgated by CharlotteLaw or the legal profession.

Examples of such conduct include, but are not limited to:

1. Unprofessional behavior in the classroom, including behavior described in the provisions of Section.3.5.3 and 3.5.5.
2. Failure to observe (abide by?) any library regulations.
3. Failure to observe (abide by?) any rules governing appropriate behavior within the CharlotteLaw building or on the CharlotteLaw campus.

4. Physically or verbally abusive conduct toward faculty, staff, visitors, or other students.
5. Unauthorized use of, interference with, or damage or destruction to property of CharlotteLaw or a member of the academic community.
6. Appearing in the Law School academic environment while under the influence of intoxicants or of drugs not prescribed by a physician.

**3.2.3 Principle Three: Every law student shall protect the integrity of the Honor Code and other Law School policies.** Lawyers enjoy the privilege of being a self-regulating profession. For law students, the duties and responsibilities that coincide with the privilege begin from the very moment a student submits his/her law school application and continue throughout law school and beyond. Students are therefore required to provide information, identification, statements or reports when requested to do so by School officials. These officials have the right to request such information from students at any time, including but not limited to, instances when they believe a violation of School policies, the Honor Code or applicable federal, state or local laws or ordinances may be implicated by conduct of the student or information that the students holds. Further, students shall not hinder, delay, provide false information, or otherwise obstruct School officials in the performance of their official duties. Students who fail to provide assistance to School officials as noted above, who provide false information, or who otherwise hinder, delay or obstruct School staff in the performance of their duties violate the Honor Code. They may be required to leave School premises, or other premises where School activities are taking place, be detained for further investigation, or detained for referral to security or law enforcement personnel. Specific examples of Honor Code violations include, but are not limited, to the following:

1. Knowingly failing to report a violation of the Code by another student.
2. Knowingly making a false report of a violation of the Code by another student, knowingly making a false or materially incomplete report, or giving false or materially incomplete testimony in an investigation or proceeding under the Code.
3. Falsifying, destroying, or placing beyond the reach of an officer acting under the Code any documents, testimony, or other evidence material to an investigation or other process under the Code.
4. Without reasonable excuse, failing to appear as a witness or to testify when called upon under the Code.
5. Breaching a duty of confidentiality under the Code.
6. Failing to immediately notify Charlotte School of Law of any federal, state or local charges or offenses that occurred after you were admitted to the law school.

**3.2.4 Sanctions.** Upon a finding of responsibility under the Honor Code, one or more of the following sanctions may be imposed. Any sanction imposed by a formal process will be noted in the internal records of the Law School or on the transcript of the responsible student:

- a. Denial of credit for a course.
- b. Downward disciplinary grade adjustment for an assignment or course.
- c. Restriction of library, activity, or other Law School privileges.
- d. Dismissal from a Law School office or activity.
- e. Notation or reprimand.
- f. Disciplinary probation or warning.
- g. Compensatory damages or restitution to the Law School or other appropriate entity.
- h. Suspension from the Law School.
- i. Expulsion from the Law School.

In deciding a sanction, the committee may consider any relevant information and the following factors shall be considered:

- a. The nature and seriousness of the violation, including the degree of potential harm that the violation posed to the academic integrity of the Law School community.
- b. The circumstances of the violation, including any aggravating or mitigating factors.
- c. The need to uphold and promote respect for the Code and to deter future violation by the responsible student and others.
- d. Whether the sanction will reconcile the responsible student with the Law School community.
- e. Any comments of the responsible student relevant to sanction selection.
- f. The state of mind of the responsible student.

If suspension is the sanction, the sanction may require that a student begin the suspension during a semester and forfeit any credit for that semester. For a student in his or her final semester, the penalty shall be imposed by withholding the student's certificate of graduation for the period of sanctions. Aggravated violations of any of these regulations justify expulsion from CharlotteLaw. Aggravated violations include but are not limited to concealing or attempting to conceal the act; destroying evidence; altering or destroying official records; or obtaining unauthorized entry into official offices. Imposition of all penalties pursuant to the Honor Code must be reported to the appropriate Bar officials. Notwithstanding the foregoing, the Academic Disciplinary Team reserves the right to impose any sanction it deems to be appropriate, including permanent expulsion.

**3.2.5 Disciplinary Process.** The disciplinary process should be as informal as possible. The primary objective is to determine the truth and then, if necessary, to impose an

appropriate sanction. These procedures will apply to the investigation and adjudication of alleged violations of the Honor Code.

**3.2.6 Honor Code Violation.** Any member of the CharlotteLaw community may assert that another member of the community has violated the Honor Code. CharlotteLaw will not respond to anonymous allegations but will provide appropriate confidentiality to the person presenting evidence of an Honor Code violation. The community member should notify the Dean for Academics soon after the discovery of credible information indicating an Honor Code violation.

**3.2.6.1 Informal Review.** The Dean for Academics may proceed with a formal investigation, choose not to proceed, or impose a sanction with the consent of the student. A decision should be made within three (3) working days.

**3.2.6.2 Formal Investigation.** The Dean for Academics will appoint one or more CharlotteLaw employees to investigate the allegation. The Investigator will make a preliminary investigation into the nature and basis of the allegation, including, talking with the accused, the accuser, witnesses, and any other person the Investigator believes should be interviewed. The Investigator should complete the investigation within ten (10) days and provide an oral summary of the facts to the Dean of Academics. The Dean for Academics may proceed with a Hearing, choose not to proceed, or impose a sanction with the consent of the student. If the Dean for Academics chooses to send the allegation to a Hearing then the student must be provided with written notice of that decision. The notice must summarize the allegation of the Honor Code violation. On the day the letter is dated a copy must be mailed to the student's address of record, a copy provided to the Dean of CharlotteLaw, and a copy provided to the Chair of the Academic Disciplinary Team. The Investigator will provide the Facilitator with all relevant documents, notes, or other materials that will help the Honor Code Committee in making a decision.

### **3.2.7 Hearing.**

**3.2.7.1 Academic Disciplinary Team Composition.** The Academic Disciplinary Team is a standing team consisting of five members. The Dean will appoint three faculty members, including the Chair, and will designate two additional faculty members as alternates. The President of the Student Bar Association will appoint two students to serve as members of the team: one second year student and one third year student.

**3.2.7.2 Hearing Committee Composition.** The members of the Academic Disciplinary Team will serve on the Hearing Committee unless they have a conflict of interest (e.g., the accuser, accused, witnesses, or instructor in the course in which the alleged violation occurred). The Chair of the Academic Disciplinary Team will appoint a Facilitator from the faculty team members to chair the Hearing Committee. If there are insufficient team members or alternates that can serve then the Dean will select an appropriate student or faculty alternate to serve on the Hearing Committee. An accused student may exercise one

peremptory challenge to excuse any member of the Hearing Committee from the panel. Once the accused student has exercised that right or given up that right the Academic Disciplinary Team Chair's role in the process is over. A quorum exists when four members of the Committee are present. Committee action shall be by a majority vote of those present and voting. The Committee's meetings will be closed. The Committee may establish rules for the conduct of its proceedings.

**3.2.7.3 Student Rights.** Students have the right to confidentiality and should avoid discussing matters they are involved in with others, unless there is a legitimate reason for sharing information. Students accused of a violation have the right to know the names of the witnesses that the Hearing Committee is planning to call.

**3.2.8 Procedure for hearings.** The Academic Disciplinary Committee will conduct a hearing of allegations referred to it by the Dean for Academics. A hearing upon the merits will be conducted no later than seven working days after the Facilitator receives notice of the allegations. The accused may request a five-day continuance, which will be granted if the request is made in a timely fashion. The accused will have the right to be accompanied during the hearing by a fellow student whose role is limited to consultation with the accused. The advisor may not present arguments, examine or cross-examine witnesses or otherwise act as an advocate for or representative of the accused. The Investigator will present a summary of the allegations and assist the Committee by calling witnesses, presenting any relevant documentary evidence, and providing any other relevant information to the Committee. Accused students have the right to obtain witnesses and present evidence. CharlotteLaw will cooperate with the accused student in securing witnesses and in making available relevant evidence to the extent not limited by law. Employees and students will provide testimony, subject to any legally recognized privilege. The accused students have the right to cross-examine witnesses. Where a witness cannot or will not appear the Committee may determine that in the interest of justice a deposition should be arranged. The Committee, in its sole discretion, may grant continuances when requested for reasonable amounts of time and for good reasons. The Committee will keep an electronic record of the proceedings. The hearings will not be conducted under strict rules of legal evidence; however, every effort will be made to obtain the most reliable evidence. Evidentiary rulings will be made by the Facilitator but may be reviewed by the whole Committee if a Committee member objects at the time of the ruling. After the Hearing the Committee may need additional information and may continue its fact-finding until it has all of the evidence it needs for a decision.

The Hearing Committee will have two voting options: proved or not proved. Notice of a decision should be provided to the students as soon as practicable, but generally not on the same day as the Hearing. If the Committee finds that the allegations were not proved then the Facilitator will write a brief letter to the Dean noting the decision. If the Committee finds that the allegations were proved then the Committee must prepare a "findings of fact and conclusions" and the Committee's recommend penalty. The Dean should receive a written response from the Committee within three (3) working days after the hearing. The recommended disposition must be based solely on the record, pertinent institutional policies, regulations, and procedures, and the law. The Committee's findings, conclusions, and penalty will be determined in closed session.

The Dean will implement the decision of the Committee, unless for compelling reasons that are communicated in writing to the accused and the Committee. The Dean may modify the sanction in appropriate cases.

**3.2.9 Time limitations.** The purpose of the time limitations under this policy are to provide for efficient and orderly procedure. The time limits will not be construed to bar or prevent the hearing of accusations or the imposition of appropriate sanctions after the expiration of an applicable time limitation unless the time delay has unduly prejudiced the right of the accused to a fair hearing. Time limits may be extended or waived by the Committee.

**3.3 Drugs and Alcohol.** CharlotteLaw encourages all members of its community to learn proficiently, think logically and critically, identify and choose personal standards and values that are socially responsible, and develop the skill and leadership abilities necessary for distinguished professional performance and significant contributions to the improvement and transformation of society.

In consonance with this mission, CharlotteLaw is committed to preventing the use of illegal substances by students, faculty, and staff and to encouraging responsible behavior regarding alcohol and legal addictive substances through policy, needs assessment, education, and treatment.

The Associate Dean for Students' office offers the services of assessment, referral, and short-term counseling to students who are experiencing substance abuse problems. This office also offers referral services to counseling professionals for students. A student may seek these services on his or her own initiative or a member of the administrative or instructional team may direct him/her to the service when a decline in performance is observed.

In addition, CharlotteLaw provides awareness programs that focus on the dangers of and health risks associated with the use of illicit drugs and the abuse of alcohol. Such programs are coordinated annually by the Associate Dean for Students offices and are open to all students, faculty, and staff.

CharlotteLaw prohibits the unlawful manufacture, distribution, dispensing, possession, consumption, sale or use of controlled substances and alcohol on or in CharlotteLaw owned or controlled property or in the course of CharlotteLaw business or activities. Students who violate this policy shall be subject to discipline, termination/dismissal, debarment, arrest or citation, and referral by School officials for prosecution, as applicable. Additionally, students who violate this policy may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program approved by CharlotteLaw.

Charlotte School of Law complies with appropriate North Carolina statutes and local ordinances dealing with the consumption of alcoholic beverages on Charlotte School of Law premises and at any function in which Charlotte School of Law's name is involved. Students and their guests who consume any alcoholic beverage on campus or at an event sponsored by Charlotte School of Law or any entity of Charlotte School of Law must be at least twenty-one years of age and must be able to furnish proof of age at the event. Charlotte School of Law and its agents reserve the right to refuse to serve alcoholic beverages to anyone who is visibly intoxicated or whose behavior, at the sole discretion of Charlotte School of Law and its agents, warrants the refusal of service. Any individual who arrives at a Charlotte School of Law function either on or off campus in a visibly intoxicated state may, at the sole discretion of Charlotte School of Law, or its agents, be denied entrance to the event.

Any student who is arrested for or found guilty of violating a local, North Carolina, South Carolina, or Federal law pertaining to unlawful possession, use or distribution of illicit drugs and alcohol must notify the Associate Dean of Students, in writing, no later than five (5) calendar days after arrest or conviction. Failure to comply with this notification requirement will result in immediate termination or dismissal.

No later than thirty (30) calendar days after receiving notification of such conviction from a student CharlotteLaw will:

- a. Take action against the student to include any range of authorized disciplinary actions up to termination/dismissal; and/or
- b. Require the student to participate satisfactorily in a drug abuse assistance or rehabilitation program approved by CharlotteLaw; and
- c. If the student is authorized to work on a grant provided by the Federal Government at the time of the incident, CharlotteLaw shall notify the agency which awarded the grant within ten (10) calendar days after receipt of notification from the student.

CharlotteLaw will review this policy and the relevant education assessment, and treatment programs annually to determine their effectiveness and to ensure that sanctions are consistently enforced. CharlotteLaw reserves the right to implement changes at any time by approval of the Dean.

**3.4 Continuing Responsibility to Report.** Every CharlotteLaw Student has a continuing responsibility to report any and all instance of arrest and or violations of federal, state or local laws, throughout their matriculation at the law school. (this does not include minor traffic violations) Any incident must be reported to the Associate Dean of Students within five (5) business days of the arrest or violation. A failure to report this information is a violation of the Honor Code.

**3.4 Smoking.** Smoking is prohibited in facilities of Charlotte School of Law and at any events or activities sponsored by CharlotteLaw at all times.

**3.5 Colleague Respect.**

**3.5.1 Sexual Harassment/Assault.** Charlotte School of Law is dedicated to maintaining an academic environment free of discrimination, exploitation or coercion. Discrimination in any form frustrates individual achievement, undermines a comfortable learning climate, and affects the integrity of Charlotte School of Law. In the interest of promoting an academic environment in which people are free to work and learn without fear of sexual harassment, Charlotte School of Law prohibits sexual harassment.

This policy also seeks to further understanding in the CharlotteLaw community of the types of behavior that may constitute discriminatory sexual harassment and to make available to persons aggrieved by such harassment both informal and formal procedures for resolution of complaints. These procedures supplement those provided by state and federal law and are in no way intended to discourage their use. This policy also reflects conscious and difficult choices concerning coverage, procedures, and academic freedom.

**3.5.1.1 Scope.** Professional relationships among faculty, staff, and students are central to the educational mission of Charlotte School of Law. These relationships must be protected against impropriety, as well as the appearance of impropriety. Those who work within this community are entrusted with unique responsibilities, including, but not limited to, guiding the educational and professional development of each student, evaluating student performance and assigning grades, providing job recommendations, mentoring, and counseling. Minimally, romantic or sexual relationships between faculty and staff with students create the appearance of undue advantage. Faculty and staff must recognize that in relationships with students or subordinates, there is always an element of power. Abuse of such power, or the appearance of such abuse, diminishes the trust and respect essential to the openness and freedom from constraint that an academic community requires. In this regard, it is essential that Charlotte School of Law articulate standards of conduct for faculty and staff in their dealings with students, other employees, and colleagues.

Students are required, as a condition of their enrollment at or participation in activities of School, to abide by this policy statement and prohibitions against sexual misconduct contained in the Student Conduct Code. Students have the right to be free from sexual harassment during the pursuit of their educational and social activities at School.

Clubs, associations and other organizations (and their members) affiliated with or partaking of the benefits, services or privileges afforded by CharlotteLaw are required to abide by this policy in the conduct of their School-related programs and activities.

Charlotte School of Law has established policies and procedures to respond to student complaints of sexual harassment against faculty and staff members, as well as faculty and staff members' complaints against co-workers or students. This is designed to assure all members of the CharlotteLaw community that complaints will be addressed fairly and expeditiously. It also prohibits any member of Charlotte School of Law community from discriminating or retaliating against an individual for having initiated an inquiry or complaint regarding an incident of alleged sexual harassment.

The policies and procedures established herein are intended to supplement and complement the laws, policies, and regulations, and procedures of the state and federal governments concerning sexual harassment. It is not intended to displace or limit them. The pursuit of a complaint of sexual harassment under this policy and procedure does not prevent a complainant from pursuing complaints or claims arising out of the same operative facts in other form or by other means.

**3.5.1.2 Definitions.** The specified terms shall have the meanings ascribed hereinafter for purposes of this Section.

- a. "Sexual Harassment" means any unwanted sexual advance or other conduct of a sexual nature whereby (a) submission to these actions is made either explicitly or implicitly, a term or condition of an individual's education or employment by creating an intimidating, hostile, or offensive environment. Such conduct will constitute sexual harassment regardless of whether it is directed towards a person of the opposite or the same sex. Examples of conduct that constitutes sexual harassment include but are not limited to the following:
  1. Sexual assault;
  2. Express or implied threats that submission to sexual advances will be a condition of a grade, a letter of recommendation, academic evaluation, employment, or work status;
  3. Classroom behavior of a sexual nature is not legitimately related to the course and creates an intimidating, hostile or offensive environment, including, but not limited to: (1) offensive comments of a sexual nature; (2) statements of behavior based on sexual stereotype; (3) statements, questions, jokes, or anecdotes of a sexually explicit nature; or (4) the use of teaching materials, including handouts, books, hypotheticals, lectures, and exam problems, that gratuitously emphasize sexuality or sexual stereotype; and
  4. Any unwanted sexual advance or other conduct of a sexual nature, either in or outside the classroom, that creates an intimidating, hostile, or offensive working or learning environment, including, but not limited to, the behavior enumerated in the previous section, as well as: (1) intentional and unwanted touching, patting, hugging, or other physical contact; (2) sexually suggestive remarks about a person's clothing or body; (3) remarks about sexual activity, or speculations about sexual experience; (4) repeated and unwanted staring; (5) repeated and unwanted personal notes or telephone calls; or (6) a direct proposition of a sexual nature.

- b. “Investigating School Official” means an individual official of Charlotte School of Law will be designated to receive and investigate complaints of sexual harassment. Depending on the nature of the complaint, the investigating School official is the Associate Dean for Students, a department head, or the Associate Dean for Academics. The investigating School official will maintain the complaint and any investigative notes in a confidential file.

**3.5.1.3 Prohibited Conduct.** Sexual harassment, as defined above, is specifically prohibited by Charlotte School of Law. This policy is not intended to suggest that classroom or out-of-class discussions of sexuality or sexual stereotypes are always inappropriate. Discussion of topics having a legitimate relationship to course materials, classroom discussion, and the free debate of issues and ideas is not prohibited. In determining whether behavior constitutes sexual harassment in violation of this policy, the totality of the circumstances and the context in which the behavior occurs will be considered. This is intended to ensure the protection of individual rights, freedom of speech, and academic freedom.

**3.5.1.4 Procedures.** The following procedures apply to complaints of sexual harassment brought by or against School students.

- a. Complaints: Any student who believes that he or she has been unlawfully discriminated against in violation of this policy is encouraged to file a complaint as promptly as possible after the alleged harassment occurs.
- b. Form of Complaint: An aggrieved student may file a formal complaint. The complaint must be based upon the personal knowledge of the aggrieved person. Complaints must be submitted in writing and include a description of the alleged harassment, the date(s) of the incident(s), identity of the complainant and alleged harasser, and any other information relevant to the charge.

Where to File: A student who wishes to file a complaint against a fellow student, faculty member or staff member may submit a complaint to the Associate Dean for Students or the Dean, provided, however, that in the event that the student’s complaint involves these persons, the student may submit a complaint to the Director of Human Resources or any member of the faculty Notice to the Dean: Upon the filing of a complaint, the investigating School official will notify the Dean that a complaint has been filed, the nature of the complaint, and the procedural option chosen by the complainant.

- c. Notice to the Charged Party: Within a reasonable time after the filing of a complaint, the investigating School official will notify any person against whom a complaint is filed. A copy of the complaint will be available to the charged individual.

- d. **Meet and Discuss:** At the option of either the aggrieved party or the investigating School official, a meeting will be conducted with the aggrieved party and the investigating School official as soon as possible after the filing of the complaint. The purpose of the meeting is to permit the discussion of the procedural requirements of this policy, confidentiality, retaliation, academic freedom, and any other relevant matters.
- e. **Anonymity and Confidentiality:** Anonymous complaints will be investigated to the extent deemed prudent and appropriate by School officials. Under exceptional circumstances, the investigating School official may permit a complaint to be filed without revealing the identity of the complainant party. An exceptional circumstance might arise, for example, where there is evidence of harassment beyond the complaint (e.g., where there is evidence of inappropriate sexual references in an examination problem). Complaints and investigations are treated with confidentiality; however, it may become necessary in the investigation of a Complaint for the Investigating School Official to discuss the allegations of the complaint with relevant witnesses or accused persons in order to fully investigate the matter and impose appropriate remedies.
- f. **Informal Procedures:** The goals of the informal procedures are to afford the parties an opportunity to discuss the complaint with the charged party, agree on changes in behavior where necessary, and arrive at a resolution acceptable to both. Informal procedures are not prerequisites to the formal mediation procedures described below or other formal resolution mechanisms provided by state or federal law.

An aggrieved party who files a complaint may:

1. speak directly with the charged party;
2. request that the investigating School official speak with the charged party; or
3. propose another method of resolution.

In the event that the complaint is resolved through informal procedures, the investigating School official will notify the Dean of the resolution. Notwithstanding resolution of the complaint, the Dean may take any action deemed necessary to assure that the resolution is consistent with Charlotte School of Law policies.

- g. **Formal procedures:** If the complainant is not satisfied with the result of the informal procedures described above, or if he or she chooses not to use the informal procedures, the formal mechanism for resolving complaints of sexual harassment is mediation. Mediation provides a forum where the complainant and respondent, with the aid of a neutral third party, can come to a mutually satisfactory resolution.
  1. A complainant who wishes to proceed to mediation must inform the investigating School official, who will arrange

mediation.

2. Both parties must be willing to engage in the mediation process and must agree upon the identity of the mediator.

A mediator may propose solutions, but any resolution of the complaint must be acceptable to both parties; however, Charlotte School of Law reserves all rights, privileges, and authority. The parties may not enter into a mediation agreement which binds Charlotte School of Law to take or refrain from taking any action.

1. During mediation, either party may be accompanied by a legal representative.
2. If the parties reach an agreement, they must reduce it to writing and provide a copy to the investigating School official.
3. Charlotte School of Law will bear the reasonable costs of mediation.
4. Mediation is not a prerequisite to formal resolution of the matter through state or federal formal resolution mechanisms.
5. Upon the completion of the mediation process, the investigating School official will notify the Dean of the resolution. Notwithstanding the resolution of the complaint, the Dean may take any action deemed necessary to assure that the resolution is consistent with Charlotte School of Law policies.

**3.5.1.5 Records.** The complaint and any other documents that are created in the course of resolving the complaint will be retained by the investigating School official in confidential files.

**3.5.2 Consensual Amorous Relationships.** Faculty members or other instructional personnel are discouraged from developing or maintaining romantic or sexual relations with current students and are prohibited from making or participating in decisions affecting a student's progress or standing or which may reward or penalize a student with whom the faculty member has, or has had, a sexual or romantic relationship.

**3.5.3 Unprofessional and/or Disruptive Classroom Conduct.** If a student engages in conduct in the classroom or in the course of any other educational activity of CharlotteLaw that is unprofessional, disruptive or otherwise unreasonably interferes with the orderly educational processes, the faculty member is authorized to take any or all of the following actions:

1. Require the student to immediately cease the unprofessional and/or disruptive behavior.

2. Require that the student leave the class or other educational activity setting.
3. Dismiss the class or educational activity. A report of the incident must immediately be submitted to the office of the Associate Dean for Students.
4. Refuse to readmit the student to the class or educational activity until a meeting is held between the student, the faculty member and the Associate Dean for Students or another representative of the Dean's office to address the student's conduct and the student is authorized to return to class or permitted to participate in the educational activity.
5. If the student persists in disrupting or interfering with the educational activity, the faculty member may permanently dismiss the student from the class or educational activity. In such a case, the faculty member shall refer the matter to the Associate Dean for Students to bring appropriate charges against the student for an Honor Code violation.

**3.5.4 Non-discrimination.** CharlotteLaw is committed to a policy that prohibits unlawful discrimination against members of the academic community, including current or prospective students, on the basis of race, color, gender, age, non-disqualifying disability, religion or creed, national or ethnic origin, marital status or sexual orientation, or any other legally protected characteristic. Charlotte School of Law does not unlawfully discriminate in administration of its educational policies, admissions policies, scholarship and loan programs, and other school-administered programs.

**3.5.5 Participation, Civility, and Professionalism.** Law students are required to conduct themselves at all times when in attendance at School activities or sponsored events in a manner that is befitting the status of the legal profession that they are about to enter. During law school, students will learn not just the substantive law but also civility and professionalism. Discourteous or uncivil conduct by attorneys is governed to some extent by the attorney's duty of candor and fairness to opposing counsel and the tribunal and by rules of practice and procedure. In addition, many courts and state bars mandate professionalism through lawyer civility and courtesy codes.

Courts have sanctioned or expressed strong disapproval of attorneys' discourteous, uncivil, or rude conduct during the course of pretrial proceedings and trial, even when that conduct does not violate a particular provision of the disciplinary rules. In addition, many duties of professional responsibility govern lawyer's behavior even when the lawyers are "off-duty." This lack of a distinction between a lawyer's behavior in different venues carries over into the instruction of professionalism and the law school experience. Indeed, the board of bar examiners will ask the law school to certify each student's fitness to practice law. To that end, we want to ensure that students have the civility and professionalism skills that their newly chosen profession demands.

It is not enough merely to tell you what civility and professionalism are; you must also have a chance to practice those skills. Professional and civil behavior lead to a smoothly functioning law school experience for everyone. In particular, good class participation is

critical for learning and for helping to make class time as productive and enjoyable as possible for everyone.

Proper class participation and professional conduct include, but are not limited to:

1. Sufficient preparation for each class to enable a positive contribution toward class discussion; and
2. Courteous, civil, and respectful behavior toward other students and the professor, both in and out of class.

Insufficient class participation and unprofessional or uncivil conduct include, but are not limited to:

1. Lack of preparation for, or participation in, class discussions;
2. Discourteous, uncivil, or rude behavior toward other students, professors or staff, whether in or out of class; and
3. Classroom conduct that is disruptive or interferes with the learning environment of other students.

**3.6 Non-Academic Grievances.** In fostering open communication between students and faculty, students are encouraged to discuss any concerns or grievances concerning non-academic matters directly with the faculty or other student(s) involved. The student should bring unresolved non-academic matters to the attention of the Associate Dean for Students, who will meet with the student and any other material parties in an attempt to resolve the matter. The resolution of the Associate Dean for Students is subject, upon request, to review by the Dean. The decision of the Dean shall be the final resolution of the matter.

**3.7 Student Records Privacy.** CharlotteLaw maintains an educational record for each student who is or has been enrolled at CharlotteLaw. In accordance with the Family Educational Rights and Privacy Act of 1974, as amended, (hereafter "Act") the following student rights are covered by the Act and afforded to all eligible students:

- a. The right to inspect and review information contained in the student's educational records.
- b. The right to request amendment of the contents of the student's educational records if believed to be inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
- c. The right to prevent disclosure without consent, with certain exceptions, of personally identifiable information from the student's educational records.
- d. The right to secure a copy of CharlotteLaw's record privacy policy.

- e. The right to file complaints with the U.S. Department of Education concerning alleged failures by CharlotteLaw to comply with the provisions of the Act.

Each of these rights, with any limitations or exceptions, is explained in CharlotteLaw's policy statement, a copy of which may be obtained in the Associate Dean for Students' office.

CharlotteLaw may provide Directory Information in accordance with the provisions of the Act without the written consent of an eligible student unless it is requested in writing that such information not be disclosed (see below). "Directory Information" is the student's name, address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational institution attended by this student, and other similar information.

CharlotteLaw will provide GPA and class rank only to students or graduates under the following circumstances: the student or graduate requests the information, in person, and provides either a student ID or photo driver's license to verify his or her identity; or, he or she mails or faxes a written, signed, and notarized request for the information with a photocopy of his or her student ID to the Registrar. CharlotteLaw will not, under any circumstances, release GPA or class rank information over the telephone.

Current eligible students may prohibit general disclosure of this Directory Information by notifying the Associate Dean for Students in writing, within ten (10) calendar days after the first scheduled class day of each fall term. CharlotteLaw will honor the request for one academic year only; therefore, the student must file the request on an annual basis. The student should carefully consider the consequences of any decision to withhold any category of Directory Information. Regardless of the effect upon a student, CharlotteLaw assumes no liability that may arise out of its compliance with a request that such information be withheld. It will be assumed that the failure on the part of a student to request the withholding of Directory Information indicates the student's consent to disclosure.

Any questions concerning the student's rights and responsibilities under the Family Educational Rights and Privacy Act should be referred to the office of the Associate Dean for Students.

### **3.8 Students with Disabilities.**

***ABA Standard 213. REASONABLE ACCOMODATION FOR QUALIFIED INDIVIDUALS WITH DISABILITIES***

*Assuring equality of opportunity for qualified individuals with disabilities, as required by Standard 211, may require a law school to provide such students, faculty and staff with reasonable accommodations.*

Academic accommodations are provided to students who qualify under the Americans With Disabilities Act (ADA). These accommodations are generally oriented to classroom and/or examination settings.

Students must request accommodations in writing, to the Associate Dean for Students, preferably before the semester begins. Students must use the "Request for Disability Accommodations" form, available in Student Affairs, to request all accommodations. In order to receive accommodations, students must submit appropriate medical, psychological, or educational documentation to substantiate their needs. Confidentiality of records is maintained.

Each student request will have an ADA professional assess his or her individual request and determine appropriate and reasonable accommodations. For more information concerning specific accommodations available and documentation guidelines, contact the Associate Dean for Students.

### **3.9 Title IV Disclosures. [Reserved]**

### **3.10 Counseling and Personal Challenges.**

#### **3.10.1 Academic Counseling.**

**3.10.1.1 Classes.** As a general rule and whenever possible, a student with a non-disability-related problem in a particular course should discuss the problem with the instructor. If this is not possible, if the student is uncomfortable discussing his or her issue with the instructor, or if these discussions do not resolve the problem, students should contact the Associate Dean for Students. If the problem is disability related, the student should contact the Associate Dean for Students. Students should not discuss accommodations for disabilities directly with their instructors until they have met with the Associate Dean for Students.

**3.10.1.2 Financial Aid.** Students with financial aid problems should first contact the Financial Aid Officer. If this does not resolve the problem, students should then contact, the Associate Dean for Admissions and Financial Aid. Billing questions should be directed to the Finance Office.

**3.10.1.3 Career Advice.** Students seeking career advice should first contact the Director of the Center for Professional Development.

#### **3.10.1.4 Personal Challenges.**

**3.10.1.4.1 Problems Affecting School Work.** Students with personal challenges that are interfering with their ability to attend classes, to study, or to take exams should contact Denise Spriggs, the Associate Dean for Students, to discuss how to handle the problem and to obtain references for services. The Associate Dean will also work closely with the Registrar to find solutions to the academic aspect of these concerns.

**3.10.1.4.2 Other Personal Challenges.** The Associate Dean for Students can be a resource to students with personal issues. Although she does not provide long-term counseling, she can direct students to outside service providers to help them resolve their concerns.

**3.11 Use of Technology Resources.** School technology resources are to be used to advance CharlotteLaw's mission. Faculty, students, and staff may use these resources for purposes related to their studies or research, their teaching, the execution of their duties as faculty members, their official business with or for CharlotteLaw, or other CharlotteLaw-sanctioned activities. CharlotteLaw encourages the use of technology resources for these primary activities. These resources include, but are not limited to, hardware (including telephones, computers, and traditional media equipment) either owned or leased by CharlotteLaw, software, and consulting

time (and expertise) of the staff of Information Technology Services or other CharlotteLaw technology support staff, and CharlotteLaw network facilities. Unless approved in advance by the Dean, use of CharlotteLaw technology resources for commercial purposes is prohibited.

The use of technology resources provided by CharlotteLaw for purposes not directly related to the primary activities indicated in the previous paragraph should be considered as secondary activities (i.e. personal or otherwise.) Should such secondary activity in any way interfere with primary activities, they may be terminated immediately.

Many of CharlotteLaw's technology resources are shared among the entire CharlotteLaw community. The use of these may not violate law or the rights of others. Prohibited activities include, but are not limited to:

- Activities that violate copyright or other intellectual property rights of others.
- Activities that obstruct usage or deny access to technology resources.
- Activities that could be considered as harassing, libelous or obscene.
- Activities that violate CharlotteLaw policies.
- Activities that violate local, state or federal laws.
- Unauthorized use of computer accounts.
- Impersonating other individuals.
- Attempts to explore or exploit security provisions, either at CharlotteLaw or elsewhere.
- Activities that invade the right to privacy of others.
- Destruction or alteration of data belonging to others.
- Creating, using or distributing computer viruses or other computer parasites.
- Allowing other individuals to use one's account/password.
- Disruption or unauthorized monitoring of electronic communications or of computer accounts.
- Academic dishonesty (e.g., plagiarism, cheating).
- Inappropriate and/or widespread distribution of electronic communications (e.g. "spamming").
- The creation and propagation of anonymous or identified websites such as "blogs" for the purpose of disparaging, denigrating, harassing damaging or defaming CharlotteLaw or any of its students, employees, officers or board members in their CharlotteLaw-related roles or positions.

Publishing anonymous information through the use of CharlotteLaw technology resources that violates any of the foregoing provisions is strictly prohibited. All publications must contain the electronic mail address of the person making the information available. For example, active information such as e-mail must contain the e-mail address of the sender in the FROM: field. Passive information, such as that found on the World Wide Web, must contain the e-mail address of the author, owner or sponsor at the bottom of the page.

### 3.12 Intellectual Property.

**3.12.1 Definitions.** For the purpose of this Section 3.12, the following definitions shall be controlling:

- a. “Creative works” means any works of a CharlotteLaw student prepared in the course and scope of their educational or employment activities under the auspices of CharlotteLaw that are copyrightable as determined in accordance with the U.S. Copyright Act (*See* 17 U.S.C. § 101 *et seq.*).
- b. “Institutional resources” means any support administered by or through InfiLaw or CharlotteLaw, including but not limited to CharlotteLaw or InfiLaw funds, facilities, equipment or personnel, and funds, facilities, equipment, or personnel provided by governmental, commercial, industrial, or other public or private organizations that are administered or controlled by InfiLaw or CharlotteLaw. With respect to the creative works of a student, there shall be excepted from the definition of “institutional resources,” equipment, personnel and facilities of CharlotteLaw that are made available to and used in common by students of CharlotteLaw to the extent of normal, approved use, including without limitation, media resources, computing equipment and facilities, software or networks, reproduction facilities, physical facilities, faculty and staff advice, consultation and assistance when provided in pursuit of course work and educational activities, including the pursuit of scholarly writings whether for non-commercial or commercial uses.
- c. “Student employment” means any services performed by a student for CharlotteLaw or any employee of CharlotteLaw for compensation of any kind whatsoever that is supported by CharlotteLaw funds, including without limitation funds derived from third parties such as grants or contracts.
- d. “Podcast” means any recording, whether audio or visual, of a class session or other educational activity of CharlotteLaw for later transmission to support Learning Activities.
- e. “Learning Activities” means with respect to a Podcast the use of the Podcast recording for study and review related to the recorded course, post-requisite or sequential courses, bar exam preparation, course previews, outcomes assessment, academic success enhancement, tutorial and mentoring support, and student recruitment.

**3.12.2 General Policy.** CharlotteLaw disclaims any ownership interests and rights in and to copyrights in any creative works of students. As a condition of each student’s enrollment in CharlotteLaw, each student consents and agrees to the policy provisions of this Section .

**3.12.3 Exceptions.** The following are exceptions to the general policy.

- a. Creative works that are specially and expressly commissioned or contracted for by CharlotteLaw as a required work product of a student employment or contracted services shall be owned by CharlotteLaw subject to financial or other agreements established between CharlotteLaw and the student, if any.
- b. Students may not employ the use of “material institutional resources” in the production of creative works without express approval of the Dean with “materiality” assessed in light of CharlotteLaw financial and logistical resources. A student shall report to the Dean, in advance of use, the proposed material use of institutional resources in the generation of a creative work. If the use of “material institutional resources” is approved, the terms of the approval will identify the resulting work as (a) being commissioned or contracted for by CharlotteLaw, or (b) as exempt, and will define the rights relating to that work accordingly.
- c. Student contributions to works of faculty or staff members in the performance of compensated services as a research assistant, teaching assistant or in any other role, shall be owned by the faculty or staff member, or the owner of the faculty or staff member’s work unless otherwise expressly determined in advance of any such contribution.
- d. Student contributions to works of other members of CharlotteLaw academic community, including without limitation faculty, staff and fellow students, that is not undertaken in the pursuit or performance of compensated services, shall, unless otherwise expressly determined in advance of any such contributions, be deemed to be a contribution to a work that is jointly owned by all contributors.
- e. CharlotteLaw retains an irrevocable, non-exclusive, perpetual, and royalty-free license to use student work submitted in fulfillment of course, program or degree requirements, or in fulfillment of the requirements of other educational activities for the purpose of evaluating the work, demonstrating conformance with academic requirements, and maintaining a historical record. Such rights shall in no way extend to any commercial exploitation nor the right to use the student’s name, likeness, image or identity for any purpose that is not related to the legitimate educational functions of CharlotteLaw or that is in violation of student privacy rights.
- f. The recordation of a student’s participation in classroom and other educational activities is an issue of special concern. CharlotteLaw shall have the right to record classroom activities, including student involvement in those activities, and other educational activities upon prior notice to the participants and for the sole purpose of supporting the learning activities of matriculated students and student applicants. The right of CharlotteLaw to record such activities hereunder shall include the right to record, store and reproduce the presentations in any medium of expression, now known or later developed. No such recordings shall be

used for purposes other than “learning activities” unless commissioned or contracted for that purpose by CharlotteLaw. Such rights shall extend to the right to record a student’s expressions, images, ideas, comments and identity.

**3.13 Copyright Compliance.** All students are required as a condition of their enrollment and access to CharlotteLaw facilities to conduct their activities on behalf of CharlotteLaw, including but not limited to any photo-reproduction, research or writing activities, in such a fashion so as to meet and comply with all the requirements of the United States copyright laws and regulations (Title 17 U.S.C.).

**3.14 Use of CharlotteLaw Intellectual Property.** CharlotteLaw has developed and operates unique educational programs and services based upon discoveries, research and know-how, and utilizing methods, techniques, designs, devices, proprietary, confidential and trade secret information which are unique to CharlotteLaw. In performing services and conducting business with clinic clients, CharlotteLaw regularly is given access to the trade secret and confidential information under condition that CharlotteLaw, its employees, students and agents will not improperly disclose those trade secrets or confidential information to others (hereinafter collectively referred to, along with any additions or modifications thereto, as "Protected Information"). Students are given access to some or all of the Protected Information from time to time in the course of their pursuit of educational activities under the auspices of CharlotteLaw. Each and every student, by enrolling at CharlotteLaw, covenants and agrees that he or she will not, without the prior consent of CharlotteLaw, disclose, directly or indirectly, to any unauthorized person or entity, or convert to his or her own advantage or the advantage of another, at any time during his or her matriculation or thereafter, any of the Protected Information or any other confidential or trade secret information of CharlotteLaw or Infilaw that a student acquires or that comes to the attention of a student through any means or in any manner whatsoever.

No student or student organization may use the logos, images, name, insignia, lists of names of students, alumni, benefactors, or any other commercial rights of CharlotteLaw for any purpose without the prior written consent of the Dean or his designee.

**3.15 Student Travel Policy.**

**ALL TRAVEL MUST BE PRE-APPROVED BY STUDENT SERVICES.** The president and treasurer of the organization must approve funds to be used by students. Students must be in good academic standing in order to participate in school-funded travel\*\*. Students should turn in a Student Travel Request form (available in the Student Services Office) along with the Conference Itinerary at least four weeks prior to the conference date. Remember: Exams cannot be rescheduled to accommodate student travel. Original receipts must be turned in to the Office of Student Services by five business days after the completion of the trip.

## CHAPTER IV

### STUDENTS AS PROFESSIONALS

*“To find out what one is fitted to do and to secure an opportunity to do it is the key to happiness.” John Dewey*

#### **ABA Standard 211. NON-DISCRIMINATION AND EQUALITY OF OPPORTUNITY**

*(d) Non-discrimination and equality of opportunity in legal education includes equal opportunity to obtain employment. A law school shall communicate to every employer to whom it furnishes assistance and facilities for interviewing and other placement functions the school's firm expectation that the employer will observe the principles of non-discrimination and equality of opportunity on the basis of race, color, religion, national origin, gender, sexual orientation, age and disability in regard to hiring, promotion, retention and conditions of employment.*

#### **ABA Standard 302. CURRICULUM**

*(b) A law school shall offer substantial opportunities for:*

- (1) live-client or other real-life practice experiences, appropriately supervised and designed to encourage reflection by students on their experiences and on the values and responsibilities of the legal profession, and the development of one's ability to assess his or her performance and level of competence;*
- (2) student participation in pro bono activities*

**4.1 Entry into the Profession.** The entry of students into the law profession begins upon their admission to the study of law. The bar association recognizes students as contribution members to the legal community and as representatives of the profession to the public. Students are held to the same standards of conduct and deportment as licensed attorneys. Further, the bar provides for student legal practice under supervision and with prior certification.

**4.2 Code of Student Professional Conduct.** Charlotte School of Law Honor Code sets the highest standards of integrity and professionalism for law students. It sets forth rules, standards and procedures related to academic dishonesty. Each student is given a copy of the Code upon enrollment and is bound to follow it. Charlotte School of Law Honor Code is also posted on CharlotteLaw's website. Failure to follow the Code may result in immediate action, up to and including dismissal.

**4.3 Bar Exams.** In planning a program of law study, the student should usually consider the requirements for admission to the bar in the jurisdiction where he or she plans to practice. The Multistate Bar Examination (MBE) is a major component of the bar exam in almost every jurisdiction. The Multistate Professional Responsibility Exam (MPRE) is also a requirement in most jurisdictions, including North Carolina and South Carolina. The Multistate Essay Exam (MEE) has currently been adopted for use by some jurisdictions, and the Multistate Performance Test (MPT) has been adopted for use by some jurisdictions.

The subjects tested on the MBE are Contracts, Torts, Evidence, Real Property, Criminal Law and Constitutional Law. Criminal Law includes criminal procedure questions. All of these subjects are required for CharlotteLaw students.

A number of upper level courses are subjects that are frequently tested on bar exams throughout the country. Before planning your schedule, you should consult the bar requirements of your state. You can access information about subjects tested on each state's bar exam through the

National Conference of Bar Examiners' website: <http://www.ncbex.org/>. We at CharlotteLaw have designated many subjects that are tested on the North Carolina and South Carolina bars as highly recommended courses, but many states include courses which are unique to practice in the jurisdiction, and you should be familiar with the tested areas in the state you plan to sit for the bar examination.

**4.3.1 North Carolina.** Admission to the Bar in the State of North Carolina is regulated and administered by the Board of Law Examiners of the State of North Carolina [www.ncble.org](http://www.ncble.org). An applicant for general admission must meet the following general standards (the detailed standards are set forth on the [www.ncble.org](http://www.ncble.org) website):

- a. possess the qualifications of character and general fitness requisite for an attorney and counselor-at-law, and be of good moral character and entitled to the high regard and confidence of the public;
- b. must have graduated from a law school approved by the Council of The North Carolina State Bar or that said applicant will graduate within thirty (30) days after the date of the written bar examination from a law school approved by the Council of the North Carolina State Bar;
- c. be of the age of at least eighteen (18) years;
- d. have filed formal application as a general applicant with the Board of Law Examiners;
- e. stand and pass a written bar examination;
- f. have stood and passed the Multistate Professional Responsibility Examination approved by the Board within the twenty-four (24) month period next preceding the beginning day of the written bar examination or shall take and pass the Multistate Professional Responsibility Examination within the twelve (12) month period thereafter; or, if later, shall take and pass the first Multistate Professional Responsibility Examination offered after the Board releases the results of the applicant's written examination.

**4.3.2 South Carolina.** Admission to the Bar in the State of South Carolina is regulated and administered by the Office of Bar Admissions of the South Carolina Supreme Court ([www.judicial.state.sc.us/bar/index.cfm](http://www.judicial.state.sc.us/bar/index.cfm)). An applicant for general admission must meet the following general standards (the detailed standards are set forth on the [www.judicial.state.sc.us/bar/index.cfm](http://www.judicial.state.sc.us/bar/index.cfm) website):

- a. is at least twenty-one (21) years of age;
- b. is of good moral character;
- c. has received a JD or LLB degree from a law school which was approved by the Council of Legal Education of the American Bar Association at the time the degree was conferred. An approved law school includes a school that is provisionally approved by the Council;

- d. has been found qualified by the Committee on Character and Fitness;
- e. has passed the Bar Examination given by the Board of Law Examiners;
- f. has received a scaled score of at least seventy-seven (77) on the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners. If the score was obtained prior to the filing of the application, the MPRE must have been taken within four (4) years of the date on which the application is filed;
- g. is not disbarred, suspended from the practice of law, or the subject of any pending disciplinary proceeding in another jurisdiction;
- h. has successfully completed the Bridge the Gap Program sponsored by the South Carolina Bar; and
- i. has paid the fees and taken the oath or affirmation specified by this rule.

Additional information may be found at  
<http://www.judicial.state.sc.us/courtReg/displayRule.cfm?ruleID=402&subRuleID=&ruleType=APP>

**4.3.3 Other States.** Information concerning the standards for admission to the bar of other states can be obtained from the Section on Legal Education & Admissions to the Bar at [www.abanet.org/legaled](http://www.abanet.org/legaled).

**4.4 Registering with the Bar.** Information concerning registration for membership in the North Carolina State Bar can be obtained at [www.ncbar.com/rules/regulations](http://www.ncbar.com/rules/regulations).

**4.5 Bar Preparation.** Charlotte School of Law is committed to helping each student pass the bar in their state. From their first semester, students are encouraged to be aware of bar preparation issues. In every class, professors continually assist their students in developing life-long study habits that will also improve their bar performance.

**4.6 Student Bar Membership – North Carolina Bar Association.** Law students attending CharlotteLaw may join the North Carolina Bar Association Law Student Division at no cost. By belonging to the Division, students receive many of the benefits that attorney members enjoy, such as Casemaker, access to the online member directory and a wide variety of networking opportunities. All Division members are also members of the Young Lawyers Division, which sponsors committees and projects throughout the year.

#### **4.7 Public Service.**

**4.7.1 Pro Bono and Community Services.** CharlotteLaw is committed to public service and has incorporated this commitment into our legal education program. As a part of this commitment, CharlotteLaw has adopted mandatory pro bono and community service requirements. All students must complete 20 hours of pro bono service and 10 hours of

community service prior to graduation. Pro bono service involves legal-related assistance to persons of limited means in our community. Community service involves volunteer services to the underserved members or interests of our community. Through participation in these programs, students will receive valuable practical skills and exposure to the need for a lifelong commitment to public service.

The Pro Bono Center and the Center for Professional Development work cooperatively to administer the Pro Bono and Community Service Programs to enable students to give back to our community. Students who exemplify a commitment to pro bono service or community service may be eligible to receive recognition or an award at graduation.

**4.8 Center for Professional Development.** Charlotte School of Law maintains a full service career counseling and resource center that supports and assists students in all stages of the career planning process. The Center for Professional Development (CPD) is committed to assisting each student in identifying, developing and attaining his or her individual career goals. Consistent with the aim, the CPD offers a wide range of services and programs that are responsive to a diverse student body and evolving market realities.

Each student is encouraged to meet individually with the director of the Center to discuss unique career planning goals and to develop effective job search strategies. Workshops and special programs will be offered regularly and frequently. The CPD offers special panels and programs bringing to campus practicing attorneys, judges and members of the community to discuss their careers and the legal profession. It also develops programs on entrepreneurialism, law firm management, client relations, and stress management.

The CPD resource library contains publications and materials covering a wide variety of career-related topics, including career planning, job search, resume preparation, interview skills, legal practice areas and alternatives, and law firm practice and management. The director also works with students to navigate the on-line resources available, including Lexis/Nexis, Westlaw, the Internet and various databases.

First-year law students are strongly encouraged to focus on their adjustment to law school and academics during the first semester. For this reason, and due to NALP guidelines, Charlotte School of Law will offer introductory workshops during the first year that sensitize students to the CPD's impending function. These preview workshops will focus on self-assessment, establishing priorities, dispelling myths about the law, and setting goals.

The CPD will work to establish recruitment programs and develop additional opportunities for students to interact with attorneys and other potential employers. Students will be encouraged to test options and gain experience through employment, internship and clinical opportunities, pro bono activities, networking, and student organizations. The CPD also provides innovative career opportunity strategies and programs to assist our students in reaching their professional goals.

**4.9 Alumni Standing.** All graduates of Charlotte School of Law automatically become members of the Law School Alumni Association.

# CHAPTER V

## GENERAL SCHOOL POLICIES AND PROCEDURES

### *ABA Standard 701. GENERAL REQUIREMENTS*

*A law school shall have physical facilities that are adequate both for its current program of legal education and for growth anticipated in the immediate future.*

### *ABA Standard 601. GENERAL PROVISIONS*

*(a) A law school shall maintain a law library that is an active and responsive force in the educational life of the law school. A law library's effective support of the school's teaching, scholarship, research and service programs requires a direct, continuing, and informed relationship with the faculty, students, and administration of the law school.*

*(b) A law library shall have sufficient financial resources to support the law school's teaching, scholarship, research, and service programs. These resources shall be supplies on a consistent basis.*

*A law school shall keep its library abreast of contemporary technology and adopt it when appropriate.*

**5.1 Facilities and Equipment.** CharlotteLaw facilities, equipment and supplies are provided for the use of students in the legitimate pursuit of their studies and educational activities under CharlotteLaw auspices. Use for purposes other than those authorized is prohibited unless specific authorization is obtained from the Dean's Office.

### **5.2 Library.**

**5.2.1 Conduct.** The following rules apply with respect to student conduct while using library facilities:

- a. Students are expected to treat all Library staff with respect and courtesy.
- b. Books are to be shelved in their proper places or placed on book trucks after use.
- c. Loud, boisterous conversation is prohibited.
- d. Students making a large number of copies should defer to a student needing to make one or two copies.
- e. Neither food nor drink is allowed in the Library or Computer Laboratories.
- f. Library users are to set mobile phones and pagers on non-audible signals and to restrict the use of mobile phones to designated public areas.
- g. People who bring children or minors into the library are responsible for monitoring their activities and regulating their behavior.

**5.2.2 Circulation.** The loan period for reserve books and materials is three hours. A valid driver's license or valid student identification card must be presented to the circulation clerk to check out any material from the library. The loan period for non-reserve

circulating materials is four weeks. The fine schedule for overdue or lost materials is listed below:

a. Overdue Fine Schedule for Reserve Materials:

\$1.00 per hour  
\$5.00 maximum per day  
\$20.00 maximum overdue fine

b. Overdue Fine Schedule for Non-Reserve Materials:

\$1.00 per day  
\$20.00 maximum overdue fine

c. Replacement Fine: In addition to the cost of replacing the lost material, a \$25.00 administrative processing fee will be charged. The replacement cost of any material will be determined based on actual cost and/or average replacement costs of similar materials.

d. Lost Items: If lost items are recovered after the replacement fine has been paid, the replacement cost will be refunded to the student. The processing fee is not refundable.

**5.2.3 Illegal Removal of Books.** The following rules apply to the removal of books from the library:

a. Any student intentionally removing library materials other than through authorized channels shall be reported to the Associate Dean for Library and Information Services, who will, in his or her discretion, refer the matter for appropriate disciplinary action. Students will also automatically lose their library privileges for the remainder of the semester in which the offense occurred or is determined to have occurred.

b. Any student exiting the Library, with Library materials, other than through authorized exits, shall be presumed to be removing Library materials other than through authorized channels.

**5.2.4 Library Computers.** The Computer Laboratories in the Library are available to law students for assignments at Charlotte School of Law. No non-law school activity is permitted. The computers provide word processing, e-mail, computer-assisted legal instruction, computer-assisted legal research, Internet access, and general computing. A password and user name are required to access the computers in the laboratories. Following are examples of prohibited uses of computer equipment and networks in the library:

a. Loaning your password or attempting to use someone else's password;

- b. Releasing viruses into the network;
- c. Saving work or installing programs to the hard drive;
- d. Attempting to repair computers, equipment or monitors;
- e. Loading unauthorized software or deleting software;
- f. Visiting and/or bookmarking racist, pornographic, or gaming sites;
- g. Accessing or changing another person's or the law school's files without permission.
- h. Sending harassing or unwanted messages to others.

Students engaging in prohibited uses will be reported to the Associate Dean for Library and Information Services, who will, in his or her discretion, refer the matter for appropriate disciplinary action.

**5.2.5 Library Entry and Exit Rules.** Only law school students with encoded student identification cards are permitted to enter the law building after public use hours. The general public access hours are:

- 900 a.m. - 7:00 p.m. Monday-Thursday
- 9:00 a.m. – 6:00 p.m. Friday
- 1:00 p.m. - 5:00 p.m. Saturday
- 1:00 p.m. - 5:00 p.m. Sunday

Students are to exit the Library through authorized exits only.

**5.2.6 Services for Those With Disabilities.** Students who need assistance in retrieving or photocopying materials or with other services should ask the circulation clerk for assistance.

**5.2.7 Bulletin Boards and Displays in the Library.** A bulletin board is available in the Library for law students and law student organization postings and notices. All notices and postings must be approved by a Librarian before they are placed on the bulletin board.

**5.3 Business and Accounts.** Students are required to meet all of their financial obligations to CharlotteLaw in a timely manner. A student with delinquent financial obligations to CharlotteLaw arising from any source will not be eligible for graduation or access to their transcript of credits. A student who does not pay any financial obligation owed to CharlotteLaw when due, of any kind or nature, agrees to pay all costs of collection, including without limitation, costs incurred by CharlotteLaw in the form of staff time and administrative expenses, collection agency fees, court costs, litigation expenses, and attorney fees.

**5.4 Use of CharlotteLaw Equipment.** CharlotteLaw equipment and supplies are provided for the use of students in the proper pursuit of educational activities in accordance with CharlotteLaw rules. Use for purposes other than those authorized is prohibited without prior authorization.

**5.5 Campus Closure.** In the event of bad weather, a decision on closing of offices and/or cancellation of classes, or postponement of starting times, will not be made earlier than 9 p.m. the evening prior nor later than 6 a.m. that day by the Dean or his or her designee. If the decision is to close offices and cancel classes, essential services will remain staffed.

When a decision is made to close offices and/or cancel classes, or postpone opening, the Communications Manager will be notified immediately by the Dean or his or her designee. The Communications Manager staff will then place calls to the cooperating news media and update CharlotteLaw's website and phone messages to reflect the closure. Students are advised to monitor standard media outlets, CharlotteLaw's website and main phone extension for such information. In addition,

- a. an email will be sent to everyone at their CharlotteLaw address;
- c. the front page of the website we will post a link to information regarding the severe-weather plan ([www.charlottelaw.org](http://www.charlottelaw.org)); and
- d. we will record a message on the school's main number (704-971-8500) announcing the plan.

In the event we receive weather severe enough to disable our phone system or knock out electric power to the area leaving us unable to contact you through the means above, we will follow the closing/late opening plan for Charlotte Mecklenburg County Schools which is broadcast on television and radio.

If any students believe that weather conditions prevent their traveling safely to CharlotteLaw, even though CharlotteLaw is officially open, they may choose to remain at home. A student who misses a class that is not canceled **will** receive an absence for the class period.

**5.6 Campus Conduct.** All students, faculty and staff of CharlotteLaw are required to behave in a professional, business-like manner on CharlotteLaw premises, and at CharlotteLaw-sponsored events and activities. All visitors to CharlotteLaw are also required to behave in a professional, business-like manner. CharlotteLaw prohibits violence or threats of violence. This prohibition includes but is not limited to threatening or abusive language, both verbal and written, threatening gestures, hazing, and/or actual physical fighting.

**5.7 Fund Raising.** All fund raising activities conducted in pursuit of CharlotteLaw business or activities, or by CharlotteLaw-related organizations must be coordinated with and conducted in accordance with the Communications Manager and the Director of Finance and be approved by the Office of the Dean for Students and be coordinated with and conducted in accordance with the communications manager and the Director of Finance

**5.8 Media Releases.** Any contact with the news media in pursuit of CharlotteLaw business or activities, or by CharlotteLaw-related organizations, must be coordinated with the communications department prior to the interaction, and conducted in accordance with the Communications Manager of CharlotteLaw.

# **Appendix I**

## **Student Bar Association Constitution**

### **ARTICLE I**

#### **EXECUTIVE BOARD**

The executive power of the Student Bar Association (SBA) shall be vested in the Executive Board.

1. Structure

- A. The Executive Board is elected by the members of the Student Bar Association according to the rules set forth by the Election Committee
- B. The President of the Student Bar Association shall make appointments as necessary, with the advice and consent of the Executive Board and the Senate. The Student Bar Association President may dismiss any appointed member with the advice and consent of the Executive Board and the Senate if it is deemed necessary by the President for the success of the Student Bar Association
- C. The standing Executive Board members shall be as follows: President, Vice-President, Treasurer and Secretary.
- D. The President may also create committees or other offices deemed necessary and beneficial to the Student Bar Association and will appoint a chair to each committee, with the advice and consent of the Executive Board.

2. Duties and Powers

The Authority of the Student Bar Association executive branch shall be vested in the SBA Executive Board with the SBA President serving as Chairperson.

A. Powers and Responsibilities of the President

- 1. Be the chief executive officer of the SBA;
- 2. Call meetings of the Executive Board;
- 3. Call meetings of the SBA representatives, in accordance with the Constitutional provisions or motions of the Executive Board;
- 4. Preside over all duly constituted meetings of the Executive Board;
- 5. Serve as the official representative of the SBA outside the law school;
- 6. Be an ex officio member of all standing committees of the SBA;
- 7. Serve as a member of Charlotte School of Law Alumni Association, or any successor thereto, in a manner consistent with the Constitution and by-Laws of the Alumni Association and the SBA;
- 8. Have the authority to make appointments as necessary, with the advice and consent of the Executive Board;

9. Attend regularly scheduled Executive Board meetings;
10. Be a voting member of the Executive Board;
11. Shall cast the tie-breaking vote, as necessary;
12. To avoid the appearance of impropriety, ensure proper representation of the student body, and foster greater student involvement, the SBA President shall not hold the office of president of any other student organization;
13. To veto any act of the SBA Senate.

B. Powers and Responsibilities of the Vice-President

1. Assume the office and duties of the President in the President's absence or whenever a vacancy in the office of President may arise;
2. Serve as the chairperson of the Election Committee and with the Committee shall set all rules and regulations in governance thereto;
3. Advise the President of procedural matters relating to the SBA Constitution and Executive Board by-Laws;
4. Perform other such duties as the President and the Executive Board may assign in the administration of the SBA;
5. Attend regularly scheduled Executive Board meetings;
6. Be a voting member of the Executive Board;
7. Shall cast the tie-breaking vote in the Senate.

C. Powers and Responsibilities of the Treasurer

1. Be the chief fiscal officer of the SBA and chairperson of the fund raising committees;
2. Work with the applicable staff representative to assure that the collection and disbursement of SBA funds are distributed and collected according to applicable guidelines established by the law school, and shall, with the staff representative, assure that clear, comprehensive and accurate records of all such transactions are available for review by the Executive Board;
3. Prepare and submit SBA budget for approval by Executive Board;
4. Perform such other duties as the President and the Executive Board may assign in the administration of the SBA;
5. Attend regularly scheduled Executive Board meetings;
6. Provide a minimum of thirty (30) percent of the SBA budget for student organizations;
7. Be a voting member of the Executive Board and a non-voting member of the Senate.

D. Powers and Responsibilities of the Secretary

1. Be in charge of keeping all records, except those relating to fiscal matters;
2. Issue and publish minutes of the Executive Board and Senate;
3. Maintain record of attendance at Executive Board and Senate meetings of the SBA;
4. Issue SBA notices, when needed;
5. Issue and/or maintain copies of all SBA correspondences, as appropriate;

6. Perform such other duties as the President and Executive Board may assign in the administration of the SBA;
7. Attend regularly scheduled Executive Board meetings;
8. Be a voting member of the Executive Board and a non-voting member of the Senate.

## **ARTICLE II SENATE**

The legislative power of the Student Bar Association shall be vested in the Senate. Senators shall also be known as “Representatives.”

### 1. Composition

A. For the purposes of Senate representation, the student body of Charlotte School of Law shall be divided into the following classes:

1. Full-time Students:
  - a. First Year Fall Start (1FL),
  - b. Second Year Fall Start (2FL),
  - c. Third Year Fall Start (3FL),
  - d. First Year Spring Start (1SL),
  - e. Second Year Spring Start (2SL),
  - f. Third Year Spring Start (3SL).

2. Part-time Students:
  - a. First Year (1PL),
  - b. Second Year (2PL),
  - c. Third Year (3PL),
  - d. Fourth Year (4PL).
  
- B. The total number of Representatives in the Senate shall not exceed twenty (20).
  
- C. The total minimum number of Representatives in the Senate shall not fall below ten (10). This shall be accomplished by the establishment of one (1) permanent seat for each class division as outlined in Section 1(A)(1) and (2) of this Article.
  
- D. The remaining available seats shall be divided among the class divisions according to a ratio of class population divided by total student population. The number of seats available a class is tabulated by multiplying this ratio by the number of total available seats beyond the established total minimum.
  
- E. In the event a seat is left vacant during the current term, the President, with the advice and consent of the Senate, may appoint a member of the SBA to fill the vacancy. If such vacancy will violate Section 1(C), the appointment of a Representative shall be mandatory. If the President fails to appoint a Representative to fill a vacancy within thirty (30) days from receipt of notice of said vacancy the Senate shall appoint such Representative.
  
- F. A student elected to the Executive Council, while in office, shall not be allowed to serve as a Senator.

2. Election of Senate; Timing and Procedure

- A. Population for the computation of classes as outlined in Section 1(D) of this article shall be taken at the conclusion of the Spring semester. The population of any incoming unrepresented class will equal the population of the immediately preceding class. The total class population will be adjusted accordingly.
  
- B. All Senators shall be elected in late Spring with the exception of the following:
  1. 1FL to be elected in early Fall semester,
  2. 1PL to be elected in early Fall semester,
  3. 1SL to be elected in early Spring semester.

3. Powers and Duties of the Senate

A. Within the greater bounds of Charlotte School of Law policy, the Senate shall have the power to:

1. Propose referenda.
2. Introduce and enact legislation.
3. Establish procedures for the efficient administration of Senate business.
4. Establish committees as may be fit. The Senate shall at all times have a standing Election Committee and Ways and Means Committee whose duties shall be enumerated in various articles and bylaws of this Constitution.
5. Enact bylaws by a majority vote. These bylaws shall be consistent with any article, section or subsection of this Constitution. Should a final vote be held and a bylaw enacted, the bylaw shall become effective immediately, unless otherwise explicitly stated.
6. Execute an override of a veto of the SBA President by a two-thirds (2/3<sup>rds</sup>) majority of voting Senators.
7. Request reports from any and all Executive Officers and agencies, as well as any minutes from Executive Office meetings. Except as enumerated in any other articles of this Constitution or bylaws, requests shall be made by motion of one (1) Senator and the second of another.
8. Take any action enumerated in this Constitution or bylaws to promote the general welfare of the student body.

B. The Senate shall have the following duties:

1. Approve funds to and review expenditures of SBA Executive and Legislative branches and their agents.
2. Approve all student clubs/organizations seeking official status.
3. Approve all budgets or amendments to budgets of such clubs/organizations having official status pursuant to the following:
  - a. The club/organization submits a budget.
  - b. The club/organization has five (5) active members and an elected executive board.
  - c. Budget approvals made pursuant to this Section may be appealed to the Office of the Dean of Students.
4. Solely try all proceedings of impeachment.

C. Each Senator shall be required to:

1. Represent to the best of his/her ability the concerns and views of his/her constituents.
2. Serve on at least one (1) SBA committee and perform such other duties as enumerated in the bylaws.
3. Attend no less than eighty (80) percent of scheduled meetings. Scheduled meetings are those meetings on the official calendar.

D. First Meeting and Election of Senate Leadership

1. SBA President shall call the first meeting of the new body of the Senate to order no more than three (3) weeks after the first day of class fall semester.
2. At this first meeting the Senators shall:
  - a. Elect by a majority vote a Chair. The duties of the Chair shall conduct all meetings of the Senate. The Chair shall also serve as the third in line to position of President. In the event neither the President nor Vice-President is able to serve in his/her respective position the Chair shall assume the Presidency.
  - b. Elect by a majority vote a Chair Pro Tempore. The duties of the Chair Pro Tempore will be to fulfill the duties of the Chair in the event the Chair is unable to perform his/her duties.
3. Create a calendar establishing a schedule of meetings and elections for the remainder of the academic year provided that at least one (1) meeting be scheduled per month.

E. Meetings, General

1. All meetings of the Senate are to be open to the public, with all attendees having a right to be recognized.
2. The Senate shall create and make public a meeting calendar.
3. The time of meetings may be changed by a three-fourths (3/4<sup>ths</sup>) vote of the attending Senate.
4. A meeting of the Senate may be ended by the Chair moving to adjourn without objection, or a member moving to adjourn and seconded without objection.
5. On petition of a majority of the Senators, a special meeting will be called, giving the time, date, and agenda of the special meeting in the call, providing that reasonable efforts are made to give all Senators at least twenty-four (24) hours notice.

F. Procedures

1. Records and minutes of all meetings of the Senate shall be made available to the public, unless the meeting in question has been decided to be closed to the public.
2. A Quorum of the Senate shall represent a two-thirds (2/3<sup>rds</sup>) majority of Senate members in attendance at the time of a vote.

3. Only Senators or members of the Executive branch of the SBA may propose legislation and make motions in the meetings of the Senate. All motions must be seconded to be brought to a vote.

### **ARTICLE III IMPEACHMENT**

#### 1. Impeachment Proceedings

Any elected officer of the Student Bar Association may be removed from office provided all of the following conditions have been met:

- A. A petition citing specific occurrences of misconduct or nonperformance must be submitted to the Senate with the signatures of at least ten (10) percent of the Student Bar Association.
- B. At least five (5) members of the Senate must make a joint motion to initiate an impeachment action against an elected officer of the SBA.
- C. The accused officer shall have the right to answer any impeachment charges brought against them.
- D. A three-fourths (3/4<sup>ths</sup>) majority is required for an elected officer of the SBA to be impeached.

### **ARTICLE IV AMENDMENTS**

#### 1. Proposal of Amendments

- A. Amendments to this Constitution may be proposed by:
  1. Three-fourths (3/4<sup>ths</sup>) of the Senate members in good standing; or
  2. A petition signed by at least ten (10) percent of the Student Bar Association.
- B. Proposed amendments shall be presented to the Secretary of the Student Bar Association for appropriate action.

#### 2. Voting Procedures.

A vote of the members of the Student Bar Association shall be taken on a proposed amendment within four (4) weeks of the date that such amendment was proposed according the provisions of Section 1 of this Article, provided that public notice is given

to the Student Bar Association of the proposed amendment and referendum vote at least two (2) weeks prior to the taking of the vote.

3. Ratification

In order to amend this Constitution, two-thirds ( $2/3^{\text{rds}}$ ) of the votes cast shall be in favor of the proposed amendment. Amendments approved by the members Student Bar Association shall become effective upon approval of the Dean.

**ARTICLE V  
RECALL, INITIATIVE, REVIEW**

1. Recall

Any constituency shall have the power to recall any officer elected by that constituency under this Constitution.

- A. If the constituency is campus-wide, the petition to recall shall be presented to the Secretary of the Student Bar Association and shall not be valid unless it contains the signatures of at least ten (10) percent of the qualified voters. If the constituency is less than campus-wide, the petition to recall shall not be valid unless it contains the signatures of at least twenty (20) percent of all qualified voters in the constituency concerned.
- B. The Secretary shall, if he/she determines the petition to be in good order within the limitations of this Constitution, direct the Election Committee to conduct an election for the office in question in which election the officer in question shall have the right to be a candidate.
- C. The incumbent shall be officially announced.

2. Initiative

Any member of the Student Bar Association shall have the power to initiate any act within the Student Bar Association, provided that ten (10) percent of the members of the Student Bar Association shall sign a petition calling for the election on a bill which they shall submit in writing with the petition to the Secretary of the Student Bar Association.

- A. The Secretary shall, if he/she determines the petition to be in good order within the limitations of this Constitution, direct the Election Committee to conduct an election on the bill in not less than five (5) class days nor more than fifteen (15) class days after he/she shall have received the petition and bill. Public notice of such election shall be given not less than five (5) class days before it shall take place.
- B. A majority of the votes cast at the election shall be sufficient to pass the bill.

3. Review

Any member of the Student Bar Association shall have power to call for a ballot on any act of the Student Bar Association, provided a petition called for ballot and specifying in writing the proposed action shall be signed by ten (10) percent of the Student Bar Association and transmitted to the Secretary of the Student Bar Association.

- A. The Secretary shall, if he/she determines the petition to be in good order within the limitations of this Constitution, direct the Election Committee to conduct an election on the act in not less than five (5) class days nor more than fifteen (15) class days after he/she shall have received the petition.
- B. Public notice of such election shall be given not less than five (5) class days before it shall take place. A majority of the votes cast at the election shall be sufficient to defeat the bill.

**ARTICLE VI  
RATIFICATION AND REVIEW**

1. Implementation

This Constitution shall take effect upon approval of the Dean, and shall supersede any previous Student Bar Association Constitutions of Charlotte School of Law. Any document applicable to any organization subject to this Constitution prior to May 2007 shall remain valid and operational unless in conflict with this Constitution. In such cases, the organization's document(s) which conflict with this Constitution shall remain valid until October 2007 when they may be deemed unconstitutional by the appropriate agencies. Additionally, any person elected under previous Student Bar Associations of Charlotte School of Law shall be allowed to complete his/her term of office under the terms of his/her election.

2. Review

During the spring semester of each year, the several divisions of the Student Bar Association shall review this Constitution and recommend any necessary revisions to the Senate for appropriate action.