

**WESTERN MICHIGAN
UNIVERSITY**

**THOMAS M. COOLEY LAW
SCHOOL**

STUDENT POLICY MANUAL

Michaelmas Term 2020

TABLE OF CONTENTS

Mission & Preface	Page 4
Chapter 1 – School Organization	Page 5
Chapter 2 – Admissions	Page 7
Chapter 3 – Registration, Audit, Withdrawal, Tuition, Fees & Records	Page 14
Chapter 4 – Financial Aid & Scholarships	Page 25
Chapter 5 – Curriculum & Scheduling	Page 32
Chapter 6 – Final Examinations, Formative Assessments & Grading	Page 41
Chapter 7 – Student Support & Services	Page 55
Chapter 8 – Classroom Procedures & Student, Staff, & Faculty Conduct	Page 69
Chapter 9 – Graduation & Bar Certification	Page 81
Chapter 10 – Master of Laws	Page 84
Appendix A – Educational Requirements for Admissions	Page 111
Appendix B – Policies Pertaining to Disabled Students Seeking Accommodations	Page 113
Appendix C – Procedures for Complaining of Alleged Discrimination Based on Disability	Page 119
Appendix D – The Grade Appeals Process	Page 122
Appendix E – Academic Policies	Page 127
Appendix F – Sexual & Other Forms of Harassment	Page 134
Appendix G – Substance Abuse Prevention Policy	Page 146

Appendix H – Student Honor Code	<u>Page 152</u>
Appendix I – Disciplinary Procedures	<u>Page 177</u>
Appendix J – Student Complaint Policy	<u>Page 183</u>
Appendix K – Electronic Network and Computing Resources Acceptable Use Policy	<u>Page 186</u>
Appendix L – Family Educational & Privacy Act (FERPA)	<u>Page 196</u>
Appendix M – Laptop Policy Requirements	<u>Page 201</u>

WESTERN MICHIGAN UNIVERSITY THOMAS M. COOLEY LAW SCHOOL STUDENT POLICY MANUAL

THE MISSION

The mission of the Western Michigan University Thomas M. Cooley Law School is to prepare its graduates for entry into the legal profession through an integrated program with practical legal scholarship as its guiding principle and focus. This mission includes providing broad access to those who seek the opportunity to study law, while requiring that those to whom that opportunity is offered meet the Law School's rigorous academic standards.

The preparation for practice mission means that Law School graduates must: (1) master the basic fundamentals and skills required for the competent practice of law and representation of clients; (2) master the substantive knowledge and skills required for passage of the bar examination and admission to the bar; and (3) understand and embrace the legal, moral, ethical, and professional responsibilities of lawyers.

PREFACE

The Student Policy Manual describes Western Michigan University Thomas M. Cooley Law School's program, policies, procedures, and practices in force at the time of the Manual's publication. The Law School reserves the right to change, eliminate, or add to the policies, practices, program requirements, schedules, and procedures described in the Student Policy Manual at any time. The Law School will make reasonable efforts to notify students in advance of any such changes.

Students are encouraged to visit the Law School's website (www.cooley.edu) and portal (portal.cooley.edu) for current information and contact information for offices at the Law School's campuses.

CHAPTER 1

SCHOOL ORGANIZATION

Section 1.01. Administration:

President and Dean
Professor James McGrath

Chief of Staff to the President and Dean
Professor Frank Aiello

Senior Vice President and Associate Dean of Administration, Enrollment, and Student Services
Dr. Paul Zelenski

Senior Vice President of Operations and Finance
Ms. Kathleen A. Conklin

Associate Dean of Academic Affairs
Professor Christine Church

Associate Dean of Students and Professionalism
Professor Amy Timmer

Associate Dean of Library and Instructional Support
Professor Duane Strojny

Associate Dean of Planning, Assessment, and Accreditation
Ms. Laura LeDuc

Associate Dean of Auburn Hills Campus
Professor Joan Vestrand

Associate Dean of Grand Rapids Campus
Professor Tracey Brame

Associate Dean of Lansing Campus
Professor Michael McDaniel

Associate Dean of Tampa Bay Campus
Professor Daniel Matthews

Assistant Dean of Career and Professional Development
Professor Lisa Fadler

Director of Information Technology
Sally Backofen

Section 1.02. Administration of the Academic Program and Operation of the School.

The President and Dean is responsible for administration of the academic program and operation of the law school. Subject to the President and Dean's direction, certain functions have been assigned to the Chief of Staff, an Associate Dean, Assistant Dean, Senior Vice President, Vice President, or Director.

CHAPTER 2

ADMISSIONS

Section 2.01. Admissions Office. The Admissions Office provides information and materials to those who are interested in applying to Western Michigan University Thomas M. Cooley Law School. The staff answers questions about the qualifications necessary for admission as a new student or as a student wishing to start anew after having been academically dismissed from law school, as well as the policies regarding transfer students and guest students who wish to attend the Law School. The Office maintains data about each entering class and historical data about the applicant pool and profile. Representatives of the Admissions Office attend the Law School Admission Council law forums, recruitment events, and graduate school/professional school fairs around the country with recruitment help from Law School alumni, faculty, administrators, and current students.

A. Information Provided. The office provides information about the LSAT (Law School Admission Test) registration and CAS (Credential Assembly Service) and the school's outcome-based admissions policy. The website has information about the cost of financing a legal education and financial aid, as well as information about the Grand Rapids and Lansing, Michigan campuses, the Tampa Bay, Florida campus, and housing information. The Admissions Office staff and Associate Directors of Enrollment and Student Services are available to counsel prospective applicants about preparing for the LSAT, preparing for law school and are available to give tours at each of the Law School's campuses.

B. Test Site. The Law School is a test center site for the administration of the LSAT. Contact the Admissions Office for more information.

Section 2.02. Educational Requirements for Admission

See APPENDIX A: Requirements for Admission and Matriculation

Section 2.03. Returning to Enrollment Following Permanent Withdrawal. A student who permanently withdraws, whether in good standing or on academic probation, may not re-enroll at the Law School unless the student:

- A.** completed at least one semester at the Law School before withdrawing,
- B.** followed the withdrawal procedure before withdrawing,
- C.** requests re-enrollment in writing to the Admissions Committee explaining the reasons for the withdrawal and the re-enrollment request, and
- D.** meets or will meet the requirement to graduate within six years of their first term of enrollment.

If the student is allowed to return, the student will retain the academic status as at the time of withdrawal.

Section 2.04. Admission of Students Transferring from Other Law Schools.

A. Required Information. Students seeking to transfer to the Law School from other ABA- or state-accredited law schools must:

- (1) File an application for admission to the Law School;
- (2) Register (or renew their subscription) for the Credential Assembly Service (CAS) and order an official CAS report to be sent to the Law School. The CAS report must include the current law school matriculation. The Law School will not accept a copy of the student's CAS report sent from the student's current law school;
- (3) Order an official law school transcript to be sent directly from the current law school to the Law School's Admissions Office or to LSAC directly;
- (4) Submit a letter of good academic standing and of good character from the Dean of the law school the student is presently attending;
- (5) Submit a completed Transfer Credit Determination Form;
- (6) Copy and submit course descriptions from the law school catalog of the school attended, and a course syllabus, for each course for which transfer is requested; and
- (7) State the reasons for transfer.

B. Transfer of Credit from Other Law Schools

- (1) Only credits completed in a J.D. program as an admitted student at an ABA- or state-accredited law school can be considered. Credits earned in conditional programs will not transfer.
- (2) Students attempting to transfer credits from a non-ABA-accredited, but state-accredited law school must meet the requirements set out in ABA Standard 505, and:
 - a. the credits must have been earned as provided in ABA Standard 311, or qualify for credit under Standards 304 and 307;
 - b. the credits transferring must have been earned in courses that would satisfy degree requirements at the Law School;
 - c. a maximum of 30 credits may transfer.

(3) The student's admission criteria must indicate eligibility for admission to the Law School at the time the student applies for a transfer.

(4) Credit cannot be given for work in which the grade received was less than "C" or its equivalent, or the work in which either the course content or credit hours do not reasonably conform to the curriculum at the Law School.

(5) Transfer credit for course work in which only a "pass" or "credit" was given at the transferring law school will be given only if the law school transcript or a separate statement from the law school clearly indicates that the work performed was equivalent to a "C" or above.

(6) Acceptance for transfer shall be by written approval by the Associate Dean of Students and Professionalism or her or his delegate. The letter of approval for transfer shall state the credit hours and courses for which transfer credit is being given and any additional semesters of matriculation.

(7) Credit shall normally be given for the equivalent of the first year (30 credits or less) only, and only for credits two years old or less at the time of matriculation. Special approval may be granted by the Faculty Admissions Committee on a case-by-case basis for the transfer of up to 45 credits from ABA-accredited law schools.

(8) Only credit hours, not the actual grades, are transferred. The student shall receive a notation of CR (credit) on the transcript for those credits transferring.

(9) An official law school transcript should be submitted directly to the Admissions Office from the former law school or to LSAC directly. An official undergraduate transcript posting the baccalaureate degree and the date conferred must be sent directly from the degree-granting school to the Admissions Office or meet the other requirements under ABA Standard 502 and its interpretations.

(10) A student accepted for admission with advanced standing shall be subject to all regulations of the Law School, including provisions on academic performance, curriculum, Honor Code, and Disciplinary Procedures.

C. Transfer of Credit Under Special Circumstances. A student who seeks to transfer to the Law School from an ABA-accredited law school may request transfer more than 30 credit hours and up to a maximum of 60 credit hours under the following circumstances:

(1) The school from which transfer is sought has announced its intention to cease operations prior to the student's graduation; or

(2) The school from which transfer is sought has announced its intention to move its campus to another state or a location more than 50 miles from its current site; or

(3) The Accreditation Committee has determined that the school from which transfer is sought is not in compliance with the American Bar Association Standards for Approval of Law Schools.

The following additional conditions shall apply:

(4) The student must have been denied guest student status, where applicable, by the former school.

(5) Credit will normally be given only for the first two years (60 credits), and only for credits three years old or less at the time of matriculation.

(6) The student must complete all courses required in the approved curriculum of the Law School.

(7) A student transferring under this subsection will be ineligible to graduate with honors. The awarding of other honors and prizes shall be at the discretion of the Dean.

D. Transfer of Former Students Back to the Law School. A former student may request a transfer back to the Law School. If approved for transfer back, Law School course grades, cumulative grade point average, and academic status will be reinstated for credits earned at the Law School. Transfer students are eligible for scholarships by qualifying based upon either their undergraduate grade point average and LSAT score (Law School Admissions Test). Transfer students can also qualify for a Merit Scholarship based upon their class rank at the school from which their transfer occurs. The scholarship amount will be determined by class rank as described in the ranking chart. Merit Scholarships will be calculated using the grade point average earned for Law School credits and determining class rank based on total credits earned at the Law School and the other school(s). A transfer back may be approved under the following conditions:

(1) The student filed a permanent withdrawal from the Law School.

(2) The student applies through the Admissions Office and follows all admission procedures.

(3) All conditions for transferring credits from other law schools are met.

Section 2.05. Admission of Guest Students From Other Law Schools. Qualified guest students from other ABA-accredited or state-accredited law schools are permitted to take courses for credit at the Law School, provided the school at which they are permanently enrolled agrees in advance to accept the credits earned as a guest. Guest students are subject to all Law School policies while enrolled here. Guest student applicants to the Law School should follow the guidelines below:

- A.** Submit a completed application to the Law School Admissions Office, indicating guest student application status.
- B.** A letter from the Dean of the applicant's current law school must be sent to the Law School Admissions Office advising the Law School that the applicant has permission to attend as a guest student and permission to take a particular class or classes.
- C.** The applicant must be in good academic standing at his or her law school. The Law School's Admissions Office requires a letter from the Dean verifying good academic standing and good character.
- D.** An official law school transcript must be sent directly from the current law school to the Law School Admissions Office.
- E.** The Dean may waive any of the above requirements or deny admission to anyone who meets them if, in the exercise of sound discretion, the Dean believes that it is in the best interest of the Law School to do so. A written statement of the reasons for such action will be retained in the student's file.
- F.** No class that was previously failed at any ABA- or state-accredited law school may be re-taken at the Law School under guest or visiting status.

Section 2.06. Enrollment of WMU Non-Degree Candidates. Qualified students from Western Michigan University (WMU) graduate or undergraduate schools are permitted to take courses for credit at the Law School as non-law-school-degree candidates, provided the school at which they are permanently enrolled agrees in advance to accept the credits earned from the Law School. WMU non-degree candidates are subject to all Law School policies while enrolled here. WMU non-degree candidates to the Law School should follow the guidelines below:

- A.** Submit a completed application to the Law School's Admissions Office, indicating WMU non-degree-candidate-student application status.
- B.** A letter from the Dean of the applicant's current school at WMU must be sent to the Law School Admissions Office advising the Law School that the candidate has permission to attend the Law School as a WMU non-degree candidate and has permission to take a particular course or courses.
- C.** The candidate must be in good academic standing at WMU. The Law School's Admissions Office requires a letter from the Dean verifying good academic standing and good character.
- D.** The WMU non-degree candidate's official school transcript must be sent directly from the current school to the Law School Admissions Office.
- E.** The Dean may waive any of the above requirements or deny admission to anyone who meets them if, in the exercise of sound discretion, the Dean believes that it is in the best

interest of the Law School to do so. A written statement of the reasons for such action will be retained in the student's file.

F. None of the credits earned by a WMU non-degree candidate under this section may later be counted toward completion of that student's J.D. degree at the Law School or any other ABA-approved law school.

Section 2.07. Taking Courses at Other Law Schools for WMU-Cooley Credit

Prohibited. Law School students are not permitted to take courses as guest students at other law schools for credit at the Law School except through the international study abroad programs as approved by the faculty.

Section 2.08. Admission of Military Students. WMU Cooley Law School does not endorse high-pressure recruitment tactics towards military personnel interested in law school for the purposes of securing enrollment. The Law School follows the guidelines below when speaking and recruiting applicants in the military:

A. All military applicants interested in law school should first meet with their Educational Service Officer (ESO) or counselor within the Military Service prior to enrolling.

B. Once the military applicant has received approval from her/his ESO, they will then be designated to speak with a trained School Certifying Official (SCO) at each campus. These staff members have been trained through the VA to assist with application process, benefits, academic and financial advising, disability counseling and additional student support services as needed.

Lansing Campus:

Ieva Inglis

Associate Director of Enrollment and Student Services

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(517) 371-5140 ext. 2282

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Tampa Bay Campus:

Jeisha Humphrey, J.D.

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Auburn Hills

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CHAPTER 3

REGISTRATION, AUDIT, WITHDRAWAL, TUITION, FEES, AND RECORDS

Section 3.01. Registration.

A. Registration Schedule.

(1) Regular Registration/Open Registration. Course schedule and information will be posted to the Law School's portal by Friday of week 9. Registration occurs weeks 10 -12 and the first three days of week 13 (subject to change). Online registration is available.

(2) Late Registration. Dates for Late Registration are: Friday of week 15, Monday and Tuesday of week 16. Students wishing to drop, add, or register during this period may do so through the campus Enrollment and Student Services Coordinator at their campus. All schedules must be finalized by 5:00 p.m. Tuesday of week 16. This is the last day to add a class. No online registration available.

(3) Adding Courses. Students are permitted to add or change courses during Open Registration/Late Registration only, provided space is available.

B. Registration for students entering their 2nd or 3rd semester: Pre-registration. The Registrar's Office will pre-register students entering their second and third semesters. These students will receive an email via their Law School email account advising when the schedule has been posted to their student account and stating the deadline by which students must complete the Online Schedule Acceptance Form. Students who do not submit the form by the deadline date will be dropped from their pre-assigned classes.

(1) View Schedule. To view your standard schedule, log in to the Portal, click on Academic, and the links for the standard schedules are shown.

(2) Change Schedule. To request a change to a pre-assigned schedule, students submit a written request form, using their law school e-mail account, to the Registrar or their campus Enrollment and Student Services Coordinator.

(3) Research & Writing and Advocacy. Writing classes are foundational for the first year. Students must show extraordinary circumstances to request a change to a pre-assigned schedule. These requests will be reviewed by the Associate Dean of Students and Professionalism.

C. All other JD students: Online registration. Registration will occur over several weeks on specific days and times. The Registrar's Office will send an email to your Law School email account with your start date for online registration. The online registration dates will be posted to the Registrar's portal page. You may access online registration on your assigned day and all subsequent days that the registration tool is running. You will

not be able to access online registration on the days the registration tool is turned off. A video presentation is available on the Registrar's portal page to walk you through the online registration process.

D. Graduating Seniors. Graduating seniors who receive official notice of failure of a course taken during the previous semester will be allowed to register for the needed course through the 4th week of their final semester. They should contact the Registrar. If the addition of the failed course exceeds the 16-credit limit for the term, the student must get permission to carry more than 16 credits. No student may be enrolled in more than 18 credits. Payment of any fees and tuition due must be made at the time the forms are completed by the student.

E. LL.M. Students. Registration instructions and form will be posted to the Registrar's portal page. Registration forms for first term LL.M. students must be submitted to the Office of Graduate & Extended Programs either by fax (517) 334-5788, or by email to LLM@cooley.edu. Continuing LL.M. students may register online.

F. Students on Academic Probation. Students in their final semester of academic probation will be permitted to register conditionally, subject to the receipt and recording of grades for the prior semester. Students on probation must conduct an academic probation counseling session with their Campus Associate Director of Enrollment and Student Services before being allowed to register for classes.

G. Exam Conflicts. Exam conflicts must be resolved by the end of registration. Students with an exam conflict on their schedule will be sent a notice to their Law School email account advising of the conflict and asking them to resolve it. If the conflict is not resolved by the last date of late registration, the Registrar will drop one of the conflicting courses.

Section 3.02. Class and Course Audits by J.D. Enrolled Students and Non-Licensed Graduates Preparing for Bar Exam. J.D. enrolled students and non-licensed graduates of the school preparing for the bar exam may audit any course or a portion of a course in the required course curriculum, as long as the student has already sat for and earned a passing grade in the course. Audits may be in-person or via electronic recording, at the professor's discretion. There is no fee to audit.

A. Auditing an Entire Course – Registration. Students must e-mail the Registrar requesting to audit a course. Registration for audited courses will take place during late registration. Students taking the course for credit receive seating priority. The Registrar will advise the student and professor of the availability of seats in the course, and will verify the student's audit eligibility by confirming that the student has previously taken and earned a passing grade in the course.

B. Auditing a Class – Permission and Verification. Students and non-licensed graduates who wish to audit one course, or a portion of a course, may do so with advance permission of the professor teaching the course. Prior to the audit, the student must contact the

professor and the professor must verify with the Registrar that the student has already sat for and earned a passing grade in the course.

C. Auditing – Attendance, Preparation, and Grade. The school's attendance policy and professor's preparedness policy do not apply to students who are auditing a course or portion of a course. However, students who are auditing an entire course and who adhere to the school's attendance policy will receive a grade of AU upon completing the course.

D. Auditing a Class – Students Who Have Taken the Course But Not the Final Exam. Students who have taken a course, but have not yet taken the final exam, may audit only the professor's review session and no other classes.

E. Registration. Registration for audited courses will take place during late registration. Students must submit an e-mail to the Registrar requesting to audit a course. The Registrar will advise if the student is eligible to audit and the availability of seats in the course.

Section 3.03. Course for Audit by Lawyer Students. Lawyers may audit any course at the Law School.

A. Tuition Rate. Lawyers who have graduated from any other law school within the last five years, will be charged only one half of the regular tuition unless they are required to take a course as a result of discipline administered by the Attorney Discipline Board, in which case they will be charged full tuition. All other lawyers will be charged full tuition to audit. Any lawyer wishing to take a course for credit will be charged full tuition.

B. Fees. A student activity fee will also be charged, and grounds maintenance fee may be charged depending on the campus where the class will be taken.

C. Preparedness. The preparedness policy will not apply unless the lawyer is taking the course for credit.

D. Attendance. If the lawyer student is taking the course for Audit/Credit, the Registrar will notify the lawyer when the maximum number of absences have been reached, with notification that, if the maximum is exceeded, the lawyer student will not receive an Audit/Credit for the course.

Section 3.04. Course for Audit by Non-degree Candidates.

A. Enrollment as a Non-degree Candidate. Certain J.D. courses may be designated as non-degree audit courses. Non-degree candidate enrollment in such courses will be limited by seat availability and proof of minimum competency requirements per course.

B. Tuition Rate. Non-degree candidates will be charged one-half regular tuition to audit a designated course.

C. Fees. An application fee and student activity fee will be charged, and a grounds maintenance fee may be charged depending on the campus where the class is taken.

D. Preparedness. The preparedness policy will not apply for non-degree candidates.

E. Attendance. The attendance policy will not apply for non-degree candidates.

F. Dismissal from Course. If the faculty member determines the non-degree candidate is adversely affecting the J.D. course, the non-degree candidate may be dismissed from the course. Dismissed non-degree candidates will be refunded tuition based on the Drop Reimbursement Schedule in Section 3.08.

Section 3.05. Drop/Withdrawal From Courses.

A. Dropping Courses through Week 6. Students will be allowed to drop most courses through Friday of week 6 without anything appearing on their transcript.

B. Dropping Courses Week 7 through Week 13. Beginning week 7 and through Friday of week 13, students who drop a course will receive a W notation for the course on their transcript. The W indicates withdrawal from the course and is not computed into the grade point average.

C. Dropping Courses After Week 13. After week 13, students may not drop courses. Unless permanently withdrawing from the Law School, students who drop or are dropped from a course will receive a WX for the course. WX calculates like an F, with a numeric value of 0.0, and may not be removed from the transcript.

D. Academic Penalties for Dropping Courses. Dropping or withdrawing from certain courses beyond certain times of the semester may result in serious penalties:

(1) Introduction to Law. Students are allowed one absence in Introduction to Law. Students who exceed that absence will be dismissed from all first semester courses, but may file an Appeal for Reinstatement with the Registrar. The Appeal must include an explanation of and documentation for each absence. The Appeal will be submitted to a Committee for review to determine if the student will be reinstated or dropped. If reinstated, the student may not be absent again.

If the student is dropped from Introduction to Law, the student is dropped from all first semester classes and withdrawn from the Law School. The student would have to submit a new application to the Admissions Office, go through the admission process, and begin their studies anew.

(2) First Semester Courses. Students who miss all first-semester final exams will be administratively withdrawn from School and must reapply for admission through the Admissions Committee as a new student. Such students will not receive a “W” or “WX” on their transcript.

(3) Research & Writing. Students who drop or are dropped from Research & Writing after week 4 and who do not withdraw from all courses will receive a WX for the course. WX calculates like an F, with a numeric value of 0.0, and may not be removed from the transcript.

(4) Scholarly Writing. Students who drop or are dropped from Scholarly Writing after week 7 and who do not withdraw from all courses will receive a WX for the course. WX calculates like an F, with a numeric value of 0.0, and may not be removed from the transcript.

(5) Advocacy. Students who drop or are dropped from Advocacy after week 7 and who do not withdraw from all courses will receive a WX for the course. WX calculates like an F, with a numeric value of 0.0, and may not be removed from the transcript.

(6) Pre-Trial Skills. Students who drop or are dropped from Pre-Trial Skills after week 7 and who do not withdraw from all courses will receive a WX for the course. WX calculates like an F, with a numeric value of 0.0, and may not be removed from the transcript.

(7) Trial Skills. Students who drop or are dropped from Trial Skills after week 7 and who do not withdraw from all courses will receive a WX for the course. WX calculates like an F, with a numeric value of 0.0, and may not be removed from the transcript.

(8) Appellate Practice/Moot Court. Students who drop or are dropped from Appellate Practice/Moot Court after week 7 and who do not withdraw from all courses will receive a WX for the course. WX calculates like an F, with a numeric value of 0.0, and may not be removed from the transcript.

(9) Clinical Programs. Students who drop from any clinical program will receive a WX, unless they can demonstrate extenuating circumstances.

E. Financial Penalties for Dropping Courses. Students will be reimbursed tuition paid for courses they drop based on the established refund policy. Please see the “Drop Reimbursement Schedule” below. Financial aid recipients who drop credits to less than a half-time status (within their program of study) should be aware that, in most cases, the School must return all or part of any tuition refund to the awarding agency (see Financial Aid section of this manual).

Section 3.06. Withdrawing From Enrollment. Students wishing to withdraw from enrollment must meet with their campus Associate Director (AD) of Enrollment and Students Services. A permanent withdrawal form is completed by the AD after the completion of the meeting. If a student is presently enrolled, they must drop all classes at the same time the withdrawal form is completed. A student may elect to withdraw from the current semester only,

with intent to return next semester, withdraw from the current semester and request a temporary withdrawal for one semester at a time or withdraw permanently from the School. Any withdrawal beyond one semester may jeopardize financial aid eligibility and result in federal loans becoming due.

A. Absence with Approval. Students who receive approval to temporarily withdraw from the school and are not able to return as stated on the leave request form must contact the Registrar's Office in writing to seek approval of an extension of the leave status. Students who want to extend their approved absence beyond one year must have permission from the Associate Dean of Students and Professionalism to do so. Students may submit such a request by email. Students must regularly check their Law School e-mail account and the portal for information regarding registration, grades, and other pertinent announcements. It is the student's responsibility to keep their address and phone number updated through the portal.

B. Absence without Approval. Students who withdraw without following the withdrawal procedure may not be allowed to return to the School.

C. Matriculation at another law school. Students must inform the School when they attend another law school by filing a permanent withdrawal form. Students who matriculate at another law school are considered permanently withdrawn from the Law School, without regard to whether the school at which the student matriculates is on the list of schools approved and accredited by the American Bar Association.

D. Permanent Withdrawal. Students who permanently withdraw indicate that they will not return at a future date.

(1) **Subsequent Return.** Students who permanently withdraw may request a subsequent return if they followed withdrawal procedures and have not earned academic credit at another law school during their absence from the Law School (if they have earned law school credit elsewhere, they must return under the transfer policies). This request must be submitted in writing to the Admissions Committee. If the student is allowed to return, the student will retain the academic status at the time of withdrawal.

(2) **Permanent Withdrawal before Exams.** Students who permanently withdraw from all classes before taking final examinations must complete an exit interview. The ramifications of withdrawal and the implications for future consideration at the Law School or any other law school will be discussed. Students who withdraw during the first semester must file a new application, have a new LSDAS (Law School Data Assembly Service) report sent to the Law School, and indicate prior matriculation at an ABA law school, with the explanation that withdrawal occurred prior to final exams.

(3) **Permanent Withdrawal after Exams.** Students who permanently withdraw after taking final exams cannot avoid the academic results of those final exams. If a

student is in good standing at the time of permanent withdrawal and the exam results place the student on academic probation, the student's academic status will be changed to reflect academic probation or academic dismissal. Likewise, if a student is not in good academic standing at the time of permanent withdrawal and the exam results place the student in good academic standing, the student's academic status will be changed to reflect good academic standing.

Section 3.07. Tuition. Tuition for an upcoming semester must be paid in full by Tuesday of Week 16 of the preceding semester.

A. Payments and Refunds. Checks or money orders should be made in the exact amount due (in U.S. funds) and submitted to the Business Office. Electronic payments can be made via a link on the portal. Payments made for more than the exact amount will be credited to the student's account, and, upon request, a refund will be issued after 14 business days. Any check presented to the School that names the Law School as a payee must be deposited in full. Any refund due the second named payee will be made in the form of a check drawn by the School after the check clears the bank. Cash refunds will not be made at any time.

B. Deduct From Student Loans. Payment of tuition and fees due the school will be deducted from any student loan or outside resource processed by the School's Financial Aid Department: Tuition must be paid in full to the School before any loan proceeds will be disbursed to the student.

C. Failure to pay tuition. All tuition not covered by financial aid must be paid by the tuition deadline or the student will be dropped from classes. If a payment for tuition is returned as ineligible for redeposit by a drawee bank, tuition will be considered unpaid by the due date and a returned check fee will be assessed, but the student will not be dropped automatically.

Section 3.08. Fees/Reimbursements

A. Drop Reimbursement Schedule: Students who are dropping all courses should refer to the withdrawal procedures provided in this manual. Students who drop courses will be reimbursed tuition paid for courses they drop based upon the schedule provided below. Financial aid recipients who drop credits to less than a half-time status (within their program of study) should be aware that, in most cases, the School must return all or part of any tuition refund to the awarding agency (see Financial Aid section of this manual).

The effective date of the drop shall be the date the drop form is accepted by the Registrar's Office.

DROP REIMBURSEMENT SCHEDULE

<u>Date of Drop</u>	<u>% Tuition Refundable</u>
Week 1 – first week of new semester	100%

Week 2	100%*
Week 3 through remainder of semester	0%

*The 100% refund will be extended to Monday at 5:00 p.m. of the third week of classes for only those classes offered for the first time on Friday, Saturday, or Sunday of the first week, and to Tuesday at 5:00 p.m. of the third week for only those classes offered for the first time on Monday of the second week.

B. Medical and Exceptional Circumstances Emergencies. Students who are experiencing, or whose loved ones are experiencing, a medical emergency, or students who are experiencing an exceptional life circumstances emergency (e.g., home is destroyed by fire), such that the emergency interferes with their classes or ability to study, and who can provide official documentation of the emergency, should contact the Assistant Dean of their campus to discuss options pertaining to withdrawal from classes and a tuition credit.

C. Complete Withdrawals. When a student recipient of Title IV loan assistance withdraws or is dismissed, the School must determine the amount of Title IV loan assistance to be returned to the direct loan program. The refund percentage is based on the Title IV loans earned and equals the number of calendar days remaining in the semester divided by the number of calendar days in the semester (105). From the beginning of the semester, up until the 60% point in the semester (60% of 105 days = 63 days), students withdrawing will receive a percentage refund based on the number of days they were in class. After the 60% point in time (the 64th day of class), students receive 0% back. This formula is also applied to students not receiving financial aid.

D. Foreign Study Withdrawals. For other than complete withdrawals, tuition refunds for foreign study participants are made according to the “student guide” provided for that program by the Law School’s Foreign Study Office.

E. Transcript Request Fees. To request a transcript, students and graduates should visit: www.studentclearinghouse.org. Follow instructions on the website.

F. Application Fee. FREE

G. Enrollment Fee. \$25 non-refundable. An enrollment fee is charged to entering freshmen to reserve a seat in the class of one’s choice. Once the fee is paid, there is no charge to defer matriculation to a future semester.

H. Student Activity Fee. \$20 non-refundable. Student activity fees are charged each semester to support the Student Bar Association.

I. Tuition. Business Office has current tuition rates. Tuition charges are reviewed annually by the School's Board of Directors. Changes in tuition and fees are generally made in September, but are subject to change without notice.

J. Request for Missed Examination Fee. \$25 per course non-refundable

K. Repeat Fee. \$20 per credit non-refundable.

L. Copies of Student File Material. \$1.00 per page. The office will not copy undergraduate transcripts or LSAT reports.

M. Letters of Good Standing Fee. As with all documentation sent to state bar admissions offices, letters of good standing directed to state bars are sent at no charge to the student.

Letters of good standing for purposes other than bar admission applications are ordered through National Clearinghouse (must use credit card): \$5.00 each.

https://www.studentclearinghouse.org/secure_area/Transcript/login.asp?FICEcode=01262700

N. Transcripts.

(1) There is no charge for transcripts mailed directly to state bar admissions offices. Each graduating senior will receive one official transcript free of charge that will be mailed to the graduate after graduation.

(2) Ordered through National Clearinghouse (must use credit card): \$5.00 each.

https://www.studentclearinghouse.org/secure_area/Transcript/login.asp?FICEcode=01262700

O. LSAT/LSDAS Report. Students can order a copy of their LSAT/LSDAS report by contacting Law Services at www.lsac.org or by phone at (215) 968-1001. There is a fee for subscription renewal.

P. Replacement ID Cards. A \$10 fee will be assessed for replacement of an identification card.

Q. Printing charges. At the beginning of each semester, students are given 500 pages of free printing. When a student exceeds the 500-page allocation, the student will be charged \$.08 per page. Print charges apply to print jobs sent from lab computers as well as wireless print jobs sent from a student's personal wireless device. Funds may be loaded on to student identification card for printing.

R. Grounds Maintenance Fee (\$5 per credit). Grounds maintenance fees are charged on classes at campuses with common parking areas and grounds maintained by the Law School.

Section 3.09. Records.

A. Student Identification Cards. Students are required to have a student identification (ID) card, and must obtain their IDs during orientation. There is no charge for an initial ID. A \$10 fee will be assessed for replacement of an ID card. Pictures may be taken any time.

(1) Lansing Campus Students. Lansing campus students should go to the Postal and Printing Services Department in Room #105 on the first floor of the Cooley Center to have their picture taken and ID card issued.

(2) Other Campus Students. Auburn Hills, Grand Rapids, Tampa Bay and Kalamazoo students may go to their respective Campus Director's or Associate Director of Enrollment and Student Services' office to have their ID picture taken. The School will contact the student when their ID is available for pick up.

(3) ID Card Uses. Student identification cards are used to access the Law School Library services and to access final exams. Students should present their identification card when asked to do so by a Law School employee or Access Control personnel.

(4) Kalamazoo Students Only. All Kalamazoo campus students are assessed a one-time Bronco Card Issuance Fee of \$30. The fee covers your photo identification card ("Bronco Card") which is needed to access certain services on the Western Michigan University campus in Kalamazoo. Kalamazoo campus students will obtain their Bronco Card at orientation. Kalamazoo campus students must fill out the following form: <http://bit.ly/WMUServices>.

B. Change of Personal Information. The School conducts much of its official business through the U.S. postal system. Many items mailed to students require action before certain deadlines. Thus, students must keep their mailing addresses, telephone numbers, e-mail addresses, emergency contact number, and other pertinent information current in the school records. Students are required to provide the school with the address at which they reside while attending the Law School, and are required to keep that information current. Students must provide a street address even if they use a P.O. Box as their mailing address. Students may update personal information on the student's portal page under Edit Address.

C. Letters of Good Standing. Letters of good standing issued by the Law School cover both academic and character standing. Academic good standing means the student has a 2.0 or higher grade point average. Character good standing means the student's file does not indicate school discipline or pending disciplinary action. These letters also indicate whether the student is eligible to continue enrollment at the Law School. Letters of good standing must be directed to a specific educational institution and will not be issued to a student. Such letters may be requested through the National Student Clearinghouse at www.studentclearinghouse.org.

D. Release of Information by the Law School. A federal law known as the Family Educational Rights and Privacy Act, or "FERPA," generally prohibits the Law School from releasing identifying information other than "directory information" from a student's

educational record without that student's or graduate's written consent. The Law School's designation of "directory information," as well as its notice to students of their rights under FERPA, is set forth in its FERPA policy, which is APPENDIX L.

CHAPTER 4

FINANCIAL AID AND SCHOLARSHIPS

Section 4.01. General Information about Financial Aid. Financial aid helps students finance their education and cost of attendance and comes in many forms including loans, scholarships, and work study. A student's cost of attendance includes tuition and fees, which must be paid before any proceeds are released to the student, and other variable costs such as rent, food, and books. Schools are required to develop a financial aid budget (posted on the financial aid portion of the website) based on the costs to attend school; that amount is the maximum for which students can apply for financial assistance. The budgeted amount may be reduced by any financial assistance a student receives from any source for the purpose of attending law school. Financial aid information may be listed in the Student Policy Manual, on the Law School's website, the Law School's portal, or in written form. Effective January 2020, students will not receive federal funding or scholarship awards exceeding 90 credits without approval to do so by the Assistant Dean of Admissions and Financial Aid and written approval to exceed academic requirements from the Associate Dean of Students and Professionalism.

Section 4.02. Federal Title IV Financial Aid Sources. Students receive Federal financial aid on the condition that the student completes the appropriate documents with the Department of Education. Those documents must be valid and any issues with those documents must be resolved prior to awarding or disbursement. New matriculating students will receive a financial aid package with the appropriate Federal resources, after all outside resources, including the Merit Scholarship, are taken into consideration. Financial aid is based on an "academic year," which comprises two consecutive semesters. Details regarding specific Federal aid programs are available for student review on the website.

Section 4.03. Financial Aid Eligibility. Federal student aid will be processed for only those credits that are applied to graduation requirements. A student must be enrolled at least half-time status to be eligible for federal student aid. For the JD program half-time status is four credits. For the LL.M. program half-time status is three credits.

A. Financial Aid Standards of Satisfactory Academic Progress (SAP) for JD Students. The Financial Aid Office monitors a student's Satisfactory Academic Progress (SAP) upon matriculation at the Law School. To comply with the Department of Education's Student Financial Aid Regulations, all students are required to maintain SAP to receive federal financial aid. To maintain SAP, students must: (1) maintain at least a 2.0 GPA and (2) meet the standards of academic pace.

SAP standards apply to all students, regardless of their financial aid and enrollment status (full-time, three-quarter-time, half-time, or less than half-time). Students are expected to graduate within **six years** of enrollment, but may appeal to the Associate Dean of Students and Professionalism for consideration of enrollment beyond six years. Students with a 2.0 GPA or above after their first semester are considered to be in good academic standing and are eligible to receive federal

financial aid at the beginning of each semester. Once grades are received from the Registrar's Office, the following will be evaluated.

Students who do not meet SAP are ineligible to receive federal financial aid until they complete the number of credits necessary to regain good academic standing at the required academic pace. They must complete those credits without taking off any semesters.

B. SAP-GPA for Second Semester Students. Federal financial aid will not be processed/dispensed for students entering their second semester until grades are received from the Registrar's Office. Students who are at or above a 1.0 GPA but below a 2.0 GPA will be sent a "financial aid warning" letter explaining that their financial aid will not be processed for the next semester until official grades are posted from the Registrar's Office confirming the student is at a minimum 2.0 GPA.

C. Maintaining a 2.0 GPA. A GPA review of each student's progress will be conducted each semester once official grades are posted. Students who fail to maintain a 2.0 GPA will be sent a "financial aid warning" letter explaining their Federal financial aid will not be processed for the next semester of enrollment until official grades are posted by the Registrar's Office confirming the student's GPA at 2.0 or higher.

D. Financial Aid Probation - GPA. Students who do not have a minimum 2.0 GPA for two consecutive semesters are ineligible for Federal financial aid. Ineligible students have the opportunity to appeal this determination to be placed on "financial aid probation". A student's appeal must include: (1) an academic plan for increasing their GPA to a minimum 2.0 and (2) documentation explaining any circumstances that led to their current GPA. Appeals must be completed with an Associate Director of Enrollment and Student Services or other designated staff by the end of week ten of the semester in which they are determined to be ineligible to receive federal financial aid. Students on term withdrawal must also have completed their appeal by the week ten deadline.

E. Readmitted Students. For financial aid purposes, the Faculty Admissions Committee decision to readmit a dismissed student serves as the dismissed student's appeal for not meeting their academic plan during their financial aid probationary period. Readmitted students must meet all academic and financial aid criteria in the Student Policy Manual. Readmitted students are placed on "financial aid probation" and are eligible for federal financial aid during the readmission semester. Federal financial aid will not be processed for the next semester of enrollment until official grades are posted by the Registrar's Office confirming the student is at or above a 2.0 GPA.

F. Restart Students. For financial aid process purposes, the Faculty Admissions Committee decision to restart a dismissed student serves as the dismissed student's appeal for not meeting the academic plan during the financial aid probationary

period within his or her prior enrollment. Restart students must meet all academic and financial aid criteria in the student policy manual. Restart students are placed on “financial aid probation,” and are eligible for federal financial aid during the first restart semester. Restart students must maintain a minimum 2.0 GPA to remain in good standing for federal financial aid. Throughout matriculation, federal financial aid disbursement will not be processed for restart students with a GPA between 2.0 and 2.24 until official grades are posted by the Registrar’s Office confirming they have maintained a cumulative 2.0 GPA during the restart period. Students will be responsible to return to the school any disbursed proceeds they receive in the event they do not achieve a cumulative GPA of 2.0 during the restart enrollment. Students dismissed under the Automatic Academic Dismissal process will use the restart process to be considered for future federal financial aid. If a student is granted a restart after an Automatic Academic Dismissal, they will be placed on probation and held to the same standards as other restarted students outlined above.

G. 15 Credit Enrollment in First Semester. Students enrolled in 15 credits in their first semester who do not achieve a 2.0 or higher GPA will be ineligible for federal financial aid. Ineligible students may appeal this determination and ask to be placed on “financial aid probation”. A student’s appeal must include: (1) an academic plan for increasing their GPA to a minimum of 2.0 and (2) documentation explaining any circumstances that led to their current GPA. Appeals must be completed with an Associate Director of Enrollment and Student Services or other designated staff before week ten of the semester in which they are determined to be ineligible to receive federal financial aid. Students whose appeals are approved will be eligible for only one additional semester of federal financial aid, until they obtain a minimum 2.0 GPA.

H. Satisfactory Academic Pace. Satisfactory academic pace requires students to pass 66% of credits attempted. Academic pace is calculated by dividing the cumulative number of credits the student has successfully earned by the cumulative number of credits the student has attempted:

$$\text{Cumulative credits passed} \div \text{Cumulative credits attempted} = 66\% \text{ or higher}$$

All classes in which a student is enrolled week 7 and beyond will count toward the cumulative credits attempted.

Students who do not fulfill academic pace requirements will be sent a “financial aid warning” letter. Financial aid will not be processed for the next semester of enrollment until official grades are received from the Registrar’s Office confirming the student is meeting the minimum 66% requirement for academic pace.

I. Financial Aid Probation Pace. Students who do not meet the academic pace requirements for two consecutive semesters will be ineligible for federal financial aid. Ineligible students have the opportunity to appeal this determination in order to be placed on “financial aid probation”. A student’s appeal must be made in writing

to the Assistant Dean of Admissions/Financial Aid and must include: (1) an academic plan for ensuring the student is able to meet academic pace standards by a specific point in time, (2) documentation explaining any circumstances that led to their failure to meet SAP, and (3) third-party documentation supporting the explanation. A Financial Aid Review Committee will assess each appeal to determine if a student's progress may be considered satisfactory despite nonconformance with the pace criteria. Students granted an appeal will be placed on "financial aid probation" until they achieve good standing or the requirements of their academic plan.

J. Withdrawal. For financial aid purposes, students who are on academic probation and who are receiving financial aid, who withdraw after week 2, will not be eligible for future financial aid. For financial aid purposes, students who are not on academic probation and who are receiving financial aid, who withdraw after week 2, more than once, will not be eligible for future financial aid after the second withdrawal. Ineligible students may appeal in writing to the Financial Aid Review Committee. The appeal must include: (1) documentation explaining any circumstances that led to their multiple withdrawals, and (2) third party documentation supporting the explanation. A Financial Aid Review Committee will assess each appeal to determine if a student's progress may be considered satisfactory despite nonconformance for multiple withdrawals. Students granted an appeal will be placed on "financial aid probation" to monitor for additional withdrawals.

NOTE: Any student who has received a credit balance (loan proceeds/refund) and are considered a complete withdraw for the semester, must return said amount, or be subject to a thirty-day demand letter by the Department of Education if the student has not attended class(es) for that semester.

K. Grading. All grades will calculate toward attempted credits. This includes grades earned in retaking a course, and grades of I (incomplete), W (withdrawn), and WX (withdrawn without approval). Students, including restart students who do not complete their first semester of classes, will be administratively withdrawn from school and will not receive grades for the semester. These students will have to reapply for admission as a new student and will not have attempted credits counted towards SAP.

L. Transfer Credits. Only credits that are approved for transfer to the school will be counted towards SAP for GPA and Pace consideration.

Section 4.04. Cost of Attendance Increase Request. The Financial Aid Office assumes that the allotted budget for a student who attends the Law School is reasonable for the geographic area in which the student is enrolled. Students may appeal that amount to the Cost of Attendance Appeals Committee, which will review the student's situation to determine whether an adjustment should be granted. Students may contact his/her campus Associate Director of Enrollment Student Services to learn what is required to request a cost of attendance increase. The Committee may

grant a budget increase if appropriate. Students will be contacted in writing in a timely manner with the decision.

Section 4.05. Financial Aid Disbursements.

A. Timing of Disbursements. Disbursement of aid can vary significantly depending on students' status, the number of entities involved in the disbursement process, and the requirements placed on the funds by the provider. The Financial Aid Office attempts to deliver funds to students' accounts at the earliest date possible, but students are expected to have funds set aside that will allow them to cover at least one month of living expenses beyond all estimated disbursement dates.

For JD students, loan proceeds schedule is as follows:

Week 1 – loan proceeds available for third semester students and beyond, in good financial aid standing who have their aid set up accordingly four weeks before the semester starts.

Week 3 – loan proceeds available for first semester students.

Week 6 – loan proceeds available for second semester students and those who need to be checked for Satisfactory Academic Progress, GPA and or PACE.

NOTE: After the semester has started, attendance must be validated before loan disbursements are made. No loan disbursements occur during week one. Loan eligibility is always reviewed at disbursement, and based on the number of credits the student is enrolled in.

For LL.M. students, loan proceeds schedule is as follows:

Second semester students will receive financial aid disbursements after official grades are validated with the Registrar's Office.

NOTE: For ALL LL.M. students, attendance must be validated before loan disbursements are made. No loan disbursements occur during week one. Loan eligibility is always reviewed at disbursement, and based on the number of credits the student is enrolled in. In approximately two weeks after attendance has been validated, notification will be sent via email that the student's loans have been disbursed.

B. Eligibility. The Financial Aid Office verifies students' eligibility for aid when the School receives the disbursement. Many criteria are checked to verify eligibility for funds, the most common being that the student is enrolled in good standing.

Section 4.06. Scholarships. Many scholarships and monetary awards are available to law students. A list of available scholarships and prizes are listed on the portal by deadline date.

A. Scholarships. The Law School's Scholarship Programs reward academic excellence upon entrance to the Law School and for achievement as a student. Scholarships are offered to qualified incoming students based on their LSAT score and undergraduate GPA, and to qualified continuing students based on their academic performance at the Law School. See the website at: <https://www.cooley.edu/admissions/scholarships> , to determine amounts. Scholarships are continued as a minimum award for the required 90 credits of the student's enrollment at the Law School, so long as the student is not sanctioned with removal of scholarship under the Honor Code or Disciplinary Procedures and so long as the Law School continues the Scholarship program. Scholarships are for Law School tuition only. Effective January 2020, students with less than 45 credits earned must have a 2.0 or higher CGPA to receive a merit scholarship. Students who have earned 45 or more credits receiving a new student or class-rank scholarship must maintain a 2.5 or higher CGPA to maintain the scholarship. Scholarship recipients who fall below the CGPA requirements, but later meet them, will have the scholarship reinstated the following semester.

B. Other Sources. Numerous scholarships are available each semester through a variety of organizations that solicit law school students to apply for such scholarships. Students may view the available scholarships on the portal. While investigating sources of financial assistance, students should explore several areas within the community including business or union affiliations, social, religious, professional, and civic organizations to which the student or the student's family may belong, and a student's geographic residence.

Section 4.07. Record Retention. The federal government provides guidelines for student record retention per the Higher Education Act (HEA). For the purposes of record retention, the Law School will hold student financial records in accordance with the minimum standards of the HEA. Record retention standards will be reviewed for compliance with each HEA reauthorization. In general, the Law School will retain all records pertaining to financial aid for a minimum of three years after the end of a student's last attended award year, unless otherwise directed by the Secretary of Education.

Section 4.08. Payments from VA for Veterans. Students who receive chapter 31 or 33 funding must provide a certificate of eligibility for entitlement to educational assistance (acceptable documents include a "certificate of eligibility" or "Statement of Benefits") obtained from the Department of Veterans Affairs' (VA) website or a VAF28-1905 form for chapter 31. A covered student (any individual who is entitled to educational assistance under chapter 31, Vocational Rehabilitation and Employment, or chapter 33, Post-9/11 GI Bill® benefits) may attend or participate in the course of education during the period beginning on the date on which the certificate of eligibility was provided to the Law School and ending on the earlier of the following dates:

1. the date on which payment from the VA is made to the Law School or
2. 90 days after the date the Law School certified tuition and fees following the receipt of the certificate of eligibility.

In accordance with Title 38 U.S. Code § 3679(e), for any student using U.S. Department of Veterans Affairs (VA) Post 9/11 G.I. Bill® (Ch. 33) or Vocational Rehabilitation and Employment

(Ch. 31) benefits, while payment to the institution is pending from the VA, the Law School will not:

1. prevent the student's enrollment;
2. assess a late penalty to the student;
3. require the student to secure alternative or additional funding; or
4. deny the student access to any resources (access to classes, libraries, or other institutional facilities) available to other students who have satisfied their tuition and fee bills to the institution.

CHAPTER 5

CURRICULUM AND SCHEDULING

Section 5.01. Course of Study. All students must complete 90 credit hours, including 65 or 66 credit hours in required courses (which every student must complete). The remaining credit hours must include at least 3 credits in a skills course and at least 3 credits in a clinic or externship.

A. Curriculum Planning.

(1) First Session. Each student must meet with a full-time faculty member after earning 30 credits and prior to earning 45 credits to plan their curriculum. The planning session will include planning the sequence of required courses, at least 3 credits of Skills courses, and the clinical/externship requirement. The planning session will cover possible concentrations, creating a bar preparation plan, and planning for a graduation date. Students must upload the planning worksheet to the Professional Development Series Canvas page.

(2) Second Session. Each student must meet with a full-time faculty member after earning 60 credits and prior to earning 72 credits to review their graduation audit, plan for their remaining curriculum, and discuss their bar preparation plan. Students must upload the planning worksheet to the Professional Development Series Canvas page.

B. Required Courses. All students must successfully complete each of the following courses. Course sequencing is important. Students should select and follow a standard schedule (see Section 5.02), which will minimize examination conflicts and scheduling difficulties. For course descriptions, see <https://www.cooley.edu/sites/default/files/media/docs/NEWJurisDoctorcourses.pdf>

Required Courses [credits]

- _____ Advocacy RESW 309 LECT [3]
- _____ Bar Exam Skills BARP 700 LECT [2] or
- _____ Florida Bar Exam Skills BARP 1267 LECT [3] or
- _____ Michigan Bar Exam Skills BARP 1268 LECT [2]
- _____ Business Organizations TXBW 518 LECT [3]
- _____ Civil Procedure I CIVP 105 LECT [3]
- _____ Civil Procedure II CIVP 209 LECT [3]
- _____ Constitutional Law I CONL 404 LECT [3]
- _____ Constitutional Law II CONL 503 LECT [3]
- _____ Contracts I CONT 108 LECT [3]
- _____ Contracts II CONT 213 LECT [3]
- _____ Criminal Law CRLP 107 LECT [3]
- _____ Criminal Procedure CRLP 305 LECT [3]
- _____ Drafting RESW 625 LECT [2]
- _____ Equity & Remedies TOEQ 620 LECT [2]
- _____ Evidence EVID 406 LECT [3]

_____	Introduction to Law INTR 110 LECT [0]
_____	Personal and Professional Responsibility PROF 308 LECT [3]
_____	Property I PRSE 109 LECT [3]
_____	Property II PRSE 207 LECT [3]
_____	Research & Writing RESW 214 LECT [3]
_____	Secured Transactions PRSE 604 LECT [2]
_____	Taxation TXBW 516 LECT [3]
_____	Torts I TOEQ 106 LECT [3]
_____	Torts II TOEQ 304 LECT [3]
_____	Wills, Estates, and Trusts TXBW 517 LECT [3]

***Waiver of Bar Exam Skills Graduation Requirement.** Students may apply for a waiver of the requirement to complete the Bar Exam Skills class if the student has no plans to take a U.S. bar exam, or upon clear demonstration of extenuating circumstances. Students must submit the online Request to Waive Bar Exam Skills form. The form will be reviewed by the Associate Dean of Students and Professionalism.

C. Elective Courses. The Law School offers a wide variety of electives. Not all electives are offered every semester. Schedules are prepared on the basis of need, professor availability, and student demand.

(1) Skills Electives. All students must complete at least 3 credits of skills electives. These courses are in the course catalog. Skills courses provide substantial experience, not involving an actual client, that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks.

(2) Clinical Experience. All students must complete at least 3 credits of clinical experience. This can be in a Law School Clinic or in the Externship Program.

a. Law School Clinics. Students assume the role of lawyers in a law office located either within the Law School or nearby. Student legal work is supervised by law school faculty or by staff attorneys who work closely with a faculty member. Students may participate in Law School clinics after they have earned 40 credit hours. Participation may be in multiple clinics, but students may not earn more than 10 credits in Law School Clinics. Grading is “pass/fail”, with students receiving either CR (credit) or F (fail) for their entire clinical experience.

b. Externship Program. Students may earn from 3 to 10 credits performing lawyering work under the supervision of experienced, licensed attorneys, called site supervisors, at faculty-supervised externship placements. All sites are approved in advance by the Externship Faculty Advisory Group.

1. Goals. The educational goals of the externship include developing externs’ lawyering skills; insight into various aspects of

the legal system and profession; sense of professional responsibility; and ability to reflect on and learn from their experience. There are three partners in an externship program: the extern, the site supervisor, and the faculty supervisor. All three partners work together to achieve these goals. Externs must draft a goals memo outlining their personal and professional goals for the semester. This goals memo is reviewed by both the faculty supervisor and the site supervisor.

2. Eligibility. To be eligible for an externship, students must be in good academic standing and have completed at least 57 credit hours. Some externship placements have additional prerequisites.

3. Restrictions. Students will not be placed with immediate family members or with attorneys who have less than three years of experience practicing law. Only attorneys who have no recent disciplinary actions may supervise externs.

4. Grade. The externship course is a “pass/fail” course, and students receive either CR (credit) or F (fail). Externs must satisfactorily complete the following to earn credit for the course: 1) perform and document work as assigned and supervised by the site supervisor during regularly scheduled hours at the worksite; 2) maintain and submit regular journals reflecting on the lawyering skills observed and performed at the externship placement, personal and professional responsibility, and other insights into the profession of law; 3) submit a minimum of 14 consecutive weekly time logs documenting completion of the extern’s required hours; 4) complete and submit externship documents including externship agreement, goals memo, and all self-assessments. The faculty supervisor, after consultation with the site supervisor, and the externship office will determine whether the extern has performed satisfactorily.

5. Hours Worked per Credit Earned. An extern is required to work four hours a week for 14 consecutive weeks at the placement site for every hour of credit given for a field placement program. All externs must complete an online training session before beginning work on site, and no externship hours will be credited until this orientation is complete.

c. Waiver of Clinical Experience. Students may be permitted to substitute 3 credits of Skills credits for the 3 credits of clinical credits by requesting a waiver of the clinical requirement. Students may request that the clinical requirement be waived if they can demonstrate that they have experienced the educational equivalent of a clinical program while enrolled in law school. Students must demonstrate 1) they engaged in legal work in

which they applied principles learned in law school; 2) they worked a minimum of 12 hours a week for 14 weeks; 3) the work was done under the supervision of an attorney; and 4) the student had an equivalent learning experience which is described in a narrative reflecting on the lawyering skills observed and performed at the placement, personal and professional responsibility, and other insights into the profession of law. Waiver requests are reviewed by the faculty advisor to the Externship Program or her designee. Waiver request forms are available on the portal under Clinics & Externs.

(3) Directed Study Program. Second- and third-year students who have earned 27 credits, including Research and Writing, and who are in good academic standing, are eligible to enroll in the Directed Study Program. Students may enroll in only one directed study during any given semester (but exceptions may be granted by the chair of the Curriculum Committee). Each student is allowed to earn a maximum of 6 credits in directed studies. A directed study is offered for one, two, or three credit hours. See the J.D. Directed Study form on the Registrar's portal page [link].

a. Faculty Supervision. Only full-time faculty members (and not adjuncts) may supervise a directed study. Participation in the Directed Study Program is voluntary on the part of the faculty member. In the semester before the directed study, students should meet with the professor to agree on the topic, written materials, deadlines for written materials, (including bibliographies and drafts), and on meeting dates to review the student's progress. Students and faculty will sign a directed study form documenting these agreements. Students are expected to document a minimum of 45 hours of work for each credit hour spent on the directed study project.

b. Types. Directed studies can be research-based or performance-based.

1. Research-based. In a research-based directed study, the student is required to produce a legal, scholarly, written work product, with appropriate citations, for a grade. Generally, the student should submit 15 to 20 pages for each credit hour earned. Page length may be adjusted when more in-depth research is involved. Possibilities for the written work product include memoranda, scholarly papers, briefs, pleadings, manuals, and reports.

2. Performance-based. In a performance-based directed study the student is required to practice one or more lawyering skills, submit a written work product, and spend a minimum number of hours during the semester learning, observing, and performing the skills. Generally, the student should submit 15 to 20 pages of written material for each credit hour earned. Page length may be adjusted at the direction of the supervising faculty member taking the entire project into consideration. Possibilities for the written work product

include memoranda, scholarly papers, briefs, pleadings, manuals, and reports. Performance-based directed studies could also include reflections on the observation or performance of a skill as part, but not the majority, of the pages needed to meet the writing requirement.

Performance-based directed studies do not qualify as clinical/externship credit hours and will not be considered as the sole basis for requesting a waiver of the clinical requirement.

c. Form. Students who wish to participate in the program must complete a Request to Enroll in Directed Study. The form should first be completed by the student and the full-time faculty member. The faculty member will evaluate the student's request, set deadlines and meeting dates, and submit any approved requests to the chair of the Curriculum Committee for final approval. The Registrar will add the Directed Study to the student's schedule. The student and faculty member should keep a copy of the form for their records.

d. Missed Deadlines. Students who miss deadlines established on the form may be dropped from the course unless they present evidence of exceptional circumstances to their professor, who has the discretion to allow the student to continue.

e. Honor Code Certification. All final work product submitted for a directed study must be accompanied by a signed Honor Code Certification indicating that the student has not committed or observed any Honor Code violations while producing the final work product.

f. Extensions. In rare instances the project may require more than one semester to complete; in such cases the student shall receive an Incomplete and must complete the Directed Study the following semester.

g. Original Work. As with all work for credit, the product created for the directed study cannot be work for which the student has previously received or is concurrently receiving credit.

D. Concentrations. Students may concentrate their elective studies and select a concentration option. Students in each concentration complete electives from a menu designed by faculty and practicing attorneys. The Law School offers concentrations in the following areas:

Administrative Law
Business Transactions
Canadian Practice
Environmental Law
General Practice, Small Firm and Solo

Intellectual Property
International Law
Litigation
Focused Studies

Students who complete all the requirements of a concentration will receive a certificate indicating that they have concentrated their studies in the chosen field. The certificate will be mailed to the student following graduation. Students may earn more than one certificate of concentration.

Each concentration chair has the ability to approve substitutions for the elective requirements for their concentration if appropriate for a student's career plan.

E. Course Prerequisites.

(1) Order of Required Courses. Required courses should be taken in the sequence indicated in the standard schedules.

(2) Waiver of Prerequisites. Some courses have specific prerequisites and may not be taken until the student has completed the prerequisite. If a student demonstrates both the likelihood of success and a reason the prerequisite cannot be completed in sequence, a waiver may be granted. Students must submit the online Request to Waive Prerequisite form (available on the portal) and the form will be reviewed by the Associate Dean of Students and Professionalism. If approved, the student will be permitted to take the course without having first completed the prerequisite.

Section 5.02. Scheduling Options. The Law School offers five scheduling options. Students following one of these schedules will be offered most required courses in the division (morning, afternoon, evening, or weekend) they selected when entering the Law School. Courses taken in this sequence will have no schedule conflict or exam conflict. Courses taken out of sequence can result in conflicts. Courses are arranged to build on prior skill and substantive development. Students should plan to follow a standard schedule or consult with the Registrar to determine whether the desired variation is permissible.

PT 12 Credits: The Standard Schedule

Taking 12 credits per term, four 3-credit courses, is the Law School's Standard Schedule. Students selecting this option attend law school part time, year-round, for eight semesters. This schedule is the Law School's trademark program, designed by its faculty and administration to offer a manageable schedule for both working and nonworking students. Entering students are strongly encouraged to select the PT 12-credit program.

PT 9 Credits: Part-Time Schedule

The 9-credit schedule, three 3-credit courses, is designed primarily for students who work while attending law school. Students who select this option attend law school part time, year-round, will complete 10 semesters.

PT6 Credits: Part-Time Schedule

The PT 6-credit schedule, two 3-credit courses, is designed primarily for students who must work full-time or have other significant time commitments while attending law school. Students who select this option attend law school part time, year-round, for 15 semesters.

FT 15-Credits Semester Off: Full-Time Schedule

The FT 15-credit semester off schedule is modeled after a traditional law school program, which allows students summers off for legal internships or employment. Students entering in January will take the fall term off. Students entering in May will take the winter term off. Students selecting this option attend law school full time for almost three years (32 months), attending classes two semesters per year and receiving one semester off per year. Students take five 3-credit courses each semester.

FT 15 Credits: Full-Time Accelerated Schedule

The 15-credit schedule is an intensive, full time program recommended only for those students who are advised or feel confident they can manage five 3-credit courses per semester with no semesters off. Students selecting this option attend classes five days per week, year round, for two years (24 months). Students are strongly encouraged to discuss this option with an academic advisor at the Law School and to plan to take time off to obtain some legal work experience. Admissions Office representatives can also offer an opinion on this program after reviewing an applicant's admissions credentials.

Section 5.03. Individual Schedules. Although it is recommended at the time of matriculation that students follow the standard schedule chosen, adjustments are permitted after matriculation. All students are assigned to a section by the Registrar's Office; section assignments may change from semester to semester. Students should be aware of the following issues related to individual scheduling.

A. First-year Students. Students in good academic standing must complete 27 required course credit hours, including Research and Writing, before taking elective courses, except for Scholarly Writing and Probate Court Visitorship (see section B, below).

B. Scholarly Writing and Probate Court Visitorship. A student in good academic standing may enroll in Scholarly Writing before completing 27 required credit hours if the student has completed at least 20 credit hours and has earned a passing grade in Research & Writing. A student in good academic standing may enroll in Probate Court Visitorship before completing 27 required credit hours if the student has completed at least 20 credit hours and has completed Research & Writing.

C. Schedule Requirements. Students must take Civil Procedure I, Contracts I, Property I, and Torts I before the respective II course. Students may not take these courses concurrently unless they are repeating a I-level course. Constitutional Law I and II may be taken concurrently, but if the student drops or is dropped from Constitutional Law I for any reason, the student will also be dropped from Constitutional Law II.

D. Maximum and Minimum Credits. No student may register for less than 6 or more than 16 credits in one semester without approval of the Associate Dean of Students and Professionalism or the Registrar, except graduating seniors who need less than 6 credits to graduate. Forms for requesting more than 16 credits per semester are found on the portal. In no event may a student carry more than 18 credits in a semester. Effective January 1, 2020, students must plan to graduate with no more than 90 credit hours in the J.D. program. If exigent circumstances require that a student complete more than 90 credits, students must discuss their plan with the Associate Dean of Students and Professionalism and with the Registrar and obtain approval. Students will not receive financial aid for J.D. credits exceeding 90. See Appendix E.1.11 for more information.

E. Reasonable Academic Progress. Students must make reasonable progress toward their Juris Doctor degree, meaning they must complete a sufficient number of credits per semester to complete their J.D. program within six years from when they started. Students who continue to drop courses excessively or who fail to register for and complete at least six hours per semester will be placed on administrative probation and may be dismissed from school. Dismissals for lack of reasonable progress toward a law degree or for excessive dropping of courses are administrative dismissals rather than dismissals under the academic dismissal policy.

Full-time law students should complete the requirements for a J.D. degree in five years, and part-time students in six years. Adjustments can be granted by the Associate Dean of Students and Professionalism. Reasonable academic progress is defined as completing and receiving credit for an average of six to nine credit hours per semester unless special permission has been granted by the Registrar or Associate Dean of Students and Professionalism to take fewer credits or a term withdrawal. The Registrar may grant reduction of credit requests in up to three semesters. Requests beyond this limit may be granted only by the Associate Dean of Students and Professionalism.

F. Financial Aid Information Related to Scheduling. Financial aid availability may be affected by individual schedules. For financial aid purposes only, a student is enrolled “full-time” if the student is taking at least 8 credit hours in a given semester. A student who takes only 6 credit hours in a given semester is considered to be enrolled “3/4 time.” Students choosing the PT 12-credit or PT 9-credit options are considered “full-time” students for financial aid purposes for each semester in which they are enrolled for 8 or more credit hours. Students must be enrolled in at least four credit hours to be eligible for financial aid.

Section 5.04. Joint Degree Programs. The Law School offers joint degree programs with approved Michigan graduate institutions. Participating students may earn a J.D. degree from the Law School and a Master of Business Administration (MBA) degree, a Master of Public Administration (MPA) degree, a Master of Social Work (MSW), a Master of Arts in Educational Leadership (MA EdLd), a Master of Health Administration (MHA), or a Master of Science in Human Resources and Organizational Development (MSROD), from one of the other institutions. These alliances allow successful students to transfer six semester hours of course work from one program into the other.

A. Requirements. To be considered a participating student, a Law School student must be matriculated in the partner masters degree program at the other institution and have a completed, signed “Joint Degree Declaration of Intent” on file at both institutions. Participating students may begin course work at the second institution after they have successfully completed twenty-seven hours of law courses at the Law School. Courses completed at the other institution before matriculation at the Law School may not be included on a law student’s transcript. Law School students who discontinue participation at the second institution risk forfeiture of credit earned for purposes of transfer from that institution.

B. Transfer of Credits. Specific courses that are transferable to the Law School are those approved by the Curriculum Committee. The Law School accepts course work earned at the other institution as three semester hours of “credit” per course, but individual grades and honor points are not transferred onto the Law School transcript.

C. Concentration Credits. Participating students who choose an area of concentration in their J.D. programs may include the six semester hours transferred from the other institution as elective credits in their curricula.

D. Financial Aid. Participating students may receive financial aid at only one institution in a given semester or session. Federal financial aid is only awarded for the 90 credits required to complete the J.D. program. Scholarships are also awarded up to 90 credits and are not to exceed 90 credits.

Section 5.05. Distance Education Classes. Distance education (DE) includes any mode of education where students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously. All distance education courses for credit at either the J.D. or LL.M. level must be approved by the Academic Policy and Curriculum Committee before a student may be enrolled for credit.

A. J.D. Students. A student may enroll in no more than 30 total credit hours of distance education. Students may earn up to 10 credit hours in their first year (first 30 credits).

B. LL.M. Students. LL.M. students enrolled in any LL.M. program may participate in DE classes as permitted by their LL.M. program and the Academic Policy and Curriculum Committee.

CHAPTER 6

FINAL EXAMINATIONS, FORMATIVE ASSESSMENTS AND GRADING

Section 6.01. Examinations Ethics. Students have a duty to the profession and to their fellow students to maintain a high ethical standard of conduct and to guard against any appearance of impropriety. Students who observe a breach of the examination security or procedures have a duty under the Honor Code to disclose such violations in accordance with the Honor Code.

Section 6.02. Pre-Final Exam Procedures.

A. Schedule. Final examination schedules will be posted on the portal week 14. Before final exams, students must go to the portal and print their seven-digit exam I.D. number. The exam I.D. number changes every semester.

B. Ill Students. Students who are ill and decide to not sit for a final exam must submit a doctor's documentation of illness along with a Request for a Missed Final Examination Form by the end of week 3 of the following semester to the campus exam administrator. Students should not assume that they will be allowed to sit for a final exam in a subsequent semester. That decision will be made by the campus dean after a review of documentation and the student's record.

C. Reporting to the Final Exam Room. Students must report to the final exam room no earlier than fifteen minutes before the start of the scheduled final exam time. Students should bring pens (blue and black only), No. 2 pencils, a highlighter (if used), and earplugs (if used) to every exam. Ear plugs cannot be used if they plug into anything. To gain entry into the final examination room, students will identify themselves by either government-issued I.D. or their Law School identification card. The proctor will hand each student the final exam materials. Students must sit in any seat that is numbered.

D. Exam Software. Students will only be allowed to access exam software at a cost of \$12 each semester. Students who submit a final exam using a laptop, but who do not pay the software license fee by the end of final exam week, will have a hold placed on their business account until payment is complete. To download the software, see the tab “Exams + Grades”, “Laptop” located on the portal. Exam Software should be downloaded to the student’s computer and tested before the student’s first final exam and before entering the final exam room.

E. Prohibited Items and People. No alarms, cell phones, “smart” watches or any other devices that connect to the internet, other electronic equipment, tobacco products, e-cigarettes, weapons, or gum, candy, food, or drinks that would distract other students are permitted in the final examination room.* Ear plugs cannot be used if they plug into anything. Students should not wear cologne or perfume.

* Certain procedures may not apply to or may be modified within the exam rooms.

Before final exam materials are handed out in any final examination room, students are required to remove from the immediate seating area their books, notes, coats, personal effects, and any other study materials, except materials specifically approved by the professor. Proctors may prohibit any items they find unacceptable. No persons other than examinees and exam proctors are permitted in the final examination room. Students must take their own final exams.

F. Final Exam Start. Students must not read the final exam or write anything until directed to do so by exam proctors. Students must place their picture I.D. and their Honor Code Certification form on the top of the desk. Proctors will use the Honor Code Certification form and picture I.D. on the student's desk to take attendance during the final exam. Proctors will not speak to students or interrupt them in any way unless the Honor Code Certification form and I.D. are not visible at the top of the desk, or there is an exceptional circumstance.

G. Maintaining Anonymity. Grading of the final exam must be anonymous; students must not write their name in a bluebook or on a computer score sheet, or otherwise attempt to identify themselves. Students who attempt, other than through established procedures, to identify themselves as the author of any anonymously graded bluebook will be regarded by the faculty as having sought special consideration and advantage. Such cases will be referred to the Associate Dean of Students and Professionalism for possible disciplinary action.

H. Emergency During Final Exam. Students should review the Emergency Procedures section posted on the portal so they are prepared in case of an emergency during final exams such as a power outage, tornado, or fire.

Section 6.03. Final Exam Procedures.

A. Ethical Conduct. Students must not give, obtain, or receive aid in any form during a final examination, or conduct themselves in any manner that would be offensive to others taking the examination. Section H 3.01 of the Honor Code states, “A person who becomes aware of facts during an examination suggesting that a violation of the Honor Code may have occurred, must discharge the obligation to report the violation by reporting it to the final exam proctor immediately, or at the first reasonable opportunity. A person who becomes aware of a final exam-related violation after the conclusion of the examination must report the violation to the Chief Proctor on duty or to the Dean at the first available opportunity.”

B. Anonymity in the Final Examination Process. Students who attempt, other than through established procedures, to identify themselves as the author of any anonymously graded bluebook, brief, or paper, or make any remark about themselves or the course in the bluebook, brief, or paper, will be regarded by the faculty as having sought special consideration and advantage. Such conduct shall be reviewed by the Associate Dean of Students and Professionalism and appropriate measures shall be taken, including investigation under the Honor Code.

C. Students Arriving Late to a Final Exam. Students who, for any reason, arrive late to a final exam, may decide to take the final exam. However, no extra time will be allowed. If the student decides that too much time has passed since the final exam began to make a good faith attempt to complete it in the time remaining, the student must speak to the Chief Proctor on duty. The Chief Proctor will document the time the student arrived, the final exam time and subject, and any other pertinent information, for submission to the campus dean. One may not assume that the associate dean will grant permission to sit for the final exam in the subsequent semester. However, a student may submit a Request for Missed Final Examination Form to the campus dean, along with any appropriate documentation that is available.

D. Students Unprepared for a Final Exam. Students will not be permitted to sit for a final exam in a subsequent semester if they are simply not prepared to take the scheduled exam. Permission to sit for a final exam in a subsequent semester will be given only in illness or emergency situations where a student is “physically unable to sit” for the final exam due to circumstances unexpected and beyond the control of the student. Documentation of the illness or emergency must be submitted with the Request for Missed Final Examination form.

E. Leaving Final Exam Room. Students may leave the room during the final examination to use the bathroom. The rule of strict silence still applies. Students may not leave the final exam floor or building during the examination. To do so gives up the right to proceed with the final examination.

F. Open Book Final Exams. Certain open-book final exams may allow particular materials to be brought into the final exam room if approved by the Faculty Curriculum Committee. If that is the case, the professor of the course, or the professor’s designate, must be present at the time the students enter the final exam room to approve the particular materials brought into the final exam room. If approval has been given by the Curriculum Committee to allow “any course materials” to be brought into the final exam room, the professor need not be present.

G. Additional Bluebooks. If additional final exam paper is needed, the student should go to the proctor's desk and have a blank bluebook secured to the inside back cover of the original bluebook. Students should write their exam I.D. number on their new (added) bluebook. Anything written on scrap paper and not in the bluebook will not be graded.

H. Final Exam Duration. For two-credit courses, the usual final exam time is one hour and fifty minutes. For three-credit courses the usual final exam time is two hours and forty-five minutes. Beginning and ending times will be placed on the board. Students may bring non-alarm watches. A half-hour warning and a five-minute warning may be given before the end of the final exam. Students are to stay seated after the five-minute warning. This is to allow students to complete their final exams without disturbance.

I. End of Final Exam. When proctors announce that the final exam has ended, students must immediately cease all writing and typing (even in mid-sentence). Those using laptops

should close and submit their exams. At this point, the proctors will instruct the students to read their Honor Code Certification and, if in agreement, to sign.* While exams are being turned in, students may not converse until they have left the exam floor.*

J. Exceeding Time on Exam. Accommodated students are responsible for keeping their own time on exams and agree in writing to do so. If those students exceed their allowed time on exams, their score on the exam will be reduced proportionally to the excess time. If there is evidence that they knowingly exceeded the allowed time, they will be investigated under the Honor Code. Additional time exceedances under any circumstances will be investigated under the Honor Code.

K. Suspected Error in Final Exam. Precautions are taken to prevent typographical errors or unintended ambiguities from appearing in the final examination questions. Should a student find what appears to be a mistake in the final exam, the student should indicate in his or her bluebook what the student understands the question to mean and then answer it accordingly. Proctors are not sufficiently knowledgeable about the examination to permit them to make comments about the questions. Proctors may help to eliminate mechanical problems such as missing pages. Any students writing notes to professors in their bluebooks to gain an advantage will be subject to Honor Code or Disciplinary Procedures.

L. Dropped Students. Students attempting to take a final examination in a course they have dropped or from which they have been dropped will be investigated under the Honor Code and are subject to dismissal from the School.

M. Students on Second-Semester Academic Probation. Students on second-semester academic probation must take all their final examinations for the semester in which they are enrolled. Second-semester academic probationers who fail to sit for any final exam will not be allowed to enroll in classes until they have made up their missed exam(s).

N. Unsuccessfully Submitted Computer Exams Result in WX. As is the case when taking the bar exam on a computer, any student who takes a Law School final exam on a laptop or a computer is solely responsible for the successful submission of the final exam. The school assumes no responsibility for a final examination that is not successfully submitted. All students must present evidence of such successful submission to the exam room proctor before exiting the examination room. If a student's final exam does not successfully submit to the exam server, it is the student's sole responsibility to report to the Exam Administrator with the laptop or computer and the original exam file. It will be the student's burden to establish to the satisfaction of the Dean or the Dean's designee that any failure to submit a final exam successfully was due to technical difficulties beyond the student's control. That burden is to be characterized as "heavy", and the Dean's decision in

* Certain procedures may not apply to or may be modified in exam rooms.

this regard will be in the Dean's sole discretion and will be considered final. Failure to successfully submit a final exam will result in that student receiving a "WX" for the course, which is the equivalent of an "F". Such a student will be required to pay for, and repeat, the course.

Section 6.04. Post-Final Exam Procedures. When students have completed their final exams, or when proctors have called "time," students will read their Honor Code Certification, sign it if they agree with it, and hand their bluebooks, professor's exam, scrap paper, and the Honor Code Certification to the proctor. If the student is aware of any Honor Code violation, the student should report it to the proctor as soon as possible but not later than the conclusion of the final exam.

A. Silence on Final Exam Floor. Students must remain silent at the completion of the examination until they leave the floor on which the examination was administered.

B. Final Exam Materials. Upon completion of the final exam, the student's Honor Code Certification page, the Professor's exam, and any scrap paper must be turned into the proctor before exiting the final exam room. Students who fail to turn any of these documents may be investigated under the Honor Code. Proctors will place the bluebook in the box provided and insert the office portion of the Honor Code certification in the sealed box. Laptop students must follow the instructions at the end of their final exam and submit it electronically while still seated in the exam room. No student may leave an examination room with a copy of a final exam that the professor has designated for collection. Any student who does so will be referred to the Associate Dean of Students and Professionalism for investigation under the Honor Code. If a student leaves a final examination room with any graded material (bluebooks, multiple choice score sheet, etc.), that material will not be graded. The student's grade will be based on whatever material was not taken from the final examination room. If a student takes all the graded material from the final examination room, the student will receive an F.

Section 6.05. Impact of Missing a Final Exam or Graded Formative Assessment.

A. First Semester Exams. Students who miss all first-semester final exams will be administratively withdrawn from School and must reapply to the Admissions Office as a new student.

B. Final Exams. After week 13, students who drop or are dropped from a course and who do not withdraw from all courses will receive a WX for the course. WX calculates like an F, with a numeric value of 0.0, and may not be removed from the transcript,. Students who have a valid documented reason for not sitting for a final exam may apply to the Exam Administrator no later than Friday of week 3 of the following semester to sit for the missed final exam at the end of that semester. If the request is approved by the campus dean, the student will be granted a W until the student sits for the final exam, and the earned grade will replace the previous grade notation on the transcript. After students sit for their missed final exams, their cumulative grade point averages will be changed retroactively, as well as academic probation status, if applicable. Students approved to sit for the missed final

examinations(s) the following term will receive a grade for the course based entirely on the make-up exam grade; any previously graded formative assessments will not count toward the final grade. Students can find the date, time, and location of the make-up final examination on the portal one week before the examination. Students who receive a W in an elective course are not obligated to repeat that course, but may do so by following the same procedures as outlined above.

C. Students on Academic Probation. Students in their last semester of academic probation (meaning both those who are in their second semester of academic probation and those who have been dismissed and readmitted) will not be allowed to enroll in courses for the subsequent semester if they fail to take a final exam.

D. Illness During a Final Exam. Students who become ill during a final exam must inform a proctor, return their exam materials to the proctor, and be interviewed by the Chief Proctor on duty. The campus dean will determine if a student's grade will be based on the work completed in the bluebook or if the student will be allowed to take a make-up final exam based upon the Chief Proctor's written incident report and medical documentation submitted by the student.

E. Missed Final Exam Form. The Request for Missed Final Examination form is available from the office of the Exam Administrator at each campus and must be submitted by Friday of Week 3 of the following semester. Students must pay a \$25 non-refundable fee for each missed final examination at the time they submit the form. However, payment of the \$25 fee does not entitle a student to attend the class. Students may not sit in on a class unless they are officially enrolled for it and have paid tuition.

F. Professor Changes. A make-up final exam granted under this section may be written and graded by a faculty member other than the faculty member from whom the student originally took the course. This will occur only if the original faculty member is not teaching the same course in the term the make-up final exam is administered. The Professor has sole discretion to change the point values of the final exam.

Section 6.06. Examination Conflicts. Students who wish to schedule classes resulting in a final examination conflict must seek prior approval from the campus dean. Such requests will only be granted in exceptional circumstances, such as graduating seniors who must take certain courses in order to graduate and who can demonstrate good cause for why the courses were deferred until their final semester. Students must organize their schedules, at the time of registration, to avoid final exam conflicts.

Section 6.07. Exam Accommodations for Disabled Students (See also APPENDIX B: Policies Pertaining to Disabled Students Seeking Accommodations). Students who require special accommodations for final exams and graded formative assessments should consult with their campus Associate Director of Enrollment and Student Services. The Law School provides reasonable accommodations for students with disabilities who are qualified to pursue a Juris Doctor degree, in accordance with the Americans with Disabilities Act. Every effort will be made to provide reasonable accommodations whenever possible, in conformity with state and federal

law, provided that such special accommodations are not unduly burdensome and would not fundamentally alter the School's educational program.

Section 6.08. Procedures for Anonymous Examination Grading. Each semester students will be assigned a unique, anonymous seven-digit exam I.D. number to be used for all exams. Faculty will grade exams anonymously and report grades to the campus dean by the seven-digit exam identification number.

Section 6.09. Formative Assessment Procedures.

A. Three Assessments. Required courses must administer at least three formative assessments, one of which must count towards the final grade in the course.

B. Mandatory Institutional MBE Comprehensive Formative Assessments.

Three MBE Comprehensive Exams are mandatory assessments for all students and are treated like any other mandatory assessment. Students who fail to: (1) take the Comprehensive Exam as scheduled or under proper make-up procedures; (2) review the results of the Comprehensive Exam through the given instructions once results are available; or (3) complete any mandatory follow-up work that is assigned, will be unable to register for classes for the following term or receive transcripts.

(1) Description of Mandatory MBE Comprehensive Exams

MBE COMPREHENSIVE #1: This exam will take place in Week 4 of your Advocacy class and will consist of 30 questions covering topics in Torts and Contracts. Timing will be 54 minutes to complete the 30 questions.

MBE COMPREHENSIVE #2: This exam will take place in Week 9 of your Wills class and will consist of 45 questions covering topics in Torts, Contracts, Criminal Law and Procedure, Property, Constitutional Law, Civil Procedure, and Evidence. Timing will be 1 hour and 21 minutes to complete the 45 questions.

MBE COMPREHENSIVE #3: This exam will take place in Week 9 of your Bar Skills class and will consist of 60 questions covering topics in Torts, Contracts, Criminal Law and Procedure, Property, Constitutional Law, Civil Procedure, and Evidence. Timing will be 1 hour and 48 minutes to complete the 60 questions.

(1) Procedure for Placing Holds on Student Accounts for Failure to Complete a Mandatory MBE Comprehensive Exam.

Within one week after the close time on a Mandatory Comprehensive Exam (which is the time in which students are directed to make up a missed exam by working through the campus exam administrators), the Exam Administrator(s)

will provide a list of students who failed to complete the Mandatory Comprehensive Exam to the Bar Task Force and Registrar's Office.

If a student has failed to take the Mandatory Comprehensive Exam, or has taken the Mandatory Comprehensive Exam but failed to either review the results of the exam as instructed or complete mandatory follow-up work that was assigned based on the results from the exam by the due dates given, then the ARC personnel responsible for working with the student will notify the Bar Task Force, which will then submit the student's name to the Registrar's Office for a hold to be placed on the student's account.

In order to have the hold removed by the Registrar's Office, the student must comply with all of the required steps. When that has occurred, the ARC personnel responsible for working with the student will notify the Bar Task Force, which will then submit the student's name to the Registrar's Office for the hold to be removed from the student's account.

C. Anonymity. None of the formative assessments will be graded anonymously.

D. Honor Code. Unless specifically excluded by the professor in the course syllabus, the Honor Code applies to all formative assessments.

E. Missed Formative Assessments.

(1) Graded Formative Assessment Absences. Students who miss a graded formative assessment that counts towards the final grade must submit documentation to the campus Exam Administrator and the campus dean explaining their absence. If the campus dean accepts the explanation, that student must make up the missed graded formative assessment before the next regularly scheduled class in which the graded formative assessment was given. Documented medical and other emergencies will be considered. If the campus dean does not accept the explanation, or if a student did not seek approval for missing the graded formative assessment, the student will not receive credit for the missed graded formative assessment and may be, in the Professor's sole discretion, dismissed from the course.

(2) Non-graded Formative Assessment Absences. Students who miss a non-graded formative assessment must communicate that to the Professor as soon as possible and, at the latest, before the next scheduled class in the course in which the non-graded formative assessment was given. Students must make up the missed non-graded formative assessment in accordance with the schedule set by the Professor. Students who fail to comply with the Professor's schedule or otherwise make up the missed non-graded formative assessment may be dismissed from the course at the sole discretion of the Professor.

F. Accommodations. Graded Formative Assessments. Students are advised to seek accommodations from their campus Associate Director of Enrollment and Student Services as soon as classes begin.

G. No Grade Appeals for Non-Graded or Graded Formative Assessments. Students may not appeal non-graded or graded formative assessment grades.

H. Other Procedures. Unless this Policy Manual specifically restricts a procedure to a “final exam”, all procedures prescribed in Chapter 6 of the Policy Manual shall apply to all graded or non-graded formative assessments. However, faculty are free to prescribe their own procedures for administering both graded and non-graded formative assessments.

I. Final Grade. Professors who grade the make-up final exams must enter a grade for that course based entirely on the grade earned on the make-up final exam.

Section 6.10. Lost or Missing Examinations. When a final examination book is lost, stolen, destroyed, or otherwise unaccounted for while presumptively in the possession of a faculty member or the School, the affected student, in consultation with the campus dean, may

A. take a make-up examination anonymously at the conclusion of the next semester of school,

B. submit to an informal oral examination, prepared by the professor of that course for that student, to be administered during the semester following that in which the examination was taken,

C. submit to a written examination, prepared by the professor of that course for that student, to be taken during the same semester, or

D. take other action deemed appropriate in the discretion of the campus dean.
Options **B.** or **C.** require the student to waive anonymity.

If the affected student submits to an informal oral examination, the professor may also consider the performance of the student during the semester, the nature of the class, notes taken, and the examination outline or other preparation made by the student. The professor may also question the student regarding the answers to questions the student remembers having written on the missing examination. Upon completion of any of the above options, the professor will determine a course grade and communicate it to the Registrar.

Students who take their final exam or formative assessment on a laptop or computer must successfully submit the exam and will receive a “successfully submitted receipt” on their laptop screen. Students should show the receipt to the exam room proctor or some other designee of the School. As noted in Section 6.03 (M) above, the School assumes no responsibility if any exam is not successfully submitted. If a final exam is not successfully submitted (no receipt showing on their screen), that student will receive a "WX", which is the equivalent of an "F", and will have to pay for, and repeat, the course. If either a non-

graded or graded formative assessment is not successfully submitted, students must speak to their professor immediately to remedy the situation.

Section 6.11. Repeated Final Exam Questions. Faculty members should not use any question which has appeared previously in a final examination without substantial alteration. When such questions in their altered form are reused, they should be drawn from a sufficiently diverse set of examinations to avoid recognition of a series. Questions drawn from the same prior final examination should not be used consecutively. Multiple choice or true/false questions that have been collected so as to preserve their confidentiality may be re-used.

Section 6.12. Grades and Honor Points. Students are graded in all courses, and honor points are assigned to those grades as follows:

Grade	Honor Points Per Credit Hour
A	4.0
A-	3.5
B	3.0
B-	2.5
C	2.0
C-	1.5
D	1.0
F	-0-
I	Incomplete
W	Withdrawal
WX	Withdrawal after Week 13
AU	Audit
CR	Credit
NC	No Credit

A. Grades of Incomplete. Grades of “I” (Incomplete) may be awarded at the discretion of a faculty member, after consultation with the campus dean, for incomplete work.

Incomplete work must be completed within the next semester unless the Professor requests and the campus dean approves a different period. Approval of a different period will be granted only in exceptional circumstances. This policy does not apply to the policy regarding writing an examination in a subsequent semester. A grade of “I” awarded for incomplete work remains an “I” on the transcript for only one semester. Thereafter, the “I” is changed to the grade which the student earned based upon the course work as completed. If the course work was not completed in the time allotted, the “I” becomes an “F.” A grade of “I” may also be awarded pending the completion of an Honor Code investigation that may impact the grade the student earned in a class. An “I” awarded for this reason will remain on the transcript until the Honor Code matter is completed, after which the grade will be changed depending on the outcome of the matter.

B. Grades of D. A grade of “D” is considered unsatisfactory, but credit is given.

C. Grades of F. A student receiving a failing grade of “F” in a required course receives no credit and is obligated to repeat the course. Tuition is waived for the repeated course, but a \$20 per credit fee is assessed. Repetition of the course does not remove the prior grade from the student's academic record.

D. Grade Descriptions

A = Excellent. The highest level of law school achievement. Student has convincingly displayed familiarity with subject matter and proficiency in analysis comparable to that of competent members of the Bar having a reasonable amount of exposure to the field.

A- = Very Good. Approaching the highest level of law school achievement. Student has displayed familiarity with subject matter and proficiency in analysis substantially at the level expected from members of the Bar generally.

B = Good. Clearly above the minimum level of achievement necessary for graduation. Student has displayed familiarity with subject matter and proficiency in analysis clearly beyond the base level of matriculation usually associated with the course.

B- = Satisfactory. Slightly above the minimum level of achievement necessary for graduation. Student has demonstrated familiarity with the subject matter and proficiency in analysis somewhat beyond the base standard of competence at the level of matriculation usually associated with the course.

C = Adequate. Minimum level of achievement. The student has demonstrated sufficient familiarity with the subject matter and proficiency in analysis to warrant the conclusion that, assuming diligent post-graduate study and review, the student should be able to pass a bar examination question in this subject area.

C- = Deficient. Grasp of course material and analysis of problems are somewhat more than minimal. There is no apparent need to repeat the course, but the level of achievement, if indicative of the student's overall competence, would not warrant graduation.

D = Poor. The student shows minimum grasp of course material and minimum ability to analyze. A bare passing grade is warranted. There is reasonable basis to conclude that minimum proficiency in the field can be achieved without repeating the course, but the level of achievement, if indicative of the student's overall competence, would not warrant graduation.

F = Unacceptable. While the student may show some evidence of familiarity with the subject matter, the student cannot be said to have achieved that minimum grasp of the material or proficiency in analysis which would warrant a passing grade. There is no reasonable basis to conclude that the student can achieve minimum proficiency in the field without repeating the course.

W. Student withdrew from the course before Friday of week 13 of the semester, which has no effect on credits attempted or grade point average.

WX. After week 13, students are not allowed to drop a course. If students do not sit for an exam, they will receive a WX notation on their transcripts. This grade will have the effect of an F and will be computed into the grade point average. Students who have a valid, documented reason for not sitting for an exam may make application through the office of campus dean to sit for the missed exam at the end of the following semester. If the request is approved, the grade will change from WX to W when the exam is made up and the earned grade will replace the WX on the transcript. After students sit for their missed exams, their cumulative averages will be changed retroactively.

E. Dates for Grades and Grade Reports.

(1) Due Dates. Grades in required courses and electives taught by full-time faculty members are due at 10:00 a.m. on Monday (Tuesday if Monday is a holiday) of week 4 of the succeeding semester. Grades for graduating seniors, and grades in elective courses taught by adjunct faculty members are due by 10:00 a.m. on the first day of the succeeding semester. The Registrar will forward to each affected faculty member a list of exam numbers of the graduating seniors.

(2) Grade Reports. The campus dean will review grades and provide grade sheets and graded exams to the Exam Administrator. The Registrar prepares an individual grade report for each student to be posted to the portal, which is entered on the student's record, and a copy is placed in the student's file. Students are able to view their individual grade report by going to the portal, accessing their e-student account, changing the semester to the semester in which they sat for exams, and clicking on "My Grades."

F. Graduating Seniors Who Fail a Course. If, in the semester prior to the student's last semester, a student fails a course necessary for graduation, the student may seek an expedited appeal and may register for that course through Friday of week 4 of the student's last semester.

G. Honors.

(1) Dean's List. Students who completed at least six credit hours in a single semester and earned a grade point average for that semester of 3.0 will be placed on the Dean's List for that semester. Dean's List students will be recognized for this achievement in a letter to the student, a notation of the achievement in the student's file, appropriate public announcement, and posting of the names for display on the portal.

(2) Honor Roll. Students who achieve a cumulative grade point average of at least 3.0 in any semester in which they earned at least 4 credit hours will be placed on the Honor Roll. These students will be recognized for this achievement in a letter to the student and an Honor Roll Certificate, a notation of the achievement in the student's file, appropriate public announcement, and posting of the names for display on the portal.

(3) Graduation Honors.

a. Summa Cum Laude. At graduation, the graduate with the highest cumulative average of 3.5 or above will be awarded his or her degree summa cum laude.

b. Magna Cum Laude. Other graduates with a cumulative average of 3.5 or above will be awarded their degrees magna cum laude.

c. Cum Laude. Graduates with a cumulative average of 3.0 or above and less than 3.5 will be awarded their degrees cum laude.

d. With Distinction. If the graduates in the above classes of honors do not total 25% of the graduating class, then the remaining candidates in the top 25% of the graduating class will be awarded their degrees with distinction.

H. Grades for LL.M. Classes as J.D. Electives. Grades earned in LL.M. classes will be based on the LL.M. grade scale and will be reflected on the student's J.D. transcript according to the conversion chart shown below:

LL.M. Grade Earned	Reflected in LL.M. Transcript as:		Reflected in J.D. Transcript as:	
	<i>Grade</i>	<i>GPA</i>	<i>Grade</i>	<i>GPA</i>
A	A	4	A	4

A-	A-	3.67	A-	3.5
B+	B+	3.33	B+	3.5
B	B	3	B	3
B-	B-	2.67	B-	2.5
C+	C+	2.33	C+	2.5
C	C	2	C	2
C-	NC	0	C-	1.5
D	NC	0	D	1.0
F	NC	0	F	0
W	W	N/A	W	N/A

LL.M. grade descriptions are in section 10.17.

Section 6.13. Bluebook Distribution. Bluebook review, copying, and distribution takes place Thursday of week 4 through Monday of week 6 of the semester when grades are reported. In Lansing, bluebooks are available in the Grade Appeals Office, located in the lower level of the Cooley Center. Students will be directed to the appropriate place for exam review, copying, and distribution at the Auburn Hills, Grand Rapids, and Tampa Bay campuses. Students can request that their exam materials from other campuses to be shipped to their home campus by emailing the Exam Administrator with their name, student number, exam ID number, and the name of the class and the professor who taught it. After Monday of week 6, students may still pick up their exam materials, but may no longer request a numeric or substantive appeal. LL.M. exam materials are available in the Office of Graduate and Extended Programs Office.

Section 6.14. Grade Appeals Process:

See APPENDIX D: The Grade Appeals Process

Section 6.15. Academic Policies:

See APPENDIX E: Academic Policies

CHAPTER 7

STUDENT SUPPORT AND SERVICES

Section 7.01. Academic Resource Center. The goal of the Academic Resource Center (ARC) is to help all students reach their academic and learning potential. If a student is in academic difficulty or simply wants to improve academic performance, a great place to start is to contact the staff in the ARC at any of the campuses. The staff of the ARC focuses on the key skills all students need in order to be successful throughout their legal career.

A. Services. The services provided by the ARC are varied and ever growing. These services are delivered by professional staff or by a group of student assistants hired for their expertise and professional character. A sampling of the services provided is listed below.

(1) **Legal Analysis.** The ARC implements and delivers legal analysis programs as a part of the orientation program at the Law School.

(2) **Introduction to Law.** The ARC delivers the Introduction to Law class, a requirement for all students who enter the school.

(3) **Individual Help.** Individual diagnostic and skill-building meetings.

(4) **Small study groups.**

(5) **Screening.** Screening for reading difficulties using the Nelson-Denny Reading Test.

(6) **Skill Building.** Skill Building Seminars: essay writing, multiple choice questions, reading, and comprehension seminar.

(7) **Faculty seminars.**

(8) **Computer assisted learning.**

(9) **Resources.** Access to resources to assist the learning process, e.g., flashcards, test materials, and study guides to name a few.

(10) **Disability Accommodation Assistance.** The ARC meets individually with students who are seeking disability accommodations for the MPRE and the bar examinations in order to review applications and personal statements. The ARC offers workshops specifically designed to assist students seeking accommodations for the MPRE and the bar examinations.

B. More Information. More information about the ARC can be found on the portal.

Section 7.02. Accommodations Certifications for MPRE and Bar Exam Certification Letters. Students who plan on applying for disability accommodations for the Multistate

Professional Responsibility Exam and for bar examinations are usually required to provide an accommodation certification letter from their law school. Due to the time-sensitive nature of the MPRE and bar examination accommodation application process, students are advised to start this process early (at least two semesters before taking either exam), so the Academic Resource Center can adequately review and approve the student's application before the deadline.

Section 7.03. Alumni Relations Office. The Alumni Relations Office is located on the 8th floor of the Cooley Center. The primary mission of the office is to support the networking of Law School graduates, current students, and the Law School itself.

A. Board. The Law School's Alumni Association's National Advisory Board is the primary organization representing graduates' interests. The Board meets annually. The day-to-day concerns of alumni are represented by the Executive Committee of the National Advisory Board, which meets several times per year. The Alumni Relations Office provides support services and works cooperatively with the National Advisory Board, the Executive Committee, and state and local groups.

B. Scholarship. Through the Alumni Association, Law School staff and graduates support current students through the Alumni Memorial Scholarship by raising funds at the annual golf outing and other events. The Association also grants the Distinguished Student Award to members of each graduating class. The community is further served by alumni membership and participation in many service organizations.

C. Alumni Listings. The Alumni Relations Office maintains listings of alumni addresses, telephone numbers, and legal specializations. These listings are for the sole use of Law School alumni, staff, and current students. The purpose of this information is to allow members of the Law School community to network for case referral and consultation, for employment information, and for social contacts. The alumni list is not to be distributed to other groups or to be used for commercial purposes. Alumni are encouraged to use the Alumni Hotline, (800) 243-ALUM, or visit the website at <http://www.cooley.edu/alumni/>.

Section 7.04. Bookstore. The institutionally owned and operated Law School Bookstore serves all campuses from the lower level of the Cooley Center at the Lansing campus. All students may purchase their books at the Lansing campus or online via the bookstore's website at www.cooleylawbookstore.com. The bookstore offers both required and recommended course materials as well as a wide selection of study aids, office supplies, Law School memorabilia, giftware, and clothing. The bookstore also operates a used book buy back at the end of each

Section 7.05. Career and Professional Development (CPD). The Career and Professional Development Office (CPD) provides career services at each campus to students and alumni in all stages of their career. CPD is committed to helping law school students and graduates identify and achieve their career goals. The department strives to equip law students and alumni with the tools and skills essential for career development, to cultivate a life-long commitment to professionalism and community service, and to promote regional and national awareness of the Law School. Students are welcome to stop in and speak with CPD personnel regarding any program or service. One-on-one appointments with CPD Associate Directors are also encouraged. It is recommended that students schedule an appointment

A. Locations. The CPD Offices are located in the following locations:

Auburn Hills: Room 237

Grand Rapids: in the Student Services Suite

Lansing: Room 318

Kalamazoo: 120 W-U Walwood Hall

Tampa Bay: Room 107 within the ESS Suite.

Working in partnership with CPD, students have the opportunity to explore career goals, identify strengths and areas of interest, and develop the skills necessary to market and present themselves in a distinctive, competitive, and professional manner.

B. CPD Office General Information.

(1) Drop-In Hours and Appointments. Students can come into the CPD Office at their campus anytime to speak to a CPD Associate Director without an appointment, Monday through Friday, between 9:00 a.m. and 5:00 p.m. Or, to guarantee a specific appointment time slot during regular office hours and by special arrangement for evenings and weekends, students can schedule appointments in advance.

(2) Faxing, Copying, and Computer Access. These office services are free of charge to students conducting a job search.

(3) Symplicity. Symplicity is a web-based career service management program that allows students to streamline the job search and career development process. With Symplicity, students can create a profile, research employers, apply for jobs, schedule counseling appointments, access career resources, and RSVP to events and programs. Symplicity is accessed directly on the portal home page.

C. Career Services. CPD offers students and alumni a wide range of career services including:

(1) Career Counseling. CPD Associate Directors provide career counseling through individual appointments covering career exploration, job search strategies, professional development, resume and cover letter reviews, mock interviews, networking opportunities, application processes and deadlines, using Symplicity, and legal market trends.

(2) Employment Job Postings. The CPD Office maintains world-wide job listings of full-time and part-time employment, internships, work study, fellowships, judicial clerkships, summer associate positions, and law-related volunteer openings, which are updated daily in Symplicity.

(3) Programs and Workshops. CPD offers career-related programs that feature attorneys from the legal community, state and federal judges, faculty, and CPD staff

speaking on various career related topics; Excursions to the Legal Community, which include visits to law firms, governmental offices, and state and federal courts; resume and cover letter workshops; networking events with local attorneys, judges, and bar associations; diversity programs; mock interview programs; and up to date career skills presentations.

(4) Employer Outreach. CPD staff visit employers locally and across the country to establish new professional relationships and encourage existing employer relationships with the goal of creating job opportunities and externships for students and graduates.

(5) Recruitment Programs. CPD hosts a year-round on-campus interview program as well as career and job fairs held at WMU-Cooley campuses. CPD also assists in resume collections and direct submissions to local and out-of-state employers.

(6) Professional Development Series. Throughout enrollment, the Professional Development Series provides important career-related exercises to help students explore career paths, establish job search goals, connect to employers, learn about internship and externship opportunities, and develop skills and strategies to meet employment goals.

(7) Cooley Volunteer Corps (CVC). CVC is a program designed to provide students with opportunities to enhance experiential and professional development through pro bono and volunteer work.

(8) Career Resources. The CPD Office has career-related resources on timely topics, including career exploration, preparing resumes and cover letters, interviewing, job search strategies, securing internships, fellowships, and public interest positions; job search directories; legal newspapers and magazines; international job search resources; and a library of recordings of prior CPD programs and presentations. In addition to print resources, a variety of career resources are available to students online. These resources include numerous online job search and career planning resources, the CPD Resume and Cover Letter Handbook, and the CPD “Tip!” sheets covering over 20 career-related topic areas. The online resources can be accessed on Symplicity or at the “Careers” tab on the portal home page.

(9) National Employment Listings. CDP provides access to national employment listings including the Brigham-Young University Intercollegiate Job Bank web-site, (job postings from law schools across the country), the University of Arizona Government Honors and Internship Handbook, International Career Employment Weekly, and the Public Service Jobs Directory.

(10) Practice Area Guides. The “Practice Area Guides” are online career resources that provide students with practice area and application information that students can review and digest at times most convenient for them.

(11) Job Fairs and Student Scholarships. CPD publicizes job fairs and scholarship opportunities on Symplicity and assists students in the selection, registration and application process for job fairs and scholarships.

(12) Employment Questionnaire (EQ). CPD is charged with collecting, maintaining, and reporting law graduate employment data. WMU- Cooley publicly discloses graduate employment data on its website.

Section 7.06. Disabled-Students Services. The Law School’s policies provide reasonable accommodations in conformity with state and federal law for students who are qualified to pursue a law degree.

A. Accommodations. Disabled students seeking accommodations should see APPENDIX B: Policies Pertaining to Disabled Students Seeking Accommodations.

B. MPRE and Bar Exam Accommodations. Students who plan on applying for exam accommodations for the Multistate Professional Responsibility Exam and for bar examinations are required to provide an accommodation certification letter from their law school. MPRE and bar exam accommodations are not automatically granted to students just because they are currently being accommodated by the Law School. A student who wishes to receive such accommodations must submit a written application letter, accommodation certification letter, and documentation of the student’s physical or mental impairment.

Section 7.07. Faculty Advisors. Faculty advisors are assigned to each student at the Law School to help students maximize academic performance, to improve communication between faculty and students, and to address student concerns. Students are informed of their advisor when they begin classes and can also find this information by contacting the Registrar or Associate Director of Enrollment and Student Services. Faculty advisors can answer academic questions. Students on academic probation are required to meet with their faculty advisor. Students and visitors should check with staff at the reception desk for specific locations of faculty offices. If a student’s faculty advisor is not available, the student should consult with the back-up advisors for that semester. The Registrar or the Deans Offices can provide the specific names as the need arises.

Section 7.8. Housing. Housing options vary from campus to campus. Information for each campus can be found on the respective campus pages under the main Locations tab of the website at <http://www.cooley.edu>.

Section 7.09. Incident Reporting. Any life-threatening emergency should be reported to local authorities by dialing 911. Students, faculty, and staff must immediately report criminal actions or other emergencies that occur on School property to the Building Access Control Officer

or to Law School staff. A school official will complete the appropriate incident report form to be delivered to the Vice President of Operations and Finance.

Section 7.10. Information Technology/Computer Lab Support Services. The Law School provides support for students at any campus by phone at (517) 371-5140 x3300, or by email at StudentTechHelp@cooley.edu. Computer Technical Assistants staff Student Tech Help from 9 a.m. - 11 p.m. Monday - Friday, 9 a.m. - 9 p.m. Saturday and Sunday during the term, subject to change.

A. Reporting Problems. Callers should be prepared to offer as much information as possible regarding a hardware or software problem including the caller's name, location, type of hardware used, type of software used, and a description of the problem. Follow these steps before calling for assistance:

(1) **Restart Your Computer.** This causes the operating system to reload, which reinitializes all the settings. If there was a bad or corrupted setting, this may correct the problem. This also pertains to printers.

(2) **Write Down Error Message.** Having the exact error message helps technicians track down the cause of the problem and find a quicker resolution.

(3) **Contact Information.** Callers should provide their full name and a phone number where they may be reached for call back.

B. Technology accounts. When Information Technology Services receives new student names from the Registrar's Office, the new student users are issued a technology account and e-mail account. Students learn their account name and set their password using the Profile Lookup Tool found in the portal.

(1) **Accounts After Graduation.** Technology accounts remain beyond graduation from the Law School and provide access to the WMU-Cooley Portal resources and Cooley e-mail.

(2) **Withdrawal.** Technology accounts close upon withdrawal from the Law School. Students are encouraged to copy documents from their accounts prior to requesting a withdrawal.

(3) **Dismissal.** Students who are dismissed from WMU-Cooley Law School for disciplinary reasons will lose access to their accounts and e-mail immediately upon dismissal.

(4) **Discontinued Accounts.** Accounts which have been discontinued will not be re-activated.

C. Support for Student-Owned Laptops. The Law School does not require students to own a laptop or other personal computing device. Support for student-owned equipment is

limited. The Student Tech Help staff will assist with the following for student-owned devices:

- (1) Wireless networking configuration/connectivity.
- (2) Exam software installation and troubleshooting.
- (3) Updating operating systems.
- (4) Installing and configuring security software.

D. Acceptable Use Policy. When new student users receive their network accounts and initially log into the WMU-Cooley Portal, the Network Acceptable Use Policy is presented, agreed to, and accepted by the user. A copy of the policy is included in APPENDIX K of this document.

Section 7.11. Law Libraries and Instructional Support. The Law School's law libraries serve Law School faculty, students, and staff. Alumni, members of the bar, government employees, and the general public involved with legal research projects may also use the collection. Use of some facilities is limited to currently enrolled students, alumni, and staff. Use of the libraries may be restricted during exam week and at any other times when increased demands interfere with service to faculty or students of the School.

A. Library Hours. When school is in session, the libraries are all open seven days per week. For complete operating hours in effect at all locations, see <http://www.cooley.edu/library/hours.html>. Hours may be extended during exam periods at all locations and reduced during breaks. All Law School libraries are closed on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Variations from the regular schedule also occur due to other circumstances. Special hours will be posted at the entrance areas at all locations. For telephone contact information at each campus, see <https://www.cooley.edu/students/library/contact>.

B. Reference Hours. When school is regularly in session, reference hours are offered seven days a week. Please consult the website (<https://www.cooley.edu/students/library/ask-librarian>) for specific hours.

C. Reference Services. Reference services and assistance are available in person, via telephone, and through e-mail. Librarians cannot interpret legal materials but are able to help all patrons locate needed materials. A toll-free number, 1-866-REF-DESK (733-3375) is available for those outside our local calling area. For more information about reference services or to obtain information for a particular campus, see <https://www.cooley.edu/students/library/ask-librarian>.

D. Patron Conduct. The goal of the libraries' administration and staff is to make the collection and services as freely and equitably available to all patrons as possible. Patrons are asked to observe the following rules of conduct in the libraries:

(1) Access Policy. To provide law students, faculty, and staff with adequate seating and a quiet and safe study area, a limited access policy is enforced at all locations. Users are required to present their Law School ID cards, or a valid picture ID upon request. For additional information on the access policies, please contact the individual campus. Contact information for each location can be found at <https://www.cooley.edu/students/library/contact>.

(2) Food and Drink Policy. Eating is not allowed in the library except in posted areas. Violators will be asked to dispose of their food immediately or leave the library. Repeat offenders will be reported to the Associate Dean of Students and/or have their library privileges revoked. Patrons may drink from any covered containers with a cap or lid. Types of containers not allowed include cans, open cups or mugs. The library staff reserves the right to approve or disapprove of any questionable beverage container.

Please notify library staff of any spills made or observed. Alcoholic beverages are not allowed, even in approved containers.

(3) Preserve Materials. Patrons must not write, underline, mark in, or mutilate library materials. Students who damage or destroy library property may be investigated under the Honor Code.

(4) Check Out. Patrons must check out all library materials at the circulation desk before taking them from the libraries. Patrons may be asked to disclose the contents of their briefcases, portfolios, or book carriers to library employees at the circulation desk or Access Control Desk upon leaving the library if alarms are activated.

(5) Be Quiet. The libraries are settings for serious research and study, and patrons are asked to please refrain from loud conversation or other inappropriate behavior. Individuals who disturb library patrons or disrupt the work of the staff will be asked to leave the library or will be removed by the police. Please report any problems to the circulation desk or the Access Control attendant.

(6) Loss of Privileges. Repeated or flagrant violations of library rules and regulations, especially any misuse of library materials that jeopardizes the work of other students, may result in the suspension of library privileges. Students must comply with the Law School's Honor Code.

(7) Complete Information. Please see <https://www.cooley.edu/students/library/policies-services> a complete listing of the Law School libraries' general policies.

E. Circulation. Most materials in the libraries' collections are legal continuations that must remain on the shelf or on-site to further effective legal research. A non-circulating policy is therefore in force for most of the libraries' materials. Reserve materials may be checked out for up to three hours and must be used within the library from which it was

obtained unless otherwise allowed. Bound and unbound periodicals, statutes, codes, digests, reporters, records and briefs, reference works, court rules, advance sheets, multi-volume treatises, and loose-leaf materials do not circulate. All the law libraries have self-service photocopy machines that can be used (subject to federal copyright restrictions) to copy materials that cannot be removed from the libraries.

F. Borrowing Procedures. Circulation of materials is restricted to Law School students, staff, and attorneys and partner institutions' faculty and students with appropriate identification. Patrons must present a bar-coded student, alumni, or staff I.D. or bar card to check out materials. I.D.s may be obtained through the Postal and Printing Services Department, located on the first floor of the Cooley Center in Lansing, or as part of incoming student Orientation, or through the satellite Administrative Offices at your respective campus. Patrons from partner institutions may have borrowing privileges with abbreviated loan periods. A patron wishing to borrow library materials should bring the material to the Circulation Desk. The desk attendant will determine if the material may circulate and, if so, for what time period. As a courtesy, overdue notices are mailed via the Law School network email system. Each overdue reserve item incurs a \$1.00 per hour fine. Borrowing privileges, including remote access to electronic resources, are suspended when overdue fines reach \$10.00. If fines accumulate to a maximum of \$35.00, the patron is also billed for the actual replacement cost of the item. Current market value will be assessed. Any outstanding fines must be resolved before graduation or when requesting a transcript.

G. Verbal dialog regarding overdue fines is not allowed. Fines must be appealed in writing on a Fine Appeal Form, which can be found on the website at:
https://www.cooley.edu/sites/default/files/media/docs/fine_appeal_form.pdf.

H. Miscellaneous Services and Information.

(1) Audio Equipment. A limited number of audio devices are available at each location. The use of personal listening devices for library-owned material is acceptable and encouraged.

(2) Group Study Rooms. Group study rooms may be reserved on a first-come, first-served basis, by currently enrolled Law School students or Law School alumni studying for the bar in groups of two or more. Law School alumni wishing to reserve a group study room should consult with a Law School circulation team leader to verify the availability of a room for their use.

a. Rooms are for the use of at least two people and may be reserved for a maximum of three hours per group per day, regardless of the name or names under which the room is reserved. The Circulation Desk at each library has specifics on reserving and using group study rooms. Room reservations are kept confidential.

b. Individuals may use vacant rooms on a first-come, first-served basis, but individuals must always vacate for groups.

c. Reservations will be held until 10 minutes after the hour the reservation is to begin. After that time, the room may be taken by another group.

d. Students using a group study room must leave their current student identification card at the Circulation Desk when arriving for their scheduled reservation. See the Circulation Desk at each library for specifics relevant to each location.

e. Furniture from the other areas of the libraries should not be moved or switched in these rooms.

(3) Photocopy Machines and Change. Self-service photocopy machines are located throughout the various buildings at each campus. Problems with the photocopy machines should be reported to the library circulation staff at each respective campus.

(4) Online Legal Research. WESTLAW and LEXIS, full text legal databases, are available to Law School students and faculty for school-related uses only. Students are required to attend basic training as part of their Research and Writing course through the Introduction to Computer Assisted Legal Research (CALR) program before they are permitted to use LEXIS and WESTLAW beyond the basic document retrieval functions. Commercial use of these databases is not allowed under any circumstance. However, usage is permitted for purposes of work done for or in conjunction with an approved externship. Access to other online databases varies depending on the current subscription and licensing agreement, but many services are available via the internet with appropriate authorization. Questions concerning any online databases should be directed to any reference librarian.

(5) Staff. If you need to consult with particular staff members, please see the Circulation Desk at any library location.

I. Lost and Found Services: Lost and found services are available at each campus Access Control Desk during posted building hours.

Section 7.12. Print Release/Copy Machines. Student printers and copiers require a WMU-Cooley account to access. Machines can be found at the following locations:

Auburn Hills: Library area

Grand Rapids: Lower level and 1st floor

Lansing:

Library Building –1stand 4th floors

Cooley Center Building – lower level, 3rd floor

CRS Building

Tampa Bay:

Library area
Outside of the student lounge
Computer lab
Outside of the Appellate Courtroom

Section 7.13. Postings. All requests from student organizations and their representatives to post a notification (including fliers) must be submitted to the SBA Office or Campus Director. The SBA Advisors in Auburn Hills, Grand Rapids, Kalamazoo, Lansing, or Tampa Bay campuses must approve, date, and stamp the request. Requests that have been approved may be submitted to the following places:

A. Law School Portal. Select *Communities* (found along the left navigation area) > *Publish My Event*. View and access links within the page to add your event to the Law School calendar. Events can be tagged for each campus location and viewing audience.

B. The Pillar. At pillar@cooley.edu

C. Hard copy postings. Hard copy postings are discouraged except upon the relevant student organization boards in place at the campuses. Rather, the Law School has provided the Dynasign electronic kiosk system on which appropriate content may be posted and displayed. The Dynasign system allows content to be posted across campuses or to just one campus, submitted to the Lansing campus Information and Event Planning Services Office located on the first floor of the Cooley Center or to the Campus Director at the Auburn Hills, Grand Rapids, and Tampa Bay campuses. The following guidelines must be followed. Violators will be reported to the Dean of Students and Professionalism.

- (1) The posting may not be handwritten and must be attached to a poster board.
- (2) The content, location, and duration of the posting are subject to approval by the Campus Event Director/Campus Director. The Law School retains the right to deny postings.
- (3) All postings will remain in the approved location for a maximum of one calendar week.
- (4) The event sponsor must pick up their postings within 24 hours following the event from the Campus Director at the Auburn Hills, Grand Rapids, Lansing, and Tampa Bay campuses.
- (5) Any attempts of vandalism on or to the posting will be reported to the Dean of Students and Professionalism for investigation under the Disciplinary Procedures.
- (6) Random distribution of material, mass emails to Gmail accounts, placement other than at approved locations, and markings on sidewalks are not allowed on campus property or property immediately adjacent and accessible to the building. Violators will be required to remove any unauthorized distribution of material.

Section 7.14. Registrar's Office: Other Services. Bar application forms, bar certifications, character and fitness forms, and a variety of other bar application-related forms are processed through the Registrar's Office.

Section 7.15. Room Reservation Services. Contact a room reservation specialist to reserve a room; 48 hours' notice is required to request a room reservation. Food and beverages are not allowed in any classrooms on any campus of the School. To request a room for an event, contact:

A. Auburn Hills

Contact: Campus Director

Location: Second floor, Auburn Hills Main Building

Hours: 9:00 a.m. to 5:00 p.m., Monday-Friday

Phone: (248) 751-7800, ext. 7707

B. Grand Rapids

Contact: Campus Director

Location: Fifth floor, Law Center

Hours: 8:00 a.m. to 4:30 p.m., Monday-Friday

Phone: (616) 301-6800, ext. 6984

C. Lansing

Contact: Campus Deputy Director

Location: First floor, Cooley Center

Hours: 9:00 a.m. to 5:00 p.m., Monday-Friday

Phone: (517) 371-5140, ext. 2150

D. Tampa Bay Campus

Contact: Campus Deputy Director or Campus Director

Location: ESS Office, TB 107

Hours: 8:00 a.m. to 6:00 p.m., Monday-Friday

Phone: (813) 419-5100, ext. 5101 or 5105

Section 7.16. Students in the Military Called into Active Duty. Any student notified of a call to active military duty must immediately contact the Registrar's Office and must present written documentation of the order. The Registrar will withdraw the student from all classes, and the student will be directed to the Financial Aid Office. The school will process a 100% refund of the student's tuition for that semester. The refund will go back to the funding source (e.g., lender). If appropriate, the student will be sent to the Business Office to arrange for the refund. The Registrar's and Financial Aid Offices will monitor the student's academic progress to make sure ABA guidelines and applicable laws are followed.

A. Returning Service Members Who Were Enrolled Students. The qualifying student is entitled to re-enrollment if the cumulative length of the absence and all previous absences by reason of military service does not exceed 5 years. The returning student will

be able to enroll in the next semester unless the student requests a later date or unusual circumstances require the institution to admit the student at a later date.

(1) Re-enrollment Process. The returning student should contact the Registrar's Office at least one month before returning to the Law School to begin the re-enrollment process. The Registrar will direct the student to the appropriate campus Associate or Assistant Dean to devise an education plan. The Dean and the returning student will determine which of the three options is most appropriate for a successful return:

- a. The student will proceed with the curriculum right where the student left off.
- b. The student will be advised to repeat a course or courses at no cost to the student, with the higher grade appearing on the transcript, and will also be encouraged to seek assistance from the Academic Resource Center.
- c. The student will be required to repeat a course or courses at no cost to the student, with the higher grade appearing on the transcript, and also be required to seek assistance from the Academic Resource Center.

(2) Tuition. Upon return from service, for the first two semesters, the student will be charged the same tuition and fees the student was or would have been assessed for the academic year when the student left.

(3) Academic Status. Students who were on academic probation when they withdrew from school will have their status reinstated upon their return.

B. Enrollment Process for Unenrolled Students and Those Called to Duty in First Semester. Applicants who are admitted to the Law School but have not yet enrolled will not have to reapply to the Law School. Upon return from military service, they will be able to enroll under the same conditions under which they were admitted. Any first-semester student withdrawing to leave for active duty does not need to reapply to the Law School as long as the student is able to return and successfully complete the curriculum within the time limit established by the American Bar Association, or as otherwise directed by law.

Section 7.17. Transportation & Parking. Transportation and parking vary from campus to campus.

A. Auburn Hills. The Law School provides free student parking at Auburn Hills. The campus is also accessible by public transportation. Auburn Hills public transportation information can be found at: <https://www.smartbus.org/Services/Services-By-Community/Auburn-Hills>

B. Grand Rapids. The Law School does not provide free student parking at the Grand Rapids campus. Students may use city parking lots or metered spaces near the building.

Transportation and parking information for Grand Rapids students can be found on the Grand Rapids campus page under the main Locations tab of the website at <http://www.cooley.edu>.

C. Kalamazoo. The Law School does not provide free student parking at the Kalamazoo location. Students must fill out the following form (<http://bit.ly/WMUServices>) to sign up for parking or other services provided to WMU-Cooley students at Western Michigan University.

D. Lansing. The Law School does not provide free student parking at the Lansing campus. Students may use parking lots or metered spaces near each building. The surface parking lots located directly behind the Cooley Center and the Brennan Library/Center for Research and Study are for employee use only. Unauthorized vehicles will be ticketed and towed at the owner's expense. Transportation and parking information for Lansing students can be found on the Lansing campus page under the main Locations tab of the website at <http://www.cooley.edu>. Lansing public transportation information can be found here: <http://www.cata.org/>.

E. Tampa Bay. The Law School provides free student parking at Tampa Bay. This campus is also accessible by public transportation. Hillsborough County public transportation information can be found at <http://gohart.org/>.

F. Motorcycles, Miniature Motorcycles and Mopeds. The Law School prohibits the parking of a motorized vehicle in a bike rack. A motorized vehicle is defined as a two- or three-wheeled vehicle that can operate at a speed of 15 mph or greater.

CHAPTER 8

CLASSROOM PROCEDURES AND STUDENT, STAFF, AND FACULTY CONDUCT

Section 8.01. Classroom Procedures

A. Attendance. The standards of the American Bar Association regarding the approval of law schools direct that each school require regular and punctual class attendance. The School's policy must conform to those standards.

(1) Allowed Absences. The maximum number of hours of absence allowed is determined by multiplying the number of credit hours for a course by two (e.g., a three-credit class has a maximum of six hours of absence). Special rules apply to Introduction to Law, Trial Skills, Pretrial Skills, and Appellate Advocacy. Such exceptions will be announced during the first class session and be included in the syllabus.

(2) Reporting Absences and Tardiness. Attendance is reported by the half-hour. Students arriving late to class or leaving early are responsible for informing the professor of the time of their arrival or departure, before the next class meeting or sooner if required by the professor's syllabus. Professors are not obligated to adjust their attendance report after the day it is taken.

Tardy students may be marked absent by the half hour. (A student who is even a few minutes late may be marked a half-hour absent. A student who is over 30 minutes late may be marked absent a full hour.) Professors shall notify their students of their intent to mark students absent for tardiness. Professors/instructors may impose other controls for tardiness, including locking classroom doors from the outside when class begins, placing letters documenting tardiness in students' files, referring tardy students to the Associate Dean of Students and Professionalism for imposition of administrative probation, and dismissal from the class.

Professors shall ensure that attendance is reported to the Registrar's Office no later than the day after class meets, or on the following Monday for weekend classes.

(3) No Pre-excused Absences. There are no pre-excused absences in any class. Students should keep their own records of their absences and the reasons for each absence. Students who are dismissed for exceeding the allowed absences may appeal their dismissal to the Registrar, who will consider the reasons for their absences and the steps taken to make up the missed material (see "Reinstatement" below). Classes missed because of late registration are treated as absences under this policy.

(4) Make-up Classes. Attendance is not required for make-up classes. Students are required to attend only the regularly scheduled class periods in the regularly scheduled places listed on the class schedule for the semester.

(5) Multiple Sections. If a student is absent from a class in a required course and the professor is teaching multiple sections of the same required course, the student may seek the professor's permission to attend the lecture for the other section provided seats are available. Students must obtain permission from the professor in advance of attending the live in-class lecture of the class in the other section. With permission of the professor, the student who attends the other section will not be marked absent in the missed class. Permission cannot be given more than three times in one semester. This policy does not apply to a required course with multiple sections taught by different professors.

(6) Appeal and Reinstatement Following Dismissal. Students who exceed the maximum number of absences in a class will be notified by the Registrar's Office via the students' Law School email account that they have exceeded the allowed absences, risk being dropped from the course, and have five working days in which to appeal for reinstatement.

a. Failure to Appeal. If the student fails to submit an appeal within the allowed five working days, the Registrar's Office will drop the student on the next Wednesday following the appeal date, when attendance is processed. Once dismissed from the class, the student will not be permitted to take the examination or receive credit for the course in a class where there is no exam.

b. Form of Appeal. To appeal for reinstatement to a class, the student must prepare an appeal for reinstatement setting forth in detail the date of each absence, the reason for each absence, and the steps the student has taken to compensate for having been absent. The appeal for reinstatement must be submitted to the Registrar within five working days of the date the notification was sent to the student's Law School e-mail account.

c. No Additional Absences. Students who are reinstated after exceeding the allowed absences may not be absent again. Any absence after reinstatement is grounds for dismissal from the class.

(7) Administrative Probation for Excessive Absences. A student who abuses the attendance policy by seeking excessive reinstatements four or more times during enrollment may be placed on administrative probation for excessive absences by the Associate Dean of Students and Professionalism.

(8) Special Attendance Rules for Students in Their First Semester. Students are allowed one absence in Introduction to Law. If a second absence occurs in Introduction to Law, the student risks being dropped from all classes in which the

student is enrolled. A student may request reinstatement into Introduction to Law by submitting an appeal for reinstatement to the Registrar in which the student indicates the date of each absence, the reason for the absences, the steps the student has taken to compensate for having been absent, and why the student believes reinstatement into classes is appropriate. Supporting documentation must accompany the appeal for reinstatement. If an appeal for reinstatement into Introduction to Law is denied, the student will be dropped from all classes and withdrawn from school.

First-semester students who miss the first week of classes will be dropped from all classes.

(9) Special Attendance Rules for Pretrial Skills, Appellate Advocacy, and Trial Skills. Pretrial Skills, Appellate Advocacy, and Trial Skills have restricted attendance rules because in-class skills exercises require different make-up activities than substantive classes. Students should consult the course syllabus for complete rules, procedures, and requirements in each class.

(10) Special Attendance Rules for Clinics, Externships, Directed Studies, Skills Classes and National Competition Teams. Professors set attendance and participation requirements for these courses, based in part on the credits attempted, which students must follow. Students who fail to meet those requirements may be subject to dismissal from the class or lesser sanctions, as determined by the professor, taking into account expectations for course work, the client, the class, or teammates.

B. Academic Preparedness and Course Assignments. Students are responsible for preparing and understanding the material assigned and reciting in class when called on. If circumstances arise that prevent the student from being prepared, it is the student's responsibility to notify the professor before class that the student is not prepared.

(1) Professors' Policies. Professors may establish a specific preparedness policy for each course. That policy will be provided to the students and placed on file in the campus dean's office.

(2) Additional Assignments. A professor may add assignments during the semester that are not included on the syllabus as long as reasonable notice is given of when the assignment is due and reasonable time is given to complete it.

(3) Unprepared Students. Lack of class preparation and failure to complete an ungraded but required class assignment shall not be considered an absence and cannot be treated as such by a professor. In the event a student is unprepared and does not notify the professor, or in the event a student does not complete an ungraded but required assignment, the matter will be handled by the professor at his or her discretion. Sanctions may include but are not limited to expulsion from the class or barring the student from taking the examination. A sanction resulting in a

student being barred from taking the examination shall be accompanied by a written report from the professor to the campus dean, who shall notify the Registrar of the sanction. Sanctions shall be stated in the course syllabus or otherwise be provided in written form during the first week of class. In order to impose any unprepared sanction, the course syllabus must provide guidance on how much material will be covered if the class falls behind the syllabus. The student may appeal to the campus dean in a case of a claimed abuse of discretion.

C. Class Decorum. The success of a law school class depends to a large extent on active student participation so that each student contributes to the educational experience of all the members of the class. A student is expected to be prepared for class, just as an attorney is expected to be prepared for court.

The professor in the classroom is very much like a presiding officer. The professor is entitled to respect and may demand that the conduct and appearance of students be appropriate. Professors may require students to rise from their seats when addressing the class and the professor. Professors may impose class policies that prohibit or place restrictions on behavior that is likely to distract other students.

D. Laptop Computers Required. Students are required to have a laptop computer, meeting the minimum requirements in Appendix M, available for class, exams, assessments, video conferences, and for all other purposes designated or implicated by the professor's classroom policies. A professor may designate when and if a laptop may be used during in-person class instruction. Students receive funds to purchase a laptop computer in their first semester financial aid allocation.

E. Professors' Office Hours and Appointments. Each full-time professor is to have regularly scheduled office hours for consultation with students. If a student wishes to meet with a professor, the student should schedule an appointment with a secretary located on the floor of the professor's office, or with the professor. Should a student have repeated difficulty arranging to meet with a professor, the student should contact the campus dean. The professor is not obligated to meet more than one-half hour for any particular appointment. Professors' office locations can be found using the Law School Directory on the portal. Students and visitors can also check with the receptionist in the lobby of each building containing faculty offices.

F. Teaching Assistants. Professors may employ upper-level students to work with the professors' students. No student employed as a teaching assistant in a course may tutor any students taking that course (in the same or another section) for pay or other compensation during the semester the student is working as a teaching assistant.

G. Wrap-Up Week Policy. Wrap-Up Week is the fourteenth week of the semester. Attendance is required during wrap-up week. The 14th week of each semester may be used for presentation of new material as well as a wrap-up and overview of the course material already presented.

H. Course Evaluations. Students will be requested to complete and submit course evaluations in each of their courses during Wrap-Up Week (14th week of the semester). The course evaluation forms are tallied and the results are made available to the faculty after grades have been submitted and grade appeals are completed. Course evaluations that contain written comments are retained in the professor's file. Student course evaluations are used by the Dean and faculty members to evaluate the course and the professor. Students are urged to participate responsibly in the course evaluation procedures.

I. Emergency Evacuation. All approved exits are lighted and marked in accordance with state and city codes. Emergency drills satisfying these codes are held on a rotating schedule. Students, faculty, and staff are required to follow emergency directives in the event of a drill or an actual emergency. Individuals who might require assistance evacuating a building (without the assistance of an elevator) should contact the Custodial and Access Control Superintendent for specific instructions on evacuation procedures prior to an emergency.

Section 8.02. Campus Procedures and Policies.

A. No Smoking. WMU-Cooley is a smoke-free environment. Violators are subject to the applicable fines. Individuals are expected to maintain a 25-foot distance from any building entrance when smoking outside the buildings. All litter is to be properly disposed of in the appropriate receptacles located outside the building entrances. Violators are subject to applicable fines. Use of tobacco products, including smokeless tobacco and electronic cigarettes, is not allowed in the buildings.

B. No Weapons. WMU-Cooley is a weapons-free environment. No person may possess a weapon while on Law School property, including buildings and School-owned grounds and parking lots. This prohibition does not apply to law enforcement officers while on official police business at the School. Any person seeking an exception to this policy by virtue of being required by law to possess a weapon while not on official police business must obtain the prior approval of the campus assistant dean upon a written application demonstrating why the weapon cannot be left off premises.

C. Crime Awareness and Campus Security. Life-threatening emergencies should be reported to local authorities by dialing 911.

(1) Reporting to the School. Students, faculty, and staff are required to immediately report criminal actions or other emergencies that occur on School property to the Building Access Control Officer or Law School staff. An incident report will be completed and delivered to the Vice President of Operations and Finance. The School will make timely reports in compliance with the Campus Security Act of 1990. The current Campus Security Report can be found at: <https://www.cooley.edu/sites/default/files/media/docs/Campus%20Security%20Report.pdf>

(2) Security of, and Access to, Law School Facilities. The School generally attempts to limit access to School facilities to students, faculty, staff, and persons who have a legitimate business or educational purpose for being on the premises. Building Access Control Officers or Law School staff monitor the front entrance of all School buildings. The School reserves the right to refuse access to persons acting in a disorderly or disruptive fashion and to request that such persons leave the premises. If necessary, Building Access Control Officers or Law School staff will contact local law enforcement authorities to remove unauthorized persons from School property.

Due to the large number of people entering or leaving the Law School's buildings at certain times (such as just before or after classes), it is not always possible to ensure that everyone in the buildings satisfies our access criteria. In light of this fact and our urban environment, the School expects students, faculty, and staff to take appropriate precautions to help ensure personal safety and the safety of others. Each person is responsible for their personal property.

The School attempts to maintain its facilities in a manner consistent with the security considerations set forth above. The School reserves the right to change its security and safety policies at any time, with or without notice, at its discretion. Neither this report nor any other communication from Law School personnel, written or oral, is intended to create contractual rights to any security or safety policy or procedure or to security matters generally.

(3) Safety and Law Enforcement on School Premises. The School does not maintain a private security force; therefore, in the event of a life-threatening emergency, dial 911. The Building Access Control Officer or Law School staff monitor access to the School's buildings. While Building Access Control Officers generally cannot leave their stations unless properly relieved, they can contact the appropriate officials and other employees for assistance in, and investigation of, emergencies. School employees do not carry weapons and cannot make arrests or physically remove trespassers from School premises. The Building Access Control Officer or Law School staff will call the local police if circumstances warrant an arrest or other law enforcement intervention.

D. Children Unaccompanied by an Adult. Children unaccompanied by an adult are not allowed in any of the School's buildings. Children should not be brought to classes, although individual professors may grant permission in exceptional circumstances. Such permission should be withdrawn if the children cause a distraction to the students. If a parent of an unattended child cannot be located, the child will be removed to a safe place by the police.

E. Drugs and Alcohol. WMU-Cooley has adopted a Substance Abuse Prevention Policy in compliance with the Drug-Free Schools and Campuses Act. It sets forth the School's prohibition on the unlawful use, possession, or sale of drugs and alcohol, as well as educational information on drug and alcohol abuse. School policy prohibits the illegal use,

possession, or sale of alcoholic beverages on School property. The use, possession, or sale of drugs in violation of federal or Michigan or Florida law is prohibited on School property. The complete policy can be found in APPENDIX F: Substance Abuse Policy for Students and Employees of the Western Michigan University Thomas M. Cooley Law School.

F. Sexual Offenses: Education and Awareness. During Orientation, the School communicates the importance of professional conduct in both personal and professional relationships and informs students that the Disciplinary Procedures prohibit conduct in violation of moral standards. Students and employees also receive brochures describing the Law School's policy against sexual harassment. The complete policy can be found later in this section and on the portal.

G. Emergency Evacuation and Shelter Areas. People are responsible for their own safety, and should familiarize themselves with the following building evacuation procedures and the location of designated shelter areas as posted in each building. Questions or concerns regarding these procedures should be directed to the Custodial and Access Control Supervisor at (517) 371-5140 extension 2114 prior to an emergency. This is not an emergency service phone number.

(1) Severe Weather Alarm. When a Severe Weather Warning alarm sounds, take the following precautions:

- Do not use elevators.
- Do not attempt to exit the building.
- Evacuate to the nearest designated shelter area.
- Avoid areas with windows and doors that lead directly to the outside.
- If possible, assist people with mobility difficulties.

(2) Fire Alarm. When a fire alarm sounds, take the following precautions

- Do not use elevators.
- Exit the building promptly and in an orderly manner by using the stairways only.
- Once outside the building, move away from building.
- If possible, assist people with mobility difficulty to a fire safe stairwell. All stairwells are fire safe. Report the location of the individual to the emergency personnel.

(3) Hurricane (Tampa Bay campus only). When the National Weather Service issues a hurricane watch or warning, take the following precautions:

- At least 48 hours before landfall, secure all valuables and important items.
- If the local authorities do not require an evacuation, prepare for possible flooding and wind damage. Avoid areas with windows and doors that lead directly to the outside.
- If the local authorities do require an evacuation, leave area following designated state routes.

- Notify emergency personnel of any problems.

H. Building Access and Closing. For the safety of the individuals and the security of our buildings, a Law School staff member or the Building Access Control Officer will clear each building at closing time. Each building will have its closing time posted near the main entrance. These hours may vary from time to time and are subject to change without notice. The buildings will be cleared at the posted closing time.

To access buildings after hours, School employees must present their valid employee ID card to the Building Access Control Officer. Except for properly identified employees and those people allowed access through written approval on file at the Access Control desk, others will not be granted access to the building. The Leadership Group and the directors of the campus clinics are the staff authorized to approve individuals to be in a building after posted closing hours. Authorizations must be issued on a weekly basis or early on the day of the activity that requires someone to be in the building past posted closing hours. Repetitive authorizations issued weekly will be treated as a blanket authorization and will not be honored.

I. Class Cancellations. Cancellations due to inclement weather will be transmitted to local radio and TV stations and posted on the portal. Students should consult the local media for weather conditions. If the school remains open but a student's local weather conditions make travel hazardous, the student should not put his or her safety at risk to attend class. Severe weather difficulties are a factor in making attendance-dismissal-related decisions.

J. Medical Waste Disposal. A Sharps container is the preferred repository when disposing of medical waste (i.e. hypodermic needles, blood testing strips, etc.). Each campus offers disposal containers in select locations (see below). Inquire at the Building Access Control desk or contact the Access Control Superintendent at (517) 371-5140, extension 2114 if you have additional questions.

Auburn Hills: First floor single staff restrooms on the classroom side of building.

Grand Rapids: Second floor single stall restrooms on the south side of building.

Lansing: Most restrooms in the Brennan Library; lower level and fourth floor restrooms in the Cooley Center; first floor restroom in the Center for Research and Study.

Tampa Bay: Library restrooms; restrooms adjacent to faculty office area; family restrooms.

Section 8.03. Student, Staff, and Faculty Conduct Policies

PLEASE SEE:

APPENDIX C: Procedures for Complaining of Alleged Discrimination Based on Disability

APPENDIX F: Policy on Sexual and Other Forms of Harassment
APPENDIX G: Substance Abuse Prevention Policy

APPENDIX H: Student Honor Code

APPENDIX I: Disciplinary Procedures

APPENDIX J: Student Complaint Policy

APPENDIX K: Network Acceptable Use Policy

Section 8.04. Student Policy Manual. Students are provided access to an electronic copy of the Student Policy Manual and are instructed where to review it on the School's portal in order to obtain updates. When they first log into the portal, students acknowledge that they will read, understand, and agree to abide by the established policies. The acknowledgement is considered a permanent part of each student's file. Any student who knowingly and deliberately fails to make the acknowledgement will be subject to disciplinary action.

Section 8.05. Copyright Compliance. Law School faculty, staff, and students must follow the United States Copyright Act of 1976 as specified in 17 U.S.C. 101 et. seq.

Section 8.06. Library Patron Conduct. Please see <https://www.cooley.edu/students/library/policies-services> for a complete listing of the Thomas M. Cooley Law Libraries' general policies. Additionally, the Libraries and Computer Services enforce the following general rules and regulations:

Smoking, food, and beverages without lids are not permitted in the library or in the computer labs.

Do not write on or alter computer disks, software, or other electronically recorded materials in the collection.

Do not alter the software or hardware configuration of any Law School computer without permission of a computer services staff member.

Always log off from the network before leaving your terminal.

Users are responsible for the safety, use, and all activity originating from their accounts. An unattended login does not give another user the right to access or alter any information under that username.

If you need to use a computer that appears to be logged on, you are ethically obligated to log the previous user off.

Section 8.07. Character and Fitness. The law is a noble, respected, and responsible profession. Prospective members of the Bar are expected to exhibit the highest standards of moral

character and personal fitness in order to be entrusted with the lives, liberty, and fortunes of their clients. Any conduct of a law student that evidences criminal tendency, unethical behavior, or moral turpitude, therefore, will be regarded by the Law School as sufficient cause to bring action within the guidelines of the Disciplinary Procedures or Honor Code. False statements on an application for admission, cheating on examinations, or any other dishonest conduct constitutes grounds for summary dismissal from the School. Law School officials work closely with the Character and Fitness Committee of the State Bar of Michigan and with bar authorities from other states to protect the integrity of the profession. Matters that raise questions about the fitness of a student to be admitted to the Bar will be referred to the appropriate state bar.

Section 8.08. Continuing Duty to Disclose. Students have an on-going duty to update their applications. Before matriculation, students should notify the Admissions Office of such changes in writing. After matriculation, students should notify the Associate Dean of Students and Professionalism in writing if any event occurs that would change or supplement any answer originally given on the application. Notification must be given when the event occurs. Students who after matriculation disclose information that should have been disclosed on the application may have their admission revoked after review by the Admissions Committee. Students who are late in disclosing changes in their application answers are subject to administrative sanctions or discipline under the Disciplinary Procedures.

Section 8.09. Duty to Assist. All students have a duty to assist and cooperate with lawful requests for information or cooperation made by the Dean or the Dean's designate in regard to Law School matters.

Section 8.10. Uncollectible Checks. Checks submitted by students that do not clear the drawee bank are submitted for payment a second time. If a student subsequently submits another dishonored check, a warning letter is sent by the Business Office. For each dishonored check, a fee of \$25 will be charged to the student. Students submitting debit transactions that do not clear will be contacted by the Business Office to make payment arrangements. State Bar Character and Fitness officials have indicated that a pattern of submitting uncollectible payments reflects adversely upon a bar applicant's suitability to practice law. Accordingly, students submitting a third uncollectible check or debit transaction will be contacted by the School and will be required to justify their actions in writing to the campus Assistant Dean. A fourth such event will result in disclosure to the appropriate bar officials and may subject the student to administrative discipline.

Section 8.11. Administrative Sanctions

A. Administrative Hold. A student's file may be placed on administrative hold if the student is under investigation for an Honor Code or Disciplinary Procedures violation, has a substance abuse problem, is a party to a civil or criminal action, is required to provide certain information to the School that has been requested, or has been previously dismissed from another law school. Administrative hold means that no action can be taken with respect to the student's file, such as issuing an official transcript, letters of standing, or considering a request for restart, readmission, or visiting in the study abroad programs. The hold may be for the duration of a student's studies or for a limited duration, and may be made permanent if a student withdraws prior to the final adjudication of an Honor Code or

Disciplinary Procedures case. Students with this hold on their files cannot graduate or obtain transcripts or letters of good standing.

B. Business Holds:

(1) Financial Hold / Business Office. This hold is imposed for non-payment of tuition and fees. Students with this hold on their accounts cannot view grades, obtain transcripts or letters of good standing, register, or graduate.

(2) Financial Hold / Library. This hold is imposed for non-payment of a library fine. Students with this hold on their accounts cannot obtain transcripts or letters of good standing, or graduate.

(3) NSF Financial Hold / Business Office. This hold is imposed if a student's payment is returned for non-sufficient funds, closed account, etc. Students with this hold on their accounts cannot view grades, obtain transcripts or letters of good standing, register, or graduate.

(4) Pearson Bursary. This hold is imposed for Pearson Bursary scholarship recipients, only. Students with this hold on their accounts experience no restrictions; the hold is imposed strictly for determination of students with scholarship.

(5) Sent to Collections. This hold is imposed on the accounts of students whose prior balances have been referred to collections. Students with this hold on their accounts cannot view grades, obtain transcripts or letters of good standing, register, or graduate, and statements are stopped.

C. PDS Holds. Students are required to complete their Professional Development Series assignments by the Week 8 deadline. After the Week 8 deadline, student records of those who did not meet the deadline will be placed on "PDS Hold," which will prevent those students from registering for courses for the following term. After the Week 8 deadline, course instructors will go into PDS only once a week to look for late submissions, grade them, and note completion, and then the hold will be lifted.

D. Administrative Probation, Suspension, and Dismissal. As a result of disciplinary action, past or current conduct that reflects adversely on character and fitness to practice law, substance abuse, administrative issues, or Honor Code or Disciplinary Procedures sanction, a student may be placed on administrative probation. Administrative probation means that the student's progress and behavior will be monitored and that immediate steps may be taken to suspend, discipline, or dismiss the student if the student violates law, school policies, or terms of probation, or is arrested or charged with a crime, or engages in conduct reflecting negatively on character and fitness to practice law. Administrative probation is imposed for the duration of the student's enrollment.

(1) Action by Admissions Committee. The Admissions Committee may place an entering student on administrative probation for conduct that reflects adversely on the student's character and fitness to practice law.

(2) Action by Dean. The Dean or the Dean's delegate may place a student on administrative probation, and may administratively suspend or dismiss a student, for the following reasons:

a. Conduct reflecting negatively upon a student's character and fitness to practice law;

b. Failure to make reasonable academic progress;

c. Displaying a pattern of:

1. Enrolling in but subsequently dropping courses;
2. Reaching or exceeding the maximum number of allowable absences for classes;
3. Being unprepared for class;
4. Failing to take examinations at the scheduled time;
5. Being tardy to class; or
6. Failing to complete established program requirements.
7. Any combination of factors 1 through 3.

(3) Reporting to State Bars. Administrative probation for factors b. and c. shall not be considered school disciplinary action and, accordingly, is not reported to state bar character and fitness committees. All other types of administrative probation are considered school discipline and will be reported to state bar character and fitness committees.

(4) Appeal. A student who has been administratively suspended, dismissed, or placed on administrative probation may appeal that administrative action to the Dean of the Law School in the form of a notarized affidavit stating the reasons why suspension, dismissal, or probation is not appropriate. The appeal must be submitted within 20 calendar days of the effective date of the action. If the last day of the appeal period falls on a day the Law School is closed, the appeal is due on the next day the Law School is open.

CHAPTER 9

GRADUATION AND BAR CERTIFICATION

Section 9.01. Competency Requirements. Graduation from the Law School requires the completion of 90 credit hours of study with an overall cumulative grade point average of at least 2.0 or C. The Law School confers the degree of Juris Doctor (J.D.) upon its qualified graduates.

Section 9.02. Graduation Planning.

A. Date of Graduation. Graduation is traditionally held after the completion of courses. Depending on venue availability, the graduation may occur immediately after final exams or on the second or third weekend of each semester. Special circumstances may cause a change in that date.

B. Graduation Procedures. General questions regarding graduation that are not answered below should be addressed to the Office of the Associate Dean of Enrollment and Student Services.

(1) Graduation Semester Declaration and Audit. Students who expect to graduate at the end of the semester for which they are enrolling must inform the Registrar's Office or the Enrollment and Student Services Coordinator at their respective campus, and schedule an appointment for an audit of their file and academic records. Students will be informed at the time of the audit by e-mail if a deficiency exists in the student's record. If students notice a deficiency in their record, they student should notify the Registrar's attention immediately.

(2) Graduation Semester Deadline. At the very latest, students must declare the intent to graduate no later than Week 9 of their final semester of enrollment. An audit will be done on the student's file to make certain all graduation requirements have been met. Students declaring the intent to graduate in Week 10 or later of their final semester of enrollment will be precluded from graduating at the end of that semester. Instead, the Registrar will audit the student's file to make certain all graduation requirements have been met, and the student's name will be added to the next graduation class.

(3) Graduation Photos, Ballots, and Forms. After senior audits have been completed, the names of those students graduating will be added to the list of graduating seniors, and they will be notified of the dates for graduation photographs through their Law School e-mail account. All necessary forms, ballots, and related graduation information will be made available to graduating students during their final semester of enrollment within a designated Graduation section of the portal. Graduating students will receive written instruction on when and how to access this information in an e-mail to their Law School e-mail account.

(4) Outstanding Debt. Students indebted to the school will be notified by the Registrar and given a date certain to clear their account. If they fail to do so, their names will be removed from the graduation list and they will not be allowed to graduate until the next scheduled graduation after the debt has been cleared.

(5) Administrative Holds. Students who have an administrative hold on their file for pending disclosures or disciplinary or Honor Code matters must resolve those pending matters by Friday week 10 of the semester preceding their graduation. If they do not, their names will be removed from the graduation list and will not be added to a graduation list until the issue is resolved.

(6) Financial Aid Exit Counseling. Students who have received federal financial aid will be required to complete Stafford Exit Counseling. They will receive an instruction letter from the Financial Aid Office in their final semester of enrollment. Notice will also be posted on the portal. Exit interviews may be completed at <https://studentaid.gov/>

C. Grading Graduating Seniors. The Registrar shall forward to each affected faculty member a list of exam numbers of the graduating seniors. Such examinations shall be graded and the grades returned to the campus dean by senior grade due day.

D. Graduating Senior Who Fails a Course. Students in their last semester of enrollment who fail a course from the preceding semester that is necessary for graduation may seek an expedited grade appeal and may register for and enroll in that course through Friday of the fourth week of their final semester. No student, however, may be enrolled in more than 18 credits. If the addition of a failed course exceeds the 18 credit hour limit, the student will have to delay graduation.

Section 9.03. J.D. Graduation with Honors.

A. *Summa Cum Laude*. The graduation candidate with the highest cumulative grade point average of 3.5 or above will be awarded his or her degree *summa cum laude*.

B. *Magna Cum Laude*. Other graduation candidates with cumulative grade point average of 3.5 or above will be awarded their degrees *magna cum laude*.

C. *Cum laude*. Graduation candidates with a cumulative grade point average of 3.0 or above and less than 3.5 will be awarded their degrees *cum laude*.

D. With Distinction. If the candidates in the above classes of honors do not total 25% of the graduating class, then the remaining candidates in the top 25% of the graduating class will be awarded their degrees “with distinction.”

E. The President’s Achievement Award. The President’s Achievement Award recognizes the graduating senior who has excelled the most academically under the Law School’s liberal admissions policy. The winner is selected by comparing the entering

credentials and graduating grade point average of every graduate to determine who has the highest achievement percentage.

Section 9.04. Information Included in the Graduation Program. The graduation program will include the colleges and universities attended by each student and the degrees the student received. Law School activities in which the student has participated, military service, and the number of semesters on the Dean's List and Honor Roll will also be listed.

Section 9.05. Bar Admission Requirements. Information regarding bar admission requirements in Michigan and other states is available in the Career and Professional Development Office. The School's Law Libraries also have materials concerning bar admission requirements at the Circulation Desk of each location. Limited additional study materials are also available.

Section 9.06. Certification for the Bar Examinations. Students should submit bar certification forms to the Registrar's Office. The Registrar's Office prepares all correspondence related to certification of applicants for the various bar exams. Most bar exam applications include a form to be signed by the Dean, which certifies that the applicant has completed the requirements for graduation and is eligible to take the bar examination. That form should be forwarded to and will be completed by the Registrar. If such a form is not included in the application materials, a letter from the applicant requesting certification will suffice. Letters of certification from applicants who have not yet graduated will be held until such time as the applicant has graduated. All applicants should allow a minimum of one week for the Registrar's Office to process the letter of certification.

Section 9.07. Character and Fitness. The law is a noble, respected, and responsible profession. Prospective members of the Bar are expected to exhibit the highest standards of moral character and personal fitness in order to be entrusted with the lives, liberty, and property of their clients. Any conduct of a law student that evidences criminal tendency, unethical behavior, or moral turpitude that results in violations of the Disciplinary Procedures or Honor Code will be reported to the state bar to which the graduate applies for admission. The Law School works closely with the Character and Fitness Committee of the State Bar of Michigan and with bar authorities from other states to protect the integrity of the profession. Any matters that raise questions about the fitness of a student to be admitted to the Bar will be referred to the appropriate state bar. Submit all character and fitness forms to the Registrar's Office for completion.

CHAPTER 10

MASTER OF LAWS

The provisions of Chapter 10 are specifically addressed to the Master of Laws (LL.M.) program and govern if they are inconsistent with the provisions of other chapters in this Manual. The Policy Manual otherwise applies to LL.M. students.

Section 10.01. Master of Laws Degree Requirements. Four of the WMU-Cooley Law School Graduate Programs are offered online (Corporate Law and Finance, Homeland and National Security Law, Intellectual Property, and Tax). One of the WMU-Cooley Law School graduate Programs is offered at the Law School's Michigan campuses (U.S. Legal Studies for Foreign Attorneys). The curriculum was designed by the faculty to provide LL.M. students with the substantive knowledge and practical skills needed to excel in their chosen specialty. Several required courses provide students with a common foundation for further study in their discipline. The remaining elective courses allow students to focus their study in specific areas. Graduation from the Law School with a Master of Laws degree requires the completion of 24 credit hours of study with a 3.0 cumulative grade point average. Students enrolled in the LL.M. program are not permitted to transfer any LL.M. credits earned toward a J.D. degree.

A. Requirements for Admission into the Graduate Program. Admission to this program will be based on graduation from an approved law school; law school grades; undergraduate major and academic performance; a writing sample; a written personal statement; bar admissions, if any; and a letter of recommendation. Applicants who did not graduate in the top half of their law school class will be asked to demonstrate academic capability not reflected in their law school performance. All applicants must submit a government-issue ID along with application materials.

(1) U.S. Citizen Applicants. For admission, the applicant must either have earned a J.D. degree from a law school that is approved by the American Bar Association, or be admitted to practice law in one or more states or territories of the United States and have graduated from a law school in the United States determined by the Law School to be reputable and qualified.

(2) International Applicants. International applicants must have earned a J.D. or LL.B. degree and must have his or her academic credentials evaluated by the Law School Admission Council (LSAC) LL.M. Credential Assembly Service or by the World Education Services, Inc. (WES) Comprehensive Course-by-Course Report. There is a charge for these services. Applicants may register online for these services at <https://www.lsac.org/jd/applying-to-law-school/cas> or www.wes.org, respectively, and will be charged for these services. Applicants should instruct LSAC or WES to send the report directly to the Law School. International students are not eligible for F1 Visa status if enrolled in an online program.

(3) English Proficiency. Applicants who are not native English speakers are required to demonstrate proficiency in speaking and writing English. Applicants

may submit scores from TOEFL (Test of English as a Foreign Language), or an equivalent, to assist in establishing English proficiency.

B. Time to Complete the Master of Laws Degree. The Master of Laws (LL.M.) degree program is designed for both the full-time and part-time study of law. It is possible for a student to complete the program in one year of full-time study, but the full-time student could be faced with time conflicts between courses offered. Not all courses in the curriculum will be offered every semester.

(1) Credit Limits. Students enrolled in the graduate program cannot register for more than 14 credits per semester.

(2) Time Limits for Students Entering Before January 2015. Students can take up to five years to complete the academic requirements for the Master of Laws degree. Students needing longer than five years to complete the degree must obtain an extension from the Office of Graduate and Extended Programs.

(3) Time Limit for Students Entering Between January 2015 and May 2019. Students can take up to three years to complete the academic requirements for the Master of Laws degree. Students needing longer than three years to complete the degree must obtain an extension from the Office of Graduate and Extended Programs.

(4) Time Limit for Students May 2019 and Later.

Students can take up to two years to complete the academic requirements for the Master of Laws degree. Students needing longer than two years to complete the degree must obtain an extension from the Office of Graduate and Extended Programs.

C. Competency and Course Work Requirements. Successful completion of a total of 24 credit hours is required for graduation except as provided below for a student's second graduate degree. Effective January 2020, students will not receive federal funding or scholarship awards exceeding 24 credits without approval to do so by the Assistant Dean of Admissions and Financial Aid and written approval to exceed academic requirements from the Director of Graduate Programs. Students who plan to graduate with more than 27 credit hours must also obtain approval from their respective Program Director. The Law School confers the degree of Master of Laws (LL.M.) upon its qualified graduates.

(1) GPA and Credits. Graduation from the Law School with a Master of Laws degree requires the completion of 24 credit hours of study with an overall cumulative grade point average of at least 3.0 or "B" on the total hours taken and completed.

(2) Retaking Courses. Course credit is not given for a grade below "C." Up to two courses may be repeated in which the LL.M. student has received a grade less than "B." The grade earned in the repeated class will be calculated in the student's

GPA. The grade earned in the first class attempt will remain on the student's transcript but will no longer be calculated in the student's cumulative GPA after the class repeat is complete. Students must pay tuition to repeat a course.

D. Bar Admission. Each state applies its own criteria for allowing applicants to take the bar examination and for admitting attorneys to practice law. Completion of the LL.M. degree does not qualify an LL.M. student to apply for permission to take the bar examination in every state. Lawyers with degrees from non-U.S. law schools seeking to practice law in the United States should obtain information regarding the requirements for admission to the bar in the state in which they wish to practice. Information regarding certification for bar examinations is in Chapter 9 of this Policy Manual. Students with questions may also contact the Registrar's Office.

E. Seeking Restart as a New LL.M. Student (The LL.M. Restart Program).

Students who fail to complete the 24-credit hour LL.M. Program may request to restart the LL.M. with no existing GPA if it has been more than two calendar years since the student last attended LL.M. classes. The student must re-apply to the LL.M. program of choice and the Program Director and the Director of Graduate programs must approve the restart. All credits previously earned in the LL.M. program will be considered in determining the applicant's financial aid eligibility.

Section 10.02. U.S. Legal Studies for Foreign Attorneys LL.M. Program Degree Requirements. The U.S. Legal Studies for Foreign Attorneys LL.M. program is intended for well-qualified lawyers from countries outside the United States who desire to immerse themselves in the study of the common law and then plan to return to their country to practice law. The 24 credit degree blends common law subjects with elective courses chosen by the student. Students must successfully complete 24 credit hours with a 3.0 cumulative grade point average to graduate. Students enrolled in the U.S. Legal Studies LL.M. program are not permitted to transfer any LL.M. credits earned toward a J.D. degree.

A. Requirements for Admission into the U.S. Legal Studies LL.M. Program.

Admission to this program will be based on, among other things:

- (1) **Degree.** An earned first degree in law, or its equivalent, from a recognized university outside the United States that is duly accredited in the country;
- (2) **Academic Abilities.** Applicants must show a distinguished academic record or demonstrate through experience, academic performance, or other qualifications the ability to perform well in the LL.M. program;
- (3) **Law Practice Certification.** A certification or the capability of certification, to practice law in the applicant's country;
- (4) **Writing Sample;**
- (5) **Written Personal Statement;**

(6) Letter of Recommendation; and,

(7) English Proficiency. Applicants who are not native English speakers must demonstrate proficiency in speaking and writing English. (Official TOEFL reports must be submitted directly by ETS (Educational Testing Service) to the Law School.)

B. Credentials Evaluation. Applicants must have their credentials evaluated by the Law School Admission Council (LSAC) LL.M. Credential Assembly Service, the World Education Services, Inc. (WES), or AACRAO International Evaluation Services.

C. Time to Complete the Master of Laws Degree. The U.S. Legal Studies LL.M. degree program is designed for full-time study of law for three consecutive semesters. The program begins in September, January, and May. U.S. Legal Studies students have the option to participate in the Law School's Toronto six week summer foreign study program. U.S. Legal Studies LL.M. degree candidates must obtain the program director's approval should they wish to extend their studies beyond one year.

D. Competency and Course Work Requirements. The Law School confers the degree of Master of Laws (LL.M.) upon its qualified graduates.

(1) GPA and Credits. Graduation from the Law School with a Master of Laws degree requires the completion of 24 credit hours of study with an overall cumulative grade point average of at least 3.0 or "B" on the total hours taken and completed. Course credit is not given for a grade below "C."

(2) Curriculum. The curriculum consists of two- and three-credit hour required courses plus a number of one- or two-credit hour elective courses. Students must successfully complete 12 credits from the three-credit courses Contracts I and II, Property I and II, Torts I and II, and Criminal Law. In addition, students are required to successfully complete U.S. Legal Research, Analysis, and Writing for Foreign Attorneys, and U.S. Constitutional Law for Foreign Attorneys, for a total of four credits. The remaining eight credits consist of elective courses from the Law School's curriculum chosen by the student and approved by the program director. The elective credits can also be earned in the Law School's foreign study programs.

E. Bar Admission. Completion of the LL.M. degree does not qualify a graduate student to apply for permission to take the bar examination in every state. Each state applies its own criteria for allowing applicants to take the bar examination and for admitting attorneys to practice law. Lawyers from other countries seeking to practice law in the United States should obtain information regarding the requirements for admission to the bar in the state in which they wish to practice. This program's emphasis on first year core subjects helps prepare students for a bar examination.

Section 10.03. Master of Laws Programs and Courses. The Law School's Graduate Program is organized into programs. Each program has its own specialized curriculum and is

administered by its own Program Director. Please refer to the portal for the current Program Directors.

A. Courses and Credits. Please refer to the portal for Graduate Program courses for each Program. Required and elective courses are described at portal>Academics>Course Descriptions. Courses are offered on the basis of appropriate course sequencing, need, professor availability, and student demand. Credit hours are assigned to each course and included in the Course Descriptions on the portal and website.

Should students express strong interest in a particular elective topic, the Law School will consider adding that topic to the curriculum. Students wishing to suggest elective courses should contact their respective Program Director(s).

B. Externships. LL.M. students who wish to participate in an externship must have prior approval from the Program Director before enrolling for credit. Detailed guidelines and requirements for the externship will be provided to the LL.M. student at the time it is undertaken. If an externship for academic credit is approved, students must work six hours per week for each credit earned.

C. Master's Thesis/Research Project. The Master's Thesis/Research Project may be undertaken as an elective and must be written under a faculty member's independent supervision. The LL.M. student must produce an original work of publishable quality related to his or her field of specialization

(1) **Credits/Pages.** The Master's Thesis/Research Project course is limited to 1 or 2 credit hours and must be 15-20 pages per credit.

(2) **Timing.** The Master's Thesis/Research Project may be undertaken only after the LL.M. student has completed 12 credit hours of course work, unless an earlier starting date is approved by the Program Director.

(3) **Enrollment.** An LL.M. student who wishes to enroll in a Master's Thesis/Research Project Course must complete and submit a Request to Enroll in Master's Thesis/Research Project form to LLM@cooley.edu. The LL.M. student and professor must establish the topic and deadlines for the Master's Thesis/Research Project. The Request to Enroll in Master's Thesis/Research Project Form must be submitted to and approved by the Program Director at least one week prior to registration. An LL.M. student should demonstrate exceptional circumstances if the student wishes to enroll in the master's thesis/research project course after open registration. The LL.M. student is responsible for registering for the course should it be approved.

(4) **Project Completion.** The Master's Thesis/Research Project should be completed during the semester in which the LL.M. student enrolls for it. An Honor Code Certification must be completed by the student and be submitted with the final written project. The professor may extend the Master's Thesis/Research Project to

subsequent semesters by giving an “Incomplete.” The course work must be completed by the LL.M. student within one calendar year from the end of the semester the course is taken.

(5) No Previous Credit. The written project cannot be work for which the LL.M. student has previously received or is currently receiving credit.

D. Directed Study. A directed study with a professor may be permitted with prior approval by the Program Director. A maximum of four credit hours of directed study is permitted. Detailed guidelines and requirements for the directed study will be provided to the LL.M. student at the time it is undertaken. A directed study may be up to two credits and may be taken twice for a total of four credits. A student that has elected to complete a Master’s Thesis/Research Project is limited to two credits of directed study.

E. J.D. Plus Courses. LL.M. students are permitted to enroll in a maximum of five elective credits offered through the Law School’s traditional J.D. program (including program-approved J.D. electives).

(1) Descriptor. A J.D. elective offered through the Law School’s traditional J.D. program is known as a “J.D. Plus class” when an LL.M. student enrolls in the class. A faculty member teaching such a class is known as a “J.D. Plus faculty member”.

(2) Graduate Program Requirements. While completing a J.D. Plus elective, the LL.M. student must complete the J.D. class requirements, along with an added Graduate Program requirement. The added Graduate Program requirement accommodates the expectations of the LL.M. student’s program. Typically, this “plus” portion of the class consists of an added 10-15 page, double-spaced paper requirement providing the student with the opportunity to combine the subject of the elective with the student’s graduate program area of study. In appropriate situations, the student may complete a topic-related project in fulfillment of the “plus” requirement.

F. Course Prerequisites. Certain courses cannot be taken unless the student has completed other courses. First, this assures that students have sufficient background in the subject matter to make successful completion of both the course and the Graduate Program likely. Second, the requirement is a courtesy to other students in the class, assuring that classroom discussion is conducted at the appropriate level of sophistication and depth. Students who want to enroll in a course for which they do not have the necessary prerequisite must complete and submit an LL.M. Waiver of Prerequisite Form to the Program Director. This form must be completed and filed with the Office of Graduate and Extended Programs before or at the time of registration for the course.

G. Technology Requirements and Online Class Recordings. Students attending online classes at WMU-Cooley are required to use a computer, reliable internet connection, webcam, and microphone during class. Students must be on camera and visible during the

class session. Online class video, audio, and chat messages are recorded. Recordings will be used primarily for student and professor review.

Section 10.04. U.S. Legal Studies for Foreign Attorneys LL.M. Programs and Courses. Section 10.03 does not apply to the U.S. Legal Studies LL.M. program. The U.S. Legal Studies for Foreign Attorneys master of laws (LL.M.) program is administered and managed by the International Programs Office.

A. Courses and Plan of Study. U.S. Legal Studies students are not permitted to enroll in directed studies, master's thesis, and externships.

(1) Required Courses. U.S. Legal Research, Analysis and Writing for Foreign Attorneys and U.S. Constitutional Law for Foreign Attorneys are two-credit required courses designed for students in the U.S. Legal Studies LL.M. program. The course descriptions are located on the Law School's web site and portal.

(2) Plan of Study. Prior to the start of school, students meet with the program director to develop their plans of study. An individual study plan is composed of required common law subjects blended with elective courses representing the student's particular area of interest. The individual study plans must be approved by the program director. The approved study plans are submitted to the Registrar who registers the students in their selected classes each semester. A request for changes in a study plan and schedule must be made to and approved by the program director.

B. Registration. Each semester the International Programs Director and Registrar register U.S. Legal Studies LL.M. Program students for classes to ensure compliance with program rules and the plans of study. Students must notify the Program Director regarding any change of schedule. The J.D. drop/add policies apply. A U.S. Legal Studies LL.M. student is considered a full-time student when enrolled in 6 credit hours and half-time with 3 credit hours.

Section 10.05. Graduate Program Registration Procedures

A. Financial Aid. For financial aid purposes, a LL.M. student is considered a full-time student when the student is enrolled in 6 credit hours, and is considered half-time when enrolled in 3 credit hours. LL.M. students must plan to graduate with no more than 24 credit hours in the program. If exigent circumstances require that they take more than 24 credits, students must discuss their plan with the Associate Dean of Students and Professionalism and obtain approval.

B. Registration. U.S. Legal Studies LL.M. Program students should see Section 10.04 B. above.

(1) Timing. Registration begins week 10 of each semester. The Friday before registration begins, the course schedule and necessary registration forms for the upcoming semester will be available on the portal.

(2) Registering. LL.M. students may register for classes through the Law School's on-line registration system, or by mailing, faxing or delivering the LL.M. Registration Form to the Office of Graduate and Extended Programs in either Lansing or Auburn Hills. In the alternative, registration forms can be emailed to LLM@cooley.edu or delivered to any of the branch campus Enrollment and Student Services Offices. Students should refer to the portal for registration instructions.

(3) Billing Statement. A Schedule/Statement will be available for each student who has registered for the upcoming semester by accessing "Billing Statement" and "My Schedule" in the portal. These documents will reflect:

- a. the course(s) in which the student is tentatively enrolled; and
- b. the total amount of tuition and fees due.

(4) Improper Registration. Acceptance of registration materials does not constitute a waiver of any requirements. Students subsequently found to have registered improperly will be dropped.

C. Drop/Add Policy.

(1) Add Courses. Students are permitted to add courses until the second class meeting with permission of the Program Director, provided space is available.

(2) Drop Courses. The effective drop date of dropped courses shall be the date the drop form is accepted by the Office of Graduate and Extended Programs. Students who are dropping all courses should refer to the withdrawal procedures.

(3) Automatic Administrative Removal from Course. Students who fail to attend the first two class sessions without LL.M. director permission will be automatically removed from the course by the Office of Graduate and Extended Programs. Students who fail to attend at least 50% of class sessions may be administratively withdrawn from class. Attendance will be evaluated throughout the term and withdrawals may be done at any time. Any course administratively removed will appear on the student's transcript with a W grade designation, provided the student attended at least one class session. Students may appeal an administrative dismissal decision to the LL.M. Department by emailing LLM@cooley.edu.

(4) Tuition. All tuition not covered by financial aid must be paid by the tuition deadline or the LL.M. student may be assessed late fees and dropped from classes.

(5) Returned Checks. If a check for tuition payment is returned as ineligible for redeposit by a drawee bank, tuition will be considered unpaid by the due date and a late payment fee may be assessed, but the student will not be dropped automatically.

(6) Break in Enrollment: If a student drops a class before the start of the student's next class within the same semester that creates a break in enrollment, which the Registrar may interpret as a complete withdrawal. If the student does not want to be withdrawn from all classes, the student must inform the Office of Graduate and Extended Programs that the student intends to attend the later class. Failure to do so will be considered a complete withdrawal and may result in a return of financial aid to the source.

Section 10.06. Faculty Advisors. The Program Directors will serve as academic advisors to students in the Graduate Program. The International Programs Director serves as the academic advisor to students in U.S. Legal Studies LL.M. Program.

Section 10.07. Withdrawal and Return Procedures. LL.M. students wishing to withdraw from school must contact the Office of Graduate and Extended Programs.

A. Withdrawal. A student may elect to withdraw from the current semester only with intent to return next semester, or withdraw permanently from the Law School.

B. Inability to Return From Leave. If a student elects to withdraw and is not able to return, the student must contact the Office in writing and seek approval from the Program Director of an extension.

C. Change in Plans. Students who change their plans to return to enrollment after requesting a withdrawal should discuss these changes with the Office of Graduate and Extended Programs. If a student withdraws without following the withdrawal procedure and then attempts to return to enrollment, the Law School is under no obligation to allow the student to return.

D. Return After Permanent Withdrawal. A permanent withdrawal indicates that the student will not return at a future date. However, if the withdrawal procedure has been followed, the student may request a subsequent return. This request must be submitted in writing to the Graduate Admissions Committee. Such a request, however, does not guarantee that the student will automatically be allowed to return. If the student is allowed to return, the student will retain the academic status as at the time of withdrawal. This paragraph applies to U.S. Legal Studies LL.M. students with the exception that these students deal with the International Programs Office.

E. Withdrawal from the U.S. Legal Studies for Foreign Attorneys LL.M. Program. Students enrolled in the United States Legal Studies for Foreign Attorneys LL.M. program must contact the International Programs Office to determine eligibility for

withdrawal. The International Programs Office will work in conjunction with the Designated School Official to ensure compliance with F1 visa regulations.

Section 10.08. Financial Aid Eligibility and Satisfactory Academic Progress. When students matriculate at the Law School, the Financial Aid Office monitors students' Satisfactory Academic Progress (SAP) to comply with the Department of Education's Student Financial Aid Regulations so that students can receive financial aid.

A. Satisfactory Academic Progress. Satisfactory academic progress requires students to (1) meet academic pace standards explained below; and (2) maintain a 3.0 or higher GPA. SAP standards apply to all students, regardless of their financial aid and enrollment status (full time, three quarter time, half time, or less than half time). Students are expected to graduate within three years of enrollment. Once official grades are posted by the Registrar's Office, the following will be evaluated.

(1) Satisfactory Academic Pace. A pace of progression review is conducted each semester to ensure completion within the maximum time frame for graduation. Students are expected to earn a minimum of two credits per semester; a formula is used as follows:

a. Average Earned Credits. Students are expected to earn a minimum average of two credits per semester attended according to the following formula:

$$\text{Earned credits} \div \text{semesters attended} = \text{average earned credits per semester}$$

Students who do not fulfill this requirement will be placed on financial aid probation. Any semester in which a student receives financial aid, or withdraws in week 2 and beyond, will be considered a semester attended.

b. Pass Percentage. Students are also required to pass 66% of classes attempted. This will be calculated by dividing the cumulative number of credits the student has successfully completed by the number of credits the student has attempted.

$$\text{Total credits passed} \div \text{total credits attempted} = 66\%$$

Any class that a student is enrolled week 2 and beyond of the semester will count toward the total credits attempted. Students who do not fulfill this requirement will be placed on financial aid probation.

For purposes of calculating academic pace, all grades earned by week 2, including I (incomplete), W (withdrawal), and WX (withdrawal without

approval), will be included in credits attempted. Transfer credits will be counted toward graduation requirements.

(2) Maintaining a 3.0 Cumulative GPA. Students with a 3.00 GPA or above after their first semester are considered eligible to receive federal financial aid at the beginning of each semester. GPA review of a student's progress will be conducted after each semester once official grades are posted. Students who fail to maintain a 3.0 GPA will be sent a "financial aid warning" letter stating that their financial aid will be held in the next semester of enrollment until official grades are received from the Registrar's Office stating that they are at or above a 3.0 GPA.

(3) Second Semester Students. Students entering their second semester will have their financial aid held until official grades are posted by the Registrar's Office demonstrating the student has achieved a minimum 3.0 GPA. Students who are below a 3.0 GPA will be sent a "financial aid warning" letter explaining that their financial aid will be held in the next semester of enrollment until official grades are posted by the Registrar's Office confirming the student is able to continue. Students must also meet the standards of academic pace as outlined above.

B. Financial Aid Probation – Pace. Students who do not meet the minimum SAP requirements of pace will be placed on "financial aid probation." Students may appeal directly to the Director of Financial Aid regarding their circumstances.

C. Appealing Financial Aid Probation for Pace. Students with mitigating circumstances in regard to SAP wishing to appeal the suspension of financial aid may do so in writing to the Director of Financial Aid. The Financial Aid Review Committee will assess each appeal to determine if a student's progress may be considered satisfactory despite nonconformance with the pace criteria. An appeal must include:

- A statement of circumstances regarding the failure to meet SAP.
- Third party documentation supporting the situation.
- An academic plan that will ensure the student is able to meet SAP standards by a specific point in time.

D. Financial Aid Probation – GPA. Students whose GPA is below a 3.0 for two consecutive semesters will be placed on "financial aid probation." In order to receive financial aid, students on financial aid probation must complete financial aid counseling with the designated Enrollment and Student Services Coordinator or other designated staff before week ten of the semester, regardless of their enrollment status. Such students must also submit a written appeal explaining why their GPA is below a 3.0 and the steps the student is taking to achieve a 3.0 or higher GPA for the following semester.

E. Withdrawal. Students who withdraw during a semester when they fall below a 3.0 GPA, fail to earn the minimum two credits per semester average, or pass less than 66% of classes, will not be eligible for federal aid unless the withdrawal from classes occurred

before the end of week one and financial aid was not disbursed for the semester from which they withdrew.

F. Restart Students. For financial aid process purposes, the decision to restart a dismissed student serves as the dismissed student's appeal for not meeting their academic plan during their financial aid probationary period in prior enrollment. Restart students must meet all academic and financial aid criteria in the student policy manual. Restart students are placed on "financial aid probation," and are eligible for federal financial aid during the first restart semester. Restart students must maintain a minimum 3.0 GPA to remain in good standing for federal financial aid. Throughout matriculation, federal financial aid disbursement will not be processed for restart students with a GPA below a 3.0 until official grades are posted by the Registrar's Office confirming they have maintained a cumulative 3.0 GPA during the restart period. Students will be responsible to return to the school any disbursed proceeds they receive in the event they do not achieve a cumulative GPA of 3.0 during the restart enrollment term.

Students dismissed under the Automatic Academic Dismissal process will use the restart process to be considered for future federal financial aid. If a student is granted a restart after an Automatic Academic Dismissal, they will be placed on probation and held to the same standards as other restarted students outlined above.

Section 10.09. J.D./LL.M. Joint Degree Programs.

A. Eligibility. Students enrolled in the U.S. Legal Studies program, or students enrolled in the J.D. program at the Tampa Bay campus are not eligible to participate in the J.D./LL.M. Program.

B. Provisional Admission Procedures. Qualified J.D. candidates at the Law School seeking provisional admission to the joint degree programs must:

(1) complete 45 credits, including at least a "B" in the designated J.D. core courses shown below. J.D. core courses are as follows:

- a. Tax –Taxation
- b. Intellectual Property Law – any J.D.-level elective intellectual property class
- c. Corporate Law & Finance – Business Organizations
- d. Homeland and National Security Law – no core class assigned.

If no core class is assigned, the student's overall transcript will be evaluated.

(2) be in the top half of the student's class, or demonstrate academic capability to succeed in the graduate program;

(3) submit a writing sample, a written personal statement, and a letter of recommendation; and,

(4) complete the Joint Degree Application and submit it to the Office of Graduate and Extended Programs.

The Graduate Program Admission Committee may waive any requirement or deny provisional admission to anyone who meets the requirements if, in the exercise of sound discretion, they collectively believe that it is in the best interest of the Law School to do so.

C. J.D./LL.M. Program Details.

(1) **Shared Credits.** Provisionally admitted J.D./LL.M. students may apply a maximum of 6 credits of LL.M. coursework toward an LL.M. degree. Students must earn a 3.0 or better in each class that they would like to apply for LL.M. credit.

(2) **DE Limits.** J.D./LL.M. joint degree students may take no more than 30 total credits via Distance Education (DE), including ONLINE courses, toward their J.D. degree, pursuant to ABA Standard 306.

(3) **Transfer Credit.** Students who wish to receive transfer credits toward the LL.M. degree for LL.M. courses taken before admission as a J.D./LL.M. student must seek permission from the Graduate Program Department by emailing a Transfer Credit Form to LLM@cooley.edu. The Department will grant no more than six credits, provided the student earned a grade of B or better in the course, and generally only for credits three years old or less at the time of matriculation.

(4) **No Unapproved Credit.** J.D./LL.M. joint degree students will not receive LL.M. credit for any J.D. class taken without prior approval from the Graduate Program Department. See Section 10.03 E. regarding J.D. Plus course approval.

(5) **Tuition.** LL.M. courses will be charged at the current J.D. tuition rate if taken before J.D. graduation. The LL.M. tuition rate will apply once the student is awarded the J.D. degree and is fully admitted into the graduate program.

(6) **Grades.** Grades earned in LL.M. classes will be based on the LL.M. grade scale and will be reflected on the LL.M. transcript. These grades will also be reflected on the J.D./LL.M. student's J.D. transcript according to the conversion chart shown below:

LL.M. Grade Earned	Reflected in LL.M. Transcript as:		Reflected in J.D. Transcript as:	
	Grade	GPA	Grade	GPA

A	A	4	A	4
A-	A-	3.67	A-	3.5
B+	B+	3.33	B+	3.5
B	B	3	B	3
B-	B-	2.67	B-	2.5
C+	C+	2.33	C+	2.5
C	C	2	C	2
C-	NC	0	C-	1.5
D	NC	0	D	1.0
F	NC	0	F	0
W	W	N/A	W	N/A

(7) Post J.D. Graduation Intent to Continue. Students who wish to continue with the LL.M. program following their J.D. graduation must complete and submit an Intent to Continue form to the Office of Graduate and Extended Programs, or scan to LLM@cooley.edu.

a. Grades. Their academic performance as a J.D./LL.M. joint degree student will determine whether they are admitted as a full LL.M. student.

b. Time for Completion. J.D./LL.M. joint degree students have up to 2 years after starting the full LL.M. program to complete the 24-credit program to obtain their LL.M. degree.

c. Fees and Tuition. Once admitted, the student must complete and return an Intent to Enroll and Register form and the \$25 enrollment fee before they are able to register for classes. Full LL.M. students will be charged the LL.M. tuition rate.

(8) Non-credit Waivers. Full LL.M. students can obtain a non-credit waiver for LL.M. courses taken as a J.D./LL.M. joint degree student, including approved electives in the Tax, IP, or Business Transactions concentrations, if they earned at least a B in the course. If the waiver is approved, students must take LL.M. elective courses in exchange for the non-credit waivers granted.

Section 10.10. Admission Procedure for LL.M. Students Transferring from Other Law Schools.

A. Preliminary Requirements. LL.M. students seeking transfer from other ABA or state accredited law schools must:

(1) Admission Standards. Meet all the admission requirements of the Graduate Program;

(2) Application and Fees. Submit the appropriate application to the Office of Graduate and Extended Programs and pay any required fees to the Admissions Office, and follow all other prescribed steps for admission;

(3) Letter of Good Standing. Submit a letter of good standing from the Dean of the law school the student is presently attending; and,

(4) Reasons. State the reasons for transfer.

B. Request to Transfer. Transfer students must make a formal request to transfer any credits. The following standards will apply.

(1) Transferable Credits. Only credits completed and earned in a graduate program as an admitted student at an ABA or state accredited law school can be considered. Credits earned in conditionally accredited programs will not transfer.

(2) Non-credit Waivers. Applicants may receive non-credit waivers of required courses by permission of the Program Director.

(3) Grades and Course Content. Credit cannot be given for courses in which the student earned a grade less than “B” or its equivalent, or if course content or credit hours do not reasonably conform to the curriculum of the Graduate Program.

(4) 3.0 Equivalent. Transfer credit will be given for course work in which a “pass” or “credit” was earned at the transferring law school only if it is established that the work performed was equivalent to at least a “B” or 3.0.

(5) Acceptance for Transfer. Acceptance for transfer shall be by written approval of the Program Director. The letter of approval for transfer shall state the credit hours and courses for which transfer credit is being given and any additional terms of matriculation.

(6) Credits Transferred. Generally, only 12 transfer credits will be accepted for the 24-credit hour LL.M. requirement, and generally only for credits two years old or less at the time of matriculation.

(7) Credits, Not Grades, Transfer. Only credit hours, not the actual grades, are transferred. The student will receive a “pass” on the transcript for transferred credits.

C. Discretion to Waive or Deny. The Program Director may waive any requirement or deny admission to anyone who meets the requirements if, in the exercise of sound discretion, the Director believes that it is in the best interest of the Law School to do so.

D. U.S. Legal Studies for Foreign Attorneys LL.M. Program. Students interested in transferring into the U.S. Legal Studies for Foreign Attorneys LL.M. program must contact the International Programs Office for further information.

Section 10.11. Admission Procedure for LL.M. Students Transferring from Other Graduate Schools.

A. Preliminary Requirements. LL.M. students seeking transfer from other accredited graduate schools must:

- (1) **Admission Standards.** Meet all the admission requirements of the Graduate Program;
- (2) **Application and Fees.** Submit the appropriate application to the Office of Graduate and Extended Programs and pay any required fees to the Admissions Office, and follow all other prescribed steps for admission;
- (3) **Letter of Good Standing.** Submit a letter of good standing from the Dean of the law school the student is presently attending; and,
- (4) **Reasons.** State the reasons for transfer.

B. Request to Transfer. Transfer students must make a formal request to transfer any credits. The following standards will apply.

- (1) **Transferable Credits.** Only credits completed and earned in a graduate program as an admitted student at an accredited graduate school can be considered. Credits earned in conditionally accredited programs will not transfer.
- (2) **Non-credit Waivers.** Applicants may receive non-credit waivers of required courses by permission of the Program Director.
- (3) **Grades and Course Content.** Credit cannot be given for courses in which the student earned a grade less than “B” or its equivalent, or if course content or credit hours do not reasonably conform to the curriculum of the Graduate Program.
- (4) **3.0 Equivalent.** Transfer credit will be given for course work in which a “pass” or “credit” was earned at the transferring law school only if it is established that the work performed was equivalent to at least a “B” or 3.0.
- (5) **Acceptance for Transfer.** Acceptance for transfer shall be by written approval of the Program Director. The letter of approval for transfer shall state the credit hours and courses for which transfer credit is being given and any additional terms of matriculation.

(6) Credits Transferred. Generally, only 12 transfer credits will be accepted for the 24-credit hour LL.M. requirement, and generally only for credits two years old or less at the time of matriculation.

(7) Credits, Not Grades, Transfer. Only credit hours, not the actual grades, are transferred. The student will receive a “pass” on the transcript for transferred credits.

C. Discretion to Waive or Deny. The Program Director may waive any requirement or deny admission to anyone who meets the requirements if, in the exercise of sound discretion, the Director believes that it is in the best interest of the Law School to do so.

D. U.S. Legal Studies for Foreign Attorneys LL.M. Program. Students interested in transferring into the program must contact the International Programs Office for further information.

Section 10.12. Transfer Credits.

A. Study at Other Law Schools or Graduate Programs. WMU-Cooley LL.M. students who take courses for credit as guest students at other law schools, or in other graduate programs,¹ cannot transfer the credits to the Law School to satisfy graduation requirements except with prior approval of the Program Director. Generally no more than 4 guest credits will be accepted for transfer. If accepted for transfer, credits earned as a guest at another school will be designated on the WMU-Cooley transcript as successfully completed at the other school. U.S. Legal Studies students must contact the International Programs Office.

B. Study at WMU-Cooley. WMU-Cooley J.D. graduates who completed LL.M. courses for J.D. elective credit may request approval to transfer credits into any LL.M. program. Students must email a Credit Transfer Form to LLM@cooley.edu, along with a valid LL.M. application, indicating the courses for which they would like to receive LL.M. credit. The Department will grant no more than six credits, and generally only for credits three years old or less at the time of matriculation. Approved courses will be transferred after the student has completed one term in the LL.M. program.

Section 10.13. Transfer of Credit Between WMU-Cooley Graduate Programs. A WMU-Cooley LL.M. student may take courses in other Law School Graduate Programs with the permission of both of the Program Directors. Up to 6 credits that are unique to another LL.M. discipline may be taken as elective courses. Classes that are cross-offered between programs are not considered transferred between programs. This paragraph applies to the U.S. Legal Studies LL.M. program.

Section 10.14. Waiver of Required Courses. Students in the Graduate Program may seek non-credit waiver of a required course if a comparable class was taken, at least a “B” was

¹ For purposes of these Policies, any courses taken at Olivet College through the Law School’s Program are considered Law School courses.

earned, and the credits were earned within five years of matriculation. The student will be required to take Graduate Program elective courses in place of the non-credit waiver of the required course. At the option of the Program Director, the waiver may be conditioned upon successful completion of a specific program elective. This paragraph does not apply to the U.S. Legal Studies LL.M. program.

Section 10.15. Admission Procedures for Guest Students from Other Law or Graduate Schools. Qualified guest students from other ABA or state accredited law or graduate schools may be permitted to take courses for credit at the Law School. Guest students are responsible for determining if the school at which they are permanently enrolled accepts the credits earned as a guest student. Qualified practitioners who do not wish to earn a degree may be permitted to take courses as a guest student. The following standards apply:

A. Credits Completed. The guest student applicant must possess a J.D. degree or have completed 45 credits in a J.D. program, or have permission of the Program Director.

B. Application. The guest student applicant must submit a completed Guest Student Application to the Office of Graduate and Extended Programs.

C. Letter of Good Standing. The guest student must submit a letter of good standing from the Dean of the law or graduate school the student is presently attending.

D. Discretion to Waive or Deny. The Program Director may waive any requirement or deny admission to anyone who meets the requirements if, in the exercise of sound discretion, the Program Director believes that it is in the best interest of the Law School to do so.

E. Prerequisites. The graduate programs may require guest students to fulfill certain prerequisites before enrolling in courses.

F. Credit Limit. A guest student may earn no more than 8 credits in the Law School's program. A guest student seeking to earn more credits than 8 must apply to become a degree-seeking student at the Law School.

G. U.S. Legal Studies for Foreign Attorneys LL.M. Program. Qualified guest students with an earned first degree in law, or its equivalent, from a recognized university outside the United States that is duly accredited in the country may be permitted to take courses for credit at the Law School. Guest students are responsible for determining if the school at which they are permanently enrolled accepts the credits earned as a guest student. Qualified practitioners who do not wish to earn a degree may be permitted to take courses as a guest student. The guest student applicant must submit a completed Guest Student Application to the International Programs Office. The guest student must submit a letter of good standing from the Dean of the law or graduate school the student is presently attending. The U.S. Legal Studies LL.M. Program may waive any requirement or deny admission to anyone who meets the requirements if, in the exercise of sound discretion, it is in the best interest of the Law School to do so. Guest students may be required to fulfill certain prerequisites

before enrolling in courses. A guest student may earn no more than 8 credits in the Law School's program. A guest student seeking to earn more than 8 credits must apply to become a degree-seeking student at the Law School unless the U.S. Legal Studies LL.M. Program grants a waiver.

Section 10.16. LL.M. Course for Audit. Currently enrolled LL.M. students or others who wish to audit an LL.M. course must submit a request to the Office of Graduate and Extended Programs. Currently enrolled LL.M. students will pay the full LL.M. tuition rate; . WMU-Cooley LL.M. Program graduates will pay one half of the regular LL.M. tuition rate. Audit courses do not qualify for financial aid. This paragraph applies to the U.S. Legal Studies LL.M. program.

Section 10.17. Master of Laws Grading System. The graduate grading system is intended to reflect higher standards of critical and creative scholarship than those applied at the J.D. level. To receive a graduate grade in courses open to both J.D. and LL.M. students, the LL.M. student is expected to do work of superior quality and is required to do any additional work specified by the instructor.

A. Grading System. Grades for courses will be determined by performance in the course as demonstrated by any combination of examinations, course papers, and class participation.

B. GPA Requirement. An honor point average of 3.0 is required for graduation from the Graduate Program.

C. Grades. LL.M. students are graded in all courses, and honor points are assigned to those grades as follows:

<u>Grade</u>	<u>Honor Points Per Credit Hour</u>
A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C- or below (Designated as "C-")	0.00
I	Incomplete
AU	Audit; no grade

W	Withdrawal; no grade
WX	Withdrawal after week 13; 0.00

D. Grade Descriptions. The grade descriptions are:

A = Excellent (4.00 honor points). The highest level of graduate law school achievement. Student has convincingly displayed familiarity with subject matter and proficiency in analysis comparable to that of competent members of the Bar having significant exposure to the specialized field of study.

A- = Very Good (3.67 honor points). Approaching the highest level of graduate law school achievement. Student has displayed familiarity with subject matter and proficiency in analysis substantially at the level expected from members of the Bar having exposure to the specialized field of study.

B+ = Good (3.33 honor points). Clearly above the minimum level of achievement necessary for graduation. Student has displayed familiarity with subject matter and proficiency in analysis clearly beyond the base level of matriculation usually associated with the course.

B = Satisfactory (3.00 honor points). The minimum level of achievement necessary for graduation assuming all other work is of the same quality. Represents the base standard of law school competence at the level of matriculation usually associated with the course. The student has demonstrated sufficient familiarity with the subject matter and proficiency in analysis to warrant the conclusion that, assuming completion of graduation requirements with comparable achievement, the student should be able to competently practice law in the specialized field of study and at a level significantly above that of a general practitioner.

B- = Adequate (2.67 honor points). Slightly below the minimum level of achievement to warrant graduation, but where the student demonstrates that with additional study or diligence the student would be capable of competently practicing law in the field of study. There is no apparent need to repeat the course, but the level of achievement, if indicative of the student's overall competence, would not warrant graduation. A grade of B- generally indicates that the student has aptitude, familiarity and some proficiency in the subject matter, however, the work produced has flaws that, if not addressed, could result in substandard representation of clients in the special field of study.

C+ = Deficient (2.33 honor points). Grasp of course material and analysis of problems are somewhat more than minimal. There is no apparent need to repeat the course, but the level of achievement, if indicative of the student's overall competence, would not warrant graduation.

C = Poor (2.00 honor points). The student shows minimum grasp of course material and minimum ability to analyze. A bare passing grade is warranted. There is a reasonable basis to conclude that minimum proficiency in the specialized field of study may be achieved without repeating the course, but the level of achievement, if indicative of the student's overall competence, would not warrant graduation.

C- = (0.0 honor points). Unacceptable for Graduate Course Work. While the student may show some evidence of familiarity with terms, he cannot be said to have achieved that minimum grasp of the material or proficiency in analysis which would warrant a passing grade. There is no reasonable basis to conclude that the student can achieve minimum proficiency in the field of study without repeating the course.

D = (0.0 honor points). Unacceptable for Graduate Program Work. While the student may show some evidence of familiarity with terms, he cannot be said to have achieved that minimum grasp of the material or proficiency in analysis which would warrant a passing grade. There is no reasonable basis to conclude that the student can achieve minimum proficiency in the field of study without repeating the course, and if indicative of the student's overall competence, would not warrant graduation from the graduate program.

F = (0.0 honor points). Unacceptable for Law Practice. (0.0 honor points). Student may show some evidence of familiarity with terms, he cannot be said to have achieved that minimum grasp of the material or proficiency in analysis which would warrant a passing grade. There is no reasonable basis to conclude that the student can achieve minimum proficiency in the field of study without repeating the course, and if indicative of the student's overall competence, would not warrant graduation and calls into question ability to generally practice law.

I = The mark of "I" - Incomplete, is given to an LL.M. student who has not completed all the course work as planned for the course and when there is, in the judgment of the professor, a reasonable probability that the LL.M. student can complete the course successfully without attending regular class sessions. The responsibility for completing all course work rests with the LL.M. student. A final grade is recorded when the student completes the appropriate course work as arranged with the professor or, in the absence of the professor, the Program Director. The mark of "I" shall not be changed to a grade of "NC" unless, after receiving the "I", the LL.M. student's subsequent work is of such quality that the overall average for the course is below passing. The course work must be completed by the LL.M. student by the end of the next semester unless the professor and the Program Director approve a different period. The "I" will become an "F" if the course work is not completed within the allotted time.

AU = The mark of "AU" – Audited LL.M. course – is given to a student who is auditing a course. No grade will be awarded.

W = The mark of “W” – Withdrawal, is given to any student that withdraws from an LL.M. course after the first day of the third week of class. The dropped class is considered as a credit attempted in calculating the student’s satisfactory academic progress. A W has no effect on grade point average.

WX = The mark of “WX” – Withdrawal After Week 13. After the thirteenth week, students will not be allowed to drop a course. Students who fail to sit for an exam or turn in required course papers by the due date will receive a “WX” notation on their transcript. This grade will have the effect of an “F” and will be computed into the grade point average. Students who have a valid, documented reason for not sitting for an exam may make application through the International Programs office to sit for the missed exam at the end of the semester in which the exam for that course is next given. If the request is approved, the exam may be taken and the earned grade will replace the “WX” on the transcript. After students sit for their missed exams, their cumulative grade point averages will be changed retroactively.

Section 10.18. U.S. Legal Studies for Foreign Attorneys LL.M. Program Grading System

A. GPA Requirement. An honor point average of 3.0 is required for graduation from the U.S. Legal Studies Program.

B. Grades. U.S. Legal Studies students are graded in all courses, and honor points are assigned to those grades as follows:

<u>Grade</u>	<u>Honor Points Per Credit Hour</u>
A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C- or below (Designated as “NC”)	0.00
I	Incomplete
W	Withdrawal
WX	Withdrawal after 13 th week

C. Distinct From Master of Laws Program Grading. Because the students participating in the U.S. Legal Studies for Foreign Attorneys LL.M. Program differ from students in the Law School's other LL.M. programs, the performance expectations and grading standards are different as well. A traditional LL.M. candidate at the Law School will have a J.D. and will have finished in the top half of the class, and will likely have taken and passed a bar examination in the U.S. A student taking the LL.M. in U.S. Legal Studies for Foreign Attorneys, on the other hand, will normally have an undergraduate degree in law, taken outside the U.S., and may not be a native speaker of English. Therefore, grades will be based on competence as demonstrated on examinations or in assigned papers and written work.

A = Excellent (4.0 honor points). The highest level of graduate law school achievement. Student has convincingly displayed familiarity with subject matter and proficiency in analysis.

A- = Very Good (3.67 honor points). Approaching the highest level of graduate law school achievement. Student has substantially displayed familiarity with subject matter and proficiency in analysis.

B+ = Good (3.33 honor points). Clearly above the minimum level of achievement necessary for graduation. Student has displayed familiarity with subject matter and proficiency in analysis clearly beyond the base level of understanding usually associated with the course.

B = Satisfactory (3.0 honor points). The minimum level of achievement necessary for graduation assuming all other work is of the same quality. Represents the base standard of law school competence at the level of matriculation usually associated with the course. The student has demonstrated sufficient familiarity with the subject matter and proficiency in analysis to warrant the conclusion that, assuming completion of graduation requirements with comparable achievement, the degree should be awarded.

B- = Adequate (2.67 honor points). Slightly below the minimum level of achievement to warrant graduation, but where the student demonstrates that with additional study or diligence the student would have sufficient familiarity necessary for graduation. There is no apparent need to repeat the course, but the level of achievement, if indicative of the student's overall competence, would not warrant graduation.

C+ = Deficient (2.33 honor points). Grasp of course material and analysis of problems are somewhat more than minimal. There is no apparent need to repeat the course, but the level of achievement, if indicative of the student's overall competence, would not warrant graduation.

C = Poor (2.0 honor points). The student shows minimum grasp of course material and minimum ability to analyze. A bare passing grade is warranted. There is a reasonable basis to conclude that minimum proficiency in the subject matter may be achieved without repeating the course, but the level of achievement, if indicative of the student's overall competence, would not warrant graduation.

C- = (0.0 honor points); D = (0.0 honor points); F = Unacceptable (0.0 honor points). While the student may show some evidence of familiarity with terms, he cannot be said to have achieved that minimum grasp of the material or proficiency in analysis which would warrant a passing grade. There is no reasonable basis to conclude that the student can achieve minimum proficiency in the field of study without repeating the course.

I = The mark of "I" – Incomplete – is given to a graduate student who has not completed all the course work as planned for the course and when there is, in the judgment of the professor, a reasonable probability that the graduate student can complete the course successfully without attending regular class sessions. The responsibility for completing all course work rests with the graduate student. A final grade is recorded when the student completes the appropriate course work as arranged with the professor or, in the absence of the professor, the Director of International Programs. The mark of "I" shall not be changed to a grade of "NC" unless, after receiving the "I", the graduate student's subsequent work is of such quality that the overall average for the course is below passing. The course work must be completed by the graduate student by the end of the next semester unless the professor and the Program Director approve a different period. The "I" will become an "F" if the course work is not completed with the allotted time.

W = The mark of "W" – Withdrawal - is given to any student that withdraws from an LL.M. course after the first day of the third week of class. The dropped class is considered as a credit attempted in calculating the student's satisfactory academic progress. A W has no effect on grade point average.

WX = The mark of WX – After the thirteenth week, students will not be allowed to drop a course. Students who fail to sit for an exam or turn in required course papers by the due date will receive a "WX" notation on their transcript. This grade will have the effect of an "F" and will be computed into the grade point average. Students who have a valid, documented reason for not sitting for an exam may make application through the International Programs Office to sit for the missed exam at the end of the semester in which the exam for that course is next given. If the request is approved, the exam may be taken and the earned grade will replace the "WX" on the transcript. After students sit for their missed exams, their cumulative grade point averages will be changed retroactively.

Section 10.19. Grade Review. The Board of Directors of the Law School has the ultimate responsibility for determining and directing institutional policy under Article II, §1 of the Law School's Bylaws. Subject to that authority, the Faculty has the primary responsibility for assessing

student performance under Article V, §10 of the Bylaws. The grade review system for LL.M. students set forth here is available only for the review of technical or administrative errors (computational error in calculating the total number of points earned on the examination or course paper(s) or transposing a grade). Grading necessarily involves the exercise of judgment, and the grade given is presumed to be correct.

A. Review of Grades in Master of Laws Program. An LL.M. student may petition for review of his or her grade in writing within 30 days following official notification of grades for the semester in which the disputed grade was assigned. The Office of Graduate and Extended Programs will review the petition and invite the faculty member involved to reply in writing to the contentions of the student. If the Office has reasonable grounds to believe that the LL.M. student's contentions are valid, the Office shall afford the parties the opportunity for a hearing. Within 60 days following receipt of the appeal, the Office will render a final written decision which shall, if the grade is changed, be retained as part of the permanent grade records.

B. Review of Grades in U.S. Legal Studies for Foreign Attorneys Program. The International Programs Office reviews petitions for the U.S. Legal Studies LL.M. program.

Section 10.20. Repetition of Courses. An LL.M. student may petition to repeat a graduate course in which a grade of "B-minus" or lower is received. No more than two courses may be repeated during the LL.M. student's study in the Graduate Program. Permission to repeat a course must be obtained from the Program Director before registration for the course takes place. The original grade for the course will remain on the LL.M. student's transcript, but only the grade received in repetition of the course will be used in computation of the LL.M. student's cumulative grade point average for the degree program. LL.M. students must pay the applicable tuition to repeat the course. This paragraph applies to the U.S. Legal Studies for Foreign Attorneys LL.M. program.

Section 10.21. Examinations. Faculty will inform LL.M. students about the structure and process of their examination. Many of the examinations in the Graduate Program are take-home examinations.

A. Time for Completion. For all courses in which the grade depends in whole or in part upon an examination, each examination must be completed on or before the final day of the examination period for the semester in which the course is taken, or at such earlier time as required by the professor, or the professor will not be required to accept the examination for credit.

B. Honor Code. Students who submit a take-home examination are deemed to have certified that the submission complies with the Law School Honor Code.

C. Extensions. Students may be granted an extension of time only if the professor is satisfied that the student has established adequate cause. However, the professor must be able to submit a final grade for the course at the end of the regular examination grading

period for that semester, and no extension of time will be permitted which precludes an instructor from complying with this requirement.

D. More Information. Further information about the examination process can be obtained in the Office of Graduate and Extended Programs. This section applies to the U.S. Legal Studies for Foreign Attorneys LL.M. program. U.S Legal Studies students enrolled in J.D. courses are bound by those examination policies. Students may contact the International Programs Office for more information.

E. Bluebooks or Final Paper Distribution. LL.M. exam materials are available in the Graduate and Extended Programs Office. Students may email LLM@cooley.edu to request these materials.

Section 10.22. Course Papers. When a paper is required in any course, it must be presented to the professor on or before the final day of the examination period of the semester. Professors are not required to accept late papers.

A. Submission of Papers. Professors will inform LL.M. students about the structure and process of submitting course papers. LL.M. students with any questions regarding the course paper process should contact the Office of Graduate and Extended Programs.

B. Extensions. Students may be granted an extension of time only if the professor is satisfied that the student has established adequate cause. However, the professor must be able to submit a final grade for the course, directed study, externship, or Master's Thesis/Research Project at the end of the regular examination grading period for that semester, and no extension of time will be permitted which precludes an instructor from complying with this requirement.

This paragraph applies to the U.S. Legal Studies for Foreign Attorneys LL.M. program. U.S. legal Studies students enrolled in J.D. courses are bound by those policies. Students may contact the International Programs Office for more information.

Section 10.23. Academic Policies for LL.M. Students.

A. Attendance Policy. LL.M. students are bound by each professor's attendance policy. The professor has the discretion, but is not limited to: (1) lowering the student's grade, or (2) removing the student from his or her class due to absences.

B. Academic Good Standing. To be in good academic standing, an LL.M. student must maintain a cumulative grade point average of 3.0.

C. Academic Probation. Whenever an enrolled student earns a cumulative grade point average (CGPA) below 3.0, the student is placed on academic probation.

(1) First Semester Academic Probation. The semester during which the student's cumulative grade point average (CGPA) falls below 3.0 shall be the first semester of academic probation. Students who are enrolled in, and remain in, the

program must raise their cumulative GPA to 3.0 or higher at the conclusion of their second semester of academic probation, or be academically dismissed. No student is permitted to remain enrolled in the program if the student's CGPA has been below 3.0 for three consecutive semesters.

Students on first-semester probation are permitted to continue their studies at the Law School; however, they must discuss the matter with their program director and may be required to conduct an academic probation counseling session with the Director of Graduate and Extended Programs, or the Director of International Programs for the USLS LL.M. program, in order to enroll in classes. They are encouraged to consult with the Academic Resource Center.

(2) Second Semester Academic Probation. Students whose CGPA remains below 3.0 for a second consecutive semester are on second-semester probation. Those students may consult with the Academic Resource Center and with their program director during their second semester of probation. Students will not be allowed to remain enrolled if it is mathematically impossible to raise their GPA to 3.0 given a second semester of probation.

(3) Automatic Academic Dismissal. When a student's GPA is below the minimum level established above, the student will be dismissed from enrollment and will not be eligible for academic probation.

D. Exceptional Circumstances Readmission. A student who has a cumulative grade point average of less than 3.0 and has been academically dismissed may be readmitted for exceptional circumstances. The Graduate Program Admission Committee will have the discretion to readmit the student for a single semester to take additional courses if it is mathematically possible to raise the student's GPA to 3.0 or better during that term. The student must demonstrate exceptional circumstances that clearly had a substantial detrimental effect on the student's performance. There is a presumption against readmission.

APPENDIX A

EDUCATIONAL REQUIREMENTS FOR ADMISSION

Section A 1.01. Educational Requirements for Admission. To be admitted to the Law School, an applicant must demonstrate a satisfactory predicted WMU-Cooley grade point average as calculated by the Law School's outcome-based admissions formula and satisfy one of the following three educational prerequisites:

A. Bachelor's Degree. Completion of a bachelor's degree at a four-year institution accredited by an accrediting agency recognized by the U.S. Department of Education; or

B. Three-fourth's Rule. Successful completion of three-fourths of work acceptable for a bachelor's degree at a four-year institution accredited by an accrediting agency recognized by the U.S. Department of Education. With regard to such an applicant, only three-fourths of the applicant's cumulative undergraduate grade point average (UGPA) will be used in calculating the Law School's outcome-based admissions formula. The applicant will need a statement from a four-year institution confirming 90 semester hours have been completed toward a bachelor's degree; or

C. Two-Year Rule. Successful completion by an extraordinary applicant (who does not satisfy the educational requirements in A or B above) of at least two years' work consisting of not fewer than 60 semester hours or 90 semester hours of study in courses for which credit towards a bachelor's degree is given; such study may be completed either

(1) at a baccalaureate-degree granting institution accredited by an accrediting agency recognized by the U.S. Department of Education. In this regard, the applicant must in the application:

- a. demonstrate that the applicant possesses experience, ability, and other characteristics clearly showing an aptitude for the study of law; and
- b. submit a convincing, personal statement explaining why the applicant desires to enter law school without a bachelor's degree and why the application should be accepted, or

(2) at a non-baccalaureate-degree granting institution from which students who have successfully completed two years of study are accepted as regular third-year students by a Michigan baccalaureate-degree granting institution accredited by an accrediting agency recognized by the U.S. Department of Education. In this regard, the applicant must in the application:

- a. demonstrate that the applicant would be accepted as a regular third-year student by a Michigan baccalaureate-degree granting institution accredited by a regional accrediting agency recognized by the U.S. Department of Education;

- b. demonstrate that the applicant possesses experience, ability, and other characteristics clearly showing an aptitude for the study of law; and
- c. submit a convincing, personal statement explaining why the applicant desires to enter law school without a bachelor's degree and why the application should be accepted.

With regard to an applicant applying for admission based on successful completion of only two years' work, only one-half of the applicant's cumulative undergraduate grade point average (UGPA) will be used in calculating the Law School's outcome-based admissions formula. If using the reduced UGPA the applicant satisfies the minimum numerical requirement for admission to Law School, the applicant's application will be reviewed by the Faculty Admissions Committee for a determination based on all relevant considerations whether the applicant will be admitted to the Law School.

Section A 1.02. Professional Exploration Program (PEP). Applicants who do not meet the Law School's regular admissions criteria may be selected for review by the Faculty Admissions Committee to participate in PEP, an alternative admissions qualification program. Applicants who previously attended a law school or an admissions qualification program at another law school are ineligible to participate in PEP.

Section A 1.03. Character and Fitness Requirements for Admission. To be admitted to the Law School, an applicant must meet all character and fitness requirements of the School.

APPENDIX B

POLICIES PERTAINING TO DISABLED STUDENTS SEEKING ACCOMMODATIONS

Section B 1.01. General Statement. The Law School provides reasonable accommodations in conformity with state and federal law for students qualified to pursue a law degree. The Law School is not required by law, however, to provide accommodations that are unduly burdensome or which fundamentally alter the Law School's educational program. For more information on how to establish student eligibility to receive an accommodation for a disability (physical, emotional or mental disability, attention deficit disorder/hyperactivity disorder, or learning disability), the specific documentation the School requires to verify the disability, and the criteria the School uses to evaluate the documentation provided to it, contact the Enrollment and Student Services Office.

Section B 1.02. Accommodations in the Admissions Process.

A. LSAT Requirement. In the admissions process, because extensive accommodations are provided for taking the Law School Admissions Test (LSAT), waiver of the LSAT requirement is unlikely to be granted.

B. Disclosure of Disability. Applicants are not asked to indicate on the application whether they have a disability but may do so for purposes of accommodation. Disclosure of a disability during the application stage is purely voluntary and will not be a factor in the admission decision.

Section B 1.03. Accommodations for Enrolled Students with Disabilities. The Law School provides appropriate academic adjustments, auxiliary aids and services, and exam modifications (which the School commonly calls "accommodations") to qualified students with disabilities as determined on a case-by-case basis through a meaningful interactive process that includes input from the student and that gives appropriate consideration to the student's request. The purpose of this process is to ensure that the consideration of accommodations for students with disabilities is raised, evaluated, and determined in a manner consistent with Section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of handicap in any program or activity receiving federal financial assistance, with the Americans With Disabilities Act (ADA) as may be applicable, and with the Michigan's Persons With Disabilities Civil Rights Act.

A. Privacy. Students need not make their disabilities known unless they want to request an accommodation.

B. Student Must Make Request. If seeking an accommodation, the student has the affirmative duty to inform the School of the disability and request the accommodation according to the procedures below.

C. Confidentiality. The information about a student's disability is treated as confidential to the extent possible under applicable federal and state laws and Law School policies. This information is provided only to individuals who are privileged to receive such

information on a need-to-know basis. Faculty members who are informed of a student's disability are advised that this information is confidential.

Disability Services Contact - designated staff members at each campus:

Lansing Campus:

Ieva Inglis

Associate Director of Enrollment and Student Services

Office: 6th floor, Cooley Center

300 South Capitol Avenue, Lansing, MI 48933

(517) 371-5140 ext. 2282

inglisi@cooley.edu

Tampa Bay Campus:

Jacqueline Freeman, J.D.

Director of Pre-Enrollment Programs and Diversity

Office: 8th floor, Cooley Center

300 South Capitol Avenue, Lansing, MI 48933

(517) 371-5140 ext. 2843

freemanj@cooley.edu

Auburn Hills

Jeisha Humphrey, J.D.

Director of Enrollment Programs and Student Services

Office: 2nd floor, room 224

2630 Featherstone Rd, Auburn Hills, MI 48326

(248) 751-7800 ext. 7787

humphrei@cooley.edu

Associate Director of Enrollment and Student Services

Office: 2nd floor, room 224

2630 Featherstone Rd, Auburn Hills, MI 48326

(248) 751-7800 ext. 7796

Grand Rapids

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(517) 371-5140 ext. 2843

freemanj@cooley.edu

Kalamazoo

Bill Fleener, J.D.

Associate Director of Enrollment and Student Services and Clinical Coordinator

Office: 1st floor, Friedmann Hall

2352 Friedmann Hall, Kalamazoo, MI 49008
(517) 371-5140 ext. 5500
fleenerw@cooley.edu

Section B 1.04. General Procedures for Requesting an Accommodation. Students with a disability may request an accommodation under the procedures set forth here.

A. Submit Forms. To request an accommodation, students must complete and submit the accommodation request forms and other required documentation to a campus Enrollment and Student Services Office Associate Director of Enrollment and Student Services:

Lansing, sixth floor of the Cooley Center
Auburn Hills, second floor
Grand Rapids, second floor
Tampa Bay, first floor

B. Schedule Appointment and Submission. Students must also schedule an appointment to meet with the Associate Director of Enrollment and Student Services at their campus before the stated deadline so their needs can be adequately discussed. Mere submission of students' medical documentation to the Enrollment and Student Services office at their campus does not constitute a request for accommodation, because the Law School does not know from medical documentation alone what type of accommodation the student desires. Once the need for an accommodation is properly raised by the student by submitting the necessary accommodation request forms, the School engages with that student in an interactive process to evaluate the need, review appropriate supporting documentation, identify and assess the range of academic accommodations, and determine what accommodation, if any, will be provided. The decision on a student's request for accommodation will be made by the Disability Services Committee in consultation with the student pursuant to the provisions of this chapter of the Student Policy Manual.

Section B 1.05. Deadlines and Procedures. A student seeking an accommodation for a disability should request the accommodation as soon as possible. The Law School will need adequate time for evaluating documentation, working out the specific accommodation, arranging scheduling in barrier-free classrooms, making arrangements for auxiliary aids or services, and arranging accommodations for Orientation. The School may not be able to satisfy last-minute requests for some accommodations.

A. Exam Accommodations. Exam modifications may include allowing additional time to take the exam, allowing time for rest breaks, using a reader or amanuensis, being allowed to eat, or taking the exam at a time other than the regularly scheduled time. Certain exam modifications may depend on the format of the exam. For example, if the student has difficulty writing, but does not have difficulty reading, the need for additional time would be affected by whether the exam was to be in a multiple choice format or an essay format.

(1) First Request for Exam Accommodations. Students who are making their first request for course exam accommodations, including mid-term exams, Advanced Writing quiz, and Intro to Law quiz, must do so no later than Friday of week 4 of the semester. Requests for the Research and Writing quiz must be made by Friday of week 10.

(2) Renewing Requests for Exam Accommodations. Once an accommodation has been approved by the committee, it will be automatically renewed each term the student is enrolled, unless the student is told otherwise. However, students who are not enrolled for a semester or longer, or who are requesting changes, or taking a make-up examination, must complete an accommodation request form by the identified deadlines. Depending on the nature of the disability, new or updated documentation may be required. As set forth previously, the School will need adequate time for evaluating documentation, working out the specific accommodation, arranging assessment and exam rooms, and making arrangements for examination auxiliary aids or services.

B. Accommodations in Academic Procedures: Academic Adjustments. Academic adjustments may include reducing course-loads, extending the amount of time for graduation, and tape-recording lectures. However, only adjustments that do not fundamentally alter the nature of the program and that are not unduly burdensome financially or administratively are required by law. While the School must provide justification for refusing to allow a reasonable requested accommodation, higher education institutions are given substantial deference in establishing their academic requirements. Students who seek accommodations or alterations in standard academic procedures because of a physical, learning, emotional, or mental disability must contact an Associate Director of Enrollment and Student Services at the campus Enrollment and Student Services Office as soon as possible after enrollment at the School, but before the end of week 2. In appropriate cases, the adjustment will be made in consultation with faculty or other administrators.

In some cases where only minor accommodations are required (such as requesting to sit in the front row because of a visual or hearing impairment), the student can make a request of the faculty member but must also notify the Associate Director of Enrollment and Student Services in writing of that request.

C. Auxiliary Aids and Services. Auxiliary aids and services may include interpreters, note takers, readers, assistance with photocopying and library retrieval, provision of special equipment (such as Kurzweil reading machine or an image enlarger) to be used at the Law School, and other support services in connection with the academic program. Services for personal use are not provided.

For certain services such as interpreters, readers, and note-takers, the Associate Director of Enrollment and Student Services may request that the student seek eligibility for such services from the appropriate state agencies, private agencies, or other low-cost or no-cost services. The Enrollment and Student Services Office will work with, and will request the

cooperation of, the student in obtaining such services. Because obtaining these services can be time-consuming and costly to the School or the providing agency, students are urged to seek assistance as early as possible after enrollment.

Occasional assistance in the library may be obtained by making a request to the library staff. Students who require more extensive assistance or assistance on a regular basis must request it by filing the appropriate accommodation request forms with the Associate Director of Enrollment and Student Services as soon as possible. Classmates may volunteer to provide this help. The Associate Director of Enrollment and Student Services will work with the Law Library staff to facilitate appropriate assistance.

D. Service Animals. The Law School follows ADA standards and permits people with disabilities to bring their service animals into all areas of the facility where public access is permitted. Service animals are animals that are individually trained to perform tasks for people with disabilities and are therefore working animals, not pets. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals. The student who uses the animal's service is responsible for the care and supervision of the service animal. The student must maintain control of the animal at all times. The student may be required to remove the animal if it is disruptive (e.g. barking, wandering, displaying aggressive behavior) and the behavior is outside the duties of the service animal. Students with a disability who wish to utilize a service animal in the school must register with the Associate Director of Enrollment and Student Services at their respective campuses.

E. Late Requests. The School will respond on a case-by-case basis to late requests. The School may not be able to satisfy late requests for some accommodations.

F. Changes to Accommodations. After a student's accommodation request has been granted, it is the student's responsibility to request any needed change in the accommodation.

Section B 1.06. Documentation Policy. The Law School requires appropriate and specific documentation of disabilities whenever a student requests an accommodation. Accommodation requests must be submitted to the Associate Director of Enrollment and Student Services with a health care provider's statement. The statement must be detailed and must describe the disability, the limitations that the disability poses for the student, the expected duration of the disabling condition, results of any tests performed, and the suggested accommodation or range of accommodations. Medical documentation provided for the student's disability will not be accepted if prepared by a member of the student's family.

A. Incomplete Documentation. If the initial verification is incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, the School may require supplemental documentation of the disability. The cost of obtaining the supplemental documentation is to be borne by the student.

B. Second Opinion. If the School requires an additional assessment for the purposes of obtaining a second professional opinion, the School will bear the cost of obtaining that second opinion.

Section B 1.07. Appealing the Accommodation Decision.

A. Disability Coordinator. Applicable federal law requires the School to designate as a Disability Coordinator the person or persons who hold the responsibility to coordinate the School's efforts to comply with the requirements of Section 504 of the Rehabilitation Act. The Disability Coordinator for Law School students is the Associate Dean of Enrollment and Student Services, whose office is located at the Lansing campus in the Cooley Center. The Disability Services Committee makes the decision to grant, deny in whole or in part, or modify a student's request for disability accommodation. Students who disagree with the accommodation offered by the Associate Director of Enrollment and Student Services may appeal that decision under section B below.

B. Accommodation Decision and Appeal. Because informal resolution of disagreements over accommodations is preferable to formal process, students who disagree with the accommodation offered by the Disability Services Committee should first discuss the accommodation decision with the campus Associate Director of Enrollment and Student Services as part of the interactive process. If informal resolution is not reached through discussions or is not practicable, a student who disagrees with the accommodation offered may formally appeal that decision to the Associate Dean of Enrollment and Student Services, whose office is located on the 8th Floor of the Cooley Center in Lansing. The appeal must be in writing and submitted within ten business days after the accommodation decision is issued. This 10-day deadline may be waived by the Law School for good cause. The appeal should be as specific as possible regarding the facts and circumstances surrounding the accommodation request and the support for it, the decision under appeal, and the remedy sought. The Associate Dean of Enrollment and Student Services will review the matter and will issue a written decision, which decision is final.

Section B 1.08. Accommodation Files. School files that contain documentation from health care professionals who diagnose a student with a disability that results in an accommodation, accommodation forms, and any other documentation deemed relevant are kept separate from the general student file. This confidential paper file will be kept for 10 years from the time the student first receives an accommodation. After 10 years the file will be destroyed. An electronic file will be kept identifying the diagnosed disability and the accommodation received.

APPENDIX C

PROCEDURES FOR COMPLAINING OF ALLEGED DISCRIMINATION BASED ON DISABILITY

Section C 1.01. Purpose of Complaint Procedures. Applicable federal law requires the School to adopt grievance procedures for the prompt and equitable resolution of complaints alleging disability discrimination or other action prohibited by Section 504 of the Rehabilitation Act of 1973. Any complaints that students, employees, or qualified members of the public may wish to submit regarding any aspect of their rights under Section 504 are to be brought pursuant to these procedures. Students who seek review of a decision, action, inaction of the Law School other than an accommodation decision may do so by following the grievance procedure set forth here.

The purpose of these procedures is to ensure that all complaints of discrimination based on disability are thoroughly and fairly investigated by the relevant departments at the Law School. The Law School will conduct a fair and impartial investigation of all allegations of discrimination, with due regard for the rights of all parties. Retaliation against any individual who has filed a complaint of discrimination, or who has cooperated in the investigation of such a complaint, is unlawful and in violation of Law School policy. For more information on the procedures for claiming discrimination based on disability, contact the Office of Enrollment and Student Services.

Section C 1.02. Informal Resolution Process. Persons who believe they are aggrieved on account of discrimination based on disability should first seek resolution of the matter through informal discussion with the appropriate Law School official who is responsible for the decision, action, or inaction at issue. The Law School designates three offices as a resource to advise students, employees, and qualified members of the public as to who is the appropriate official to contact to address the problem:

Associate Dean of Enrollment and Student Services, whose office is located on the 8th floor of the Cooley Center in Lansing;

Director of Human Resources, whose office is located on the 2nd floor of the Cooley Center in Lansing; and

Executive Assistant to the President and Corporate Secretary, whose office is located on the 10th floor of the Cooley Center in Lansing.

Once the appropriate official to contact has been identified, persons who believe they are aggrieved should contact that person, provide the facts, discuss the matter, and request a specific remedy. The official may grant the relief requested, offer some other relief, or offer no relief.

Section C 1.03. Grievance Process. If after informal discussions a student, employee, or qualified member of the public is unable to achieve a resolution of the matter and believes that he or she has been discriminated against on the basis of disability, he or she may file a written statement constituting a formal grievance.

A. Contents of Grievance. The statement should be as specific as possible regarding the decision, action, or inaction that precipitated the grievance, including the date, place, persons involved, circumstances, efforts made to resolve the matter informally, and the specific relief sought.

B. Where to File Grievance.

(1) Students. Students should submit the grievance to the Director of Pre-Enrollment Programs and Diversity, whose office is located on the 8th floor of the Cooley Center in Lansing.

(2) Employees. Employees should submit the complaint to the Director of Human Resources, whose office is located on the 2nd floor of the Cooley Center in Lansing.

(3) Members of Public. Qualified members of the public should submit the complaint to the Executive Assistant to the President and Corporate Secretary, whose office is located on the 10th floor of the Cooley Center in Lansing.

(4) Alternate Filing. Grievances specifically involving one of these three offices may be submitted to either of the other two offices. Grievances incorrectly submitted to one office will be transferred to the appropriate office. For instance, if the grievance comes from a student who is also a Law School employee and the grievance pertains to the student's role as an employee rather than as a student, the grievance will be submitted to the Director of Human Resources.

C. Investigation. Once received, the grievance will be referred to the appropriate Law School official, who will investigate and decide the matter in writing. The Law School official may meet with the complainant and others involved and review relevant documents, facilities, or things to determine the merits of the grievance and decide whether the school will grant the relief requested, grant some other relief, or grant no relief. In conducting this investigation, the Law School official may forward a copy of the grievance to other persons who are the subject of or relate to the grievance, interview witnesses, meet with concerned parties, consult with experts, receive oral or written statements, inspect facilities, review documents, and make other appropriate inquiries.

D. Decision. After completing the investigation and deciding the matter in writing, the Law School official will forward a copy of the decision to the complainant and to the referring office, which will see that the grievance, decision, and other materials as warranted are placed into the appropriate student or employee file, or other file, as the case may be. As a guideline, the decision should be rendered within 45 days of the filing of the grievance, if possible. If a decision or other resolution is not possible within 45 days, the Law School official will inform the complainant of the status of the investigation.

Section C 1.04. Appeal of Decision. If after receiving the decision the complainant still believes he or she is aggrieved on account of discrimination based upon disability, the complainant

may appeal the decision. The appeal must be in written form and should be submitted to the office to which the grievance was submitted. That office will refer the matter to the original decision maker's supervisor or to another appropriate Law School official as warranted under the circumstances. The appeal should set forth as specifically as possible the reason the decision below was incorrect and the specific relief sought.

A. Investigation. The official deciding the appeal will investigate by reviewing the original grievance and the decision below and conducting such other investigation as deemed appropriate, which, as with the initial investigation below, may include meeting with the complainant or other persons, reviewing documents and facilities, and consulting with experts.

B. Decision. After completing the investigation, the official to whom the appeal is assigned will decide in writing whether the school will grant the relief requested, grant some other relief, or grant no relief. The Law School official will forward a copy of the decision to the complainant and to the referring office, which, as before, will see that the appeal, decision, and other materials as warranted are placed into the appropriate student or employee file, or other file, as the case may be.

C. Implementation of Decision. The Law School official who renders the final decision will forward a copy of the decision to the appropriate office at the Law School for implementation of the decision as warranted.

Section C 1.05. Questions About Grievance Procedure; Exceptions to Procedure.

Questions about this grievance procedure should be addressed to the Director of Pre-Enrollment Programs and Diversity, the Director of Human Resources, or the Executive Assistant to the President and Corporate Secretary. Exceptions to these procedures may be granted by the School's President or the General Counsel.

APPENDIX D

THE GRADE APPEALS PROCESS

Section D 1.01. Preamble. The Board of Directors of the Western Michigan University Thomas M. Cooley Law School has the ultimate responsibility for determining and directing institutional policy under Article II, §1 of the School's bylaws. Subject to that authority, the Faculty has the primary responsibility for assessing student performance under Article V, §10 of the bylaws.

The grade appeals system outlined here is available only for the review of numerical or administrative errors, or for clear substantive mistakes. Grading necessarily involves the exercise of judgment, and the grade given is presumed to be correct. A bluebook that a student seeks to meticulously review, in the hope of identifying arguably additional points in one part, may often have received the benefit of the doubt elsewhere. This grade appeals system is not designed for the routine review of the grade awarded. Instead, it is designed to correct substantial deviations from appropriate grading standards and procedures.

Section D 1.02. Student Magistrates. Student magistrates are appointed to assist in the review of grade appeals.

A. Magistrate Experience. To the extent possible, the student magistrate assigned to review the appeals for a particular professor's class will have previously taken that class from that professor, and received a grade of B or better in the class, and have a cumulative grade point average of 3.00 or better. Magistrates must have a cumulative grade point average of at least 2.75.

B. Magistrate Selection Committee. A magistrate selection committee will select and appoint the student magistrates, with the advice and consent of the campus dean. The committee shall have three positions: a Chair (to be filled by a third-year student); a First Vice-Chair (to be filled by a second-year student); and a Second Vice-Chair (to be filled by a first-year student).

Section D 1.03. Grade Appeals Administrator. A Grade Appeals Administrator appointed by the campus dean is responsible for photocopying and distributing bluebooks, docketing appeals, determining whether the appellant's pleadings satisfy the applicable form and content requirements, processing numeric and administrative appeals, maintaining grade appeals files, and such other duties as may be requested by the campus dean.

Section D 1.04. Grounds for Appeal. Students can appeal a grade on the ground that a numerical or administrative error occurred, or that a clear substantive mistake was made.

A. Non-anonymous Grade Appeals. A grade received in a course that was graded in a non-anonymous manner can be appealed only on the grounds that a numerical or administrative error was made.

B. Numeric Appeals. A numerical error is an error in calculating the total number of points earned on the examination. Appellant shall fill out the numerical error form provided by the Grade Appeals Administrator.

C. Administrative Appeals. An administrative error is an error in assigning the correct letter grade to the number of points earned. Appellant shall fill out the administrative error form provided by the Grade Appeals Administrator.

D. Substantive Appeals. A grade can also be appealed on the ground that a clear substantive mistake was made. A clear substantive mistake occurs when a professor inadvertently or otherwise fails to award credit for an obviously meritorious response given by the student.

E. Permanent Withdrawal/Transfer. The right to file a substantive appeal is reserved for Law School students and those who are eligible to apply for readmission. Students who have permanently withdrawn from the Law School, including those who have transferred to another institution, may obtain copies of their bluebooks and file only numeric or administrative appeals.

Section D 1.05. Anonymity. Appeals shall be anonymous. Any breach of this anonymity requirement by the student who is appealing, including any discussion by the student of his or her work product with the professor or the student magistrate appointed to assist the professor in the appeal, shall constitute a waiver of all rights to appeal.

Section D 1.06. Form, Content, and Length of the Appellant's Pleadings. Appellants must remain anonymous, including as to gender, race, and any other identifying characteristics.

A. Numeric and administrative appeals. For numerical or administrative appeals, no formal pleadings need be filed.

B. Substantive Appeals. For substantive appeals, the appellant must file a written brief.

(1) Consultation with Others. Consultation with attorneys, students, or disinterested faculty members is permitted, but the appellant must actually prepare and draft the brief.

(2) Form. The brief must be typewritten on 8 ½" by 11" paper, double-spaced with one-inch margins, with print no smaller than 12 point type. The brief must contain a title page; a table of contents; a list of the issues raised in the appeal, stated and numbered separately, with each issue phrased concisely and without repetition; a clear and concise statement of facts, including all of the material facts, both favorable and unfavorable to the appellant's position, fairly stated without argument or bias, and containing specific page references to the appellant's original work product; and a clear and concise statement of the arguments supporting each issue, containing specific page references to the appellant's original work product.

The brief may also contain an appendix consisting of copies of relevant authorities relied on in the appellant's arguments, with highlighting but no comments or explanation.

(3) Page Length. The appellant's statement of facts shall not exceed three pages in length. Each argument shall not exceed two pages in length, and the entire brief shall not exceed ten pages in length, excluding the title page, the table of contents, and any appendix.

(4) Exhibits. A copy of the Professor's released exam and any model answers are required to be included as exhibits.

(5) Non-conforming Briefs. Any brief that does not substantially comply with the form, content, and length requirements may be rejected as a non-conforming brief, which shall result in the denial of the appeal.

(6) Presumptions and Burden of Proof. There is a strong presumption that the examination was graded correctly, and the burden of proof is on the student to rebut this presumption of correctness by clear and convincing evidence. Even in cases where the professor has provided no meaningful feedback (such as substantive comments in the blue book responsive to student performance, answer guides, check sheets, etc.), to the student or the student magistrate, the burden of proof is on the student to rebut the presumption of correctness by a preponderance of the evidence.

(7) Review of Appeal Brief

a. By Magistrate. The appellant's brief will be reviewed by a student magistrate. The magistrate shall meet initially with the professor to generally discuss the examination, and may meet with the professor thereafter to discuss individual appeals, but shall not reveal the identity of the appellant. In cases involving appeals of multiple choice questions in which the professor has chosen to retain the questions, the questions shall not be disclosed to the magistrate. The magistrate shall prepare a written report and recommendation for the professor. The appellant's brief, together with his or her original work product and the magistrate's report and recommendation, shall be forwarded to the professor, pursuant to procedures that ensure the appellant's anonymity.

b. By Professor. If the magistrate's recommendation is that the appeal be denied, and the professor agrees, the professor may adopt the magistrate's report and recommendation by order without further explanation. If the professor disagrees and believes the appeal should be granted, the professor shall forward the recommended grade change to the campus dean for transmittal to the Registrar.

If the magistrate's recommendation is that the appeal be granted, and the professor agrees, the professor shall forward the recommended grade change to the campus dean for transmittal to the Registrar.

If the magistrate's recommendation is that the appeal be granted, and the professor disagrees, the professor shall write an opinion fairly explaining the basis for his or her decision rejecting the magistrate's recommendation, and a copy of that opinion shall be forwarded to the appellant.

(8) Abuse of Discretion Appeals to the Campus Dean. If the student magistrate recommends that an appeal be granted, and the professor disagrees and denies the appeal, the appellant may file a two page application for leave to appeal with the campus dean on the sole ground that the professor abused his or her discretion in denying the appeal. An example of an abuse of discretion is where the professor refuses to participate in the appeals process or fails to submit an opinion fairly explaining the basis for his or her decision rejecting the magistrate's recommendation.

If the professor's opinion fairly explains the basis for his or her decision, the campus dean may deny an application for leave to appeal by order without explanation. Otherwise, a brief explanation shall be included in any denial of leave to appeal.

If the campus dean believes that the application may have merit, he or she may request a response from the professor and may request advice from other members of the faculty who teach in the same subject area. If the campus dean grants relief, he or she shall write an opinion fairly explaining the basis of his or her decision, and shall forward a copy of that opinion to the professor and the appellant.

If the application for leave to appeal involves a class taught by the campus dean, the Associate Dean of Students and Professionalism shall review and decide the application.

(9) Frivolous Appeals. Any student filing an appeal is expected to have a reasonable basis for challenging the grade. If the student magistrate or the professor believes that an appeal lacks any reasonable basis in law or fact, the appeal may be summarily denied as frivolous. If the same student files a subsequent appeal that is also determined to be frivolous, that student will not be allowed to appeal any other grade, other than for numerical or administrative errors. A student aggrieved by this sanction may appeal to the campus dean under the abuse of discretion standard defined above.

Section D 1.07. Hours of Bluebook Distribution. Hours of bluebook distribution will begin Thursday of week 4 of the term through Monday of week 6 of the term. Bluebook distribution will not occur on Sundays or holidays when classes are not in session.

Section D 1.08. Schedule of Deadlines

Monday, Week Six Briefs due.

Friday, Week Seven Magistrate reports due to professors.

Monday, Week Nine Professor decisions due.

Friday, Week Nine Abuse of discretion appeals due.

Friday, Week Ten Campus Dean decisions due.

APPENDIX E

ACADEMIC POLICIES

Section E 1.01. Good Academic Standing. To be in good academic standing, a student must maintain a cumulative grade point average of 2.0 or higher.

Section E 1.02. Required Courses Before Elective Courses. Students in good academic standing can register for elective courses during the term in which they will complete 27 or more required course credits, including Research and Writing. (See the Curriculum and Scheduling Chapter for exceptions for Scholarly Writing and Probate Court Visitorship.) Students on academic probation cannot register for electives until they are in the term in which they will complete 45 or more required course credits.

Section E 1.03. Academic Probation and Academic Dismissal for Students Entering Trinity (Summer) 2013 and Later, ONLY. Students who do not maintain a cumulative grade point average of 2.0 or higher may be academically dismissed or will be on academic probation, depending on their circumstances, as described below.

A. Automatic Academic Dismissal. When students' GPAs are below certain minimum levels established below, they will be dismissed from enrollment and will not be eligible for academic probation, readmission, or substantive grade appeals.

(1) Conclusion of the First Semester: 1.0 Minimum GPA. At the conclusion of their first semester of enrollment, students with a cumulative grade point average of less than 1.0, based on the grades as originally recorded, will be academically dismissed and will not be eligible for readmission or substantive grade appeals. These students may apply to restart as a new student. Refer to Appendix E Section E 1.09. Students with a cumulative grade point average below 2.0 who were not academically dismissed will be on first semester academic probation.

(2) Conclusion of the Second Semester: 1.5 Minimum GPA. At the conclusion of their second semester of enrollment, students with a cumulative grade point average of less than 1.5 will be academically dismissed and will not be eligible for readmission or substantive grade appeals. These students may apply to restart as a new student. Refer to Appendix E Section E 1.09. Students with a cumulative grade point average below 2.0 who were not academically dismissed will be on first- or second-semester academic probation.

(3) Conclusion of the Third Semester: 1.75 Minimum GPA. At the conclusion of their third semester of enrollment, all students with a cumulative grade point average of less than 1.75 will be academically dismissed and will not be eligible for readmission or substantive grade appeals. These students may apply to restart as a new student. Refer to Appendix E Section E 1.09. All students on second semester academic probation whose cumulative grade point averages remain below 2.0 but at

1.75 or higher at the conclusion of their third semester of enrollment will be academically dismissed and will be eligible to apply for readmission and for all grade appeals. Students with a cumulative grade point average below 2.0 who were not academically dismissed will be on first- or second-semester academic probation.

(4) Conclusion of the Fourth and All Subsequent Semesters: 1.75 Minimum GPA. At the conclusion of their fourth semester of enrollment, and in all subsequent semesters, any time the cumulative grade point average of a student falls below 1.75, the student will be academically dismissed and will not be eligible for readmission or substantive grade appeals. These students may apply to restart as a new student. Refer to Appendix E Section E 1.09.

B. Academic Probation. Students who are not academically dismissed and remain enrolled may be eligible for academic probation as described below.

(1) First Semester Academic Probation. Whenever an enrolled student shall have a cumulative grade point average below 2.0, the student is on academic probation. The semester during which the student's cumulative grade point average falls below 2.0 shall be the first semester of academic probation.

a. Full-Time Students: One Semester of Probation. First semester students who are enrolled in, and remain in, the full-time program (15 credits per semester) in their second semester must raise their cumulative GPAs to 2.0 or higher at the conclusion of their second semester or be academically dismissed.

b. Part-Time Students: Two Semesters of Probation. Students enrolled in the part-time program (12 or fewer credits per semester), or full-time students beyond the first year, must raise their cumulative GPAs to 2.0 or higher in the next two enrolled semesters or be academically dismissed.

Students on first-semester probation are permitted to continue their studies at the School, but they may register for or remain enrolled in only required courses unless they have earned 45 required course credits. If they are required to drop elective courses, they will receive a 100% tuition credit. Further, they must discuss the matter with their faculty advisor and complete an academic probation counseling session with the Registrar or the Registrar's designate in order to enroll in classes. They are encouraged to consult with the Academic Resource Center.

(2) Second Semester Academic Probation. Enrolled students whose cumulative GPAs remain below 2.0 for a second consecutive semester are on second-semester probation. Those students are permitted to continue their studies at the School, but they may register for or remain enrolled in only required courses unless they have earned 45 required course credits. If they are required to drop elective courses, they will receive a 100% tuition credit. They may consult with the Academic Resource Center and with their faculty advisor during their second semester of probation.

(3) Academic Dismissal Following Probation.

a. Mathematically Impossible. Students will not be allowed to remain enrolled if it is mathematically impossible to raise their cumulative GPA to 2.0 given a second semester of probation.

b. Do Not Reach 2.0 GPA. No enrolled student shall be permitted to continue to be enrolled if the student's cumulative GPA has been below 2.0 for three consecutive semesters.

(4) Class Schedules for Academic Probation Students. Students on academic probation who have earned 24 or more credits may have their class schedules set by the Registrar, the Chair of the Admissions Committee, or the Associate Dean of Students and Professionalism. Students on academic probation who have earned 60 or more credits will have their class schedule set by the Registrar, the Chair of the Admissions Committee, or the Associate Dean of Students and Professionalism.

Section E 1.04. Impact of Academic Probation on Students Enrolled in Law School Clinics. Michigan Court Rule 8.120, the student practice rule, requires that students be in good academic standing. Therefore, students who are placed on academic probation after being admitted to a Law School Clinic will be dropped from the clinic, without penalty, for academic ineligibility.

A. First Semester of a Two-Semester Clinic. Students who are dropped during their first semester of a two-semester clinic will be permitted (though not required) to re-apply after regaining good academic standing.

B. Second Semester of a Two-Semester Clinic. Students who are dropped during their second semester of a two-semester clinic will be granted credit for the first semester, thus satisfying their clinical requirement. Should students wish to complete the second semester in the clinic, they may request permission to do so immediately upon regaining good academic standing.

Section E 1.05. Impact of Academic Probation on Externships. No student on academic probation is eligible to apply for an externship position. Students who fall onto academic probation after beginning an externship must contact the Externship Office.

Section E 1.06. Academic Dismissal. Students who are in their final probationary semester of study with a cumulative GPA below 2.0 are permitted to enroll conditionally in the following semester subject to the receipt and recording of grades for that semester. If such grades do not remove the student from probation, that student will be informed by letter from the Dean that the student has been dismissed from the School and withdrawn from all courses. All conditionally paid tuition will be returned to the funding source. Students receiving financial aid awards should be aware that, in most cases, the School must return all or part of the tuition refund to the awarding agency in the event of academic dismissal.

Section E 1.07. Must Repeat Fs. Students must repeat all required courses in which they have earned an F (until they earn a passing grade), and both the F and the new grade will remain on their transcript and will calculate into their cumulative GPA.

Section E 1.08. Readmission of Students Who Have Been Academically Dismissed. Students who have been dismissed under the academic dismissal policy and are eligible to be considered for readmission, and who have courses remaining to take, the grades for which could remove them from probation, may petition for readmission. Petitions are made to the faculty Admissions Committee in accordance with the following:

A. Petition. Students seeking readmission should submit a petition to the Admissions Committee chair.

(1) Eligibility. To be eligible for readmission, a student must have been academically dismissed from school for at least one full semester (dismissal semester). The student may submit a petition for readmission during the dismissal semester. The Committee may waive this requirement if a student has earned 59 or more credit hours and, if by the end of week 4 of the dismissal semester, the student notifies the committee chair of the student's desire to be considered for the waiver.

(2) Content. Applicants should explain what led to their academic dismissal and the reasons why they believe they can raise their cumulative GPA to 2.0 or higher if given one additional term of academic probation. Applicants should explain why their academic dismissal was not due to a lack of capacity for law study, assuming that is the case. The Committee will be particularly interested in how thoroughly and candidly the applicant is able to diagnose and address the academic component of his or her unsatisfactory performance. The Committee needs to be convinced that whatever interfered with the student's academic performance has been sufficiently changed in the student's life.

(3) Due Date and Recipient. Applicants may submit petitions between weeks 4 and 8 of the semester prior to the semester for which readmission is sought, and must apply within one year of their last semester in attendance or lose their right to make such a request. Submissions should be made to Admissions Committee Chair Dean Paul Zelenski, either by mail to 8th floor Cooley Center, 300 S. Capitol Avenue, Lansing, Michigan 48933, or by email to his administrative assistant Cynthia Brown at brownc@cooley.edu.

B. Committee Action. The petition for readmission will be reviewed by members of the Admissions Committee, which is responsible for making a recommendation to the Associate Dean of Students and Professionalism. The Associate Dean will consider the Committee's recommendation and send written notification to the applicant of the School's decision, which is final. Applicants should not presume that they will be readmitted. Each case is considered on its merit based upon the information contained in the student's file and provided by the applicant to the Admissions Committee. The individual will be

readmitted only if there is significant reason to believe that the student can become a student in good standing, given one additional semester in law school.

C. Terms of Readmission. If the individual is readmitted, the letter from the Associate Dean will contain the terms of readmission. The readmitted student must sign and return the letter. Readmitted students are allowed one additional semester of course work at the end of which their cumulative GPA must be at 2.0 or higher, or they will be permanently dismissed.

D. Financial Aid. Readmitted students may be eligible for financial aid from federal, state, or institutional sources during their readmit semester if their financial aid file reflects that they have received academic and financial counseling throughout their probationary period.

E. Student Status. Students accepted for readmission return to school with the same academic standing they had at the time of dismissal (cumulative grade point average and credits completed) and must come into good academic standing by the end of the readmission semester, or they will be dismissed permanently. If a readmitted student misses any exams or fails to fulfill any course requirements, that student will not be allowed to register for classes in the subsequent semester.

Section E 1.09. Seeking Status as a New Student (The Restart Program). Students who are academically dismissed from a law school may be allowed to start law school over as a new student with no existing GPA under certain circumstances set out in ABA Standard 501(c) (reprinted in full in this section). A student who withdrew from a law school while on academic probation is treated the same as one who was academically dismissed.

A. ABA Standard 501(c) Regarding Previously Disqualified Applicants. The American Bar Association allows law schools to restart students under its Standard 501(c), which states:

“A law school shall not admit or readmit a student who has been disqualified previously for academic reasons without an affirmative showing that the prior disqualification does not indicate a lack of capacity to complete its program of legal education and be admitted to the bar. For every admission or readmission of a previously disqualified individual, a statement of the considerations that led to the decision shall be placed in the admittee’s file.”

B. Eligibility to Apply to the Law School. WMU-Cooley Law School's Faculty Admissions Committee will consider for admission as a restart student, applicants who have been previously dismissed for academic reasons or who withdrew while on academic probation and who meet the following requirements.

(1) Requisite Ability. Through a statement addressed to the Admissions Committee, applicants must affirmatively show that they possess the requisite ability and that the prior disqualification does not indicate a lack of capacity to

complete the course of study at the Law School. Applicants may show this through interim work, activity, or studies since their dismissal that indicate a stronger potential for law study, or by changed circumstances, or by any other information the applicant thinks is relevant to this showing. In the case of an applicant who has been academically disqualified from a school other than WMU-Cooley, this showing may be supplemented by a letter from the dean of the disqualifying school.

(2) Timing of Return to Enrollment. Applicants should reflect on and discuss the appropriate time for them to return to enrollment, considering the issue(s) they identify as having caused their academic dismissal, and the amount of time they need to address and resolve that issue. Applicants may supplement this discussion with appropriate documentation. The committee will consider the information provided and, if the applicant will be offered admission as a restart student, the Committee will designate the semester in which the applicant may return to enrollment.

(3) Other Admission Requirements. Restart applications to the Law School must be sent to the Admissions Office and will be reviewed and decided by the Faculty Admissions Committee. The applicant must apply to the Law School following the regular application procedures and meet the admission standards in effect for the semester applied for. As with all applicants, the Committee may consider admission test scores, undergraduate course of study and grade point average, extracurricular activities, work experience, performance in other graduate or professional programs, relevant demonstrated skills, and obstacles overcome. The LSAT score must not be older than five years.

(4) Applicants From Schools Other Than the Law School. Restart applicants academically disqualified from law schools other than WMU-Cooley Law School must request that a letter of good character and an official law school transcript be sent directly from the law school to the Law School's Admissions Office. Applicants should contact the Admissions Office.

C. Status Upon Being Admitted as a Restart Student. Restart students are not eligible for an entering merit scholarship, but once enrolled and after completing a minimum of 15 credit hours, they may be considered for a class rank merit scholarship. For applicants accepted as restart students, the Committee Chair shall sign and place in the admittee's file a statement of the considerations that led to the decision to restart the applicant, and designate the semester in which the admittee may return to enrollment. Restart applicants to the Law School will be treated the same whether the dismissing school was the Law School or another law school.

Section E 1.10. Reasonable Academic Progress. Full-time law students (15 or more credits per term) should complete the requirements for a J.D. degree in five years, and part-time students (12 credits or fewer per term) in six years. Adjustments can be granted by the Associate Dean of Students and Professionalism. Reasonable academic progress is defined as completing and receiving credit for an average of six to nine credit hours per semester unless special

permission has been granted by the Registrar or Associate Dean of Students and Professionalism to take fewer credits or a term withdrawal. The Registrar may grant reduction of credit requests in up to three semesters. Requests beyond this limit may only be granted by the Associate Dean of Students and Professionalism. Students who are military personnel and who have been deployed in service to the United States should bring that to the attention of the Registrar for consideration.

Section E 1.11. Credits Required/Allowed in J.D. Program; Credit Defined. Students must earn 90 credits to complete their juris doctor program and graduate. Students may not exceed 90 credits and receive financial aid. If exigent circumstances exist that cause the student to want to exceed 90 credits, they must make that request to the Associate Dean of Students and Professionalism and to the Registrar in writing and include their curriculum plan, their plan to pay for the extra credits, and their reasons for wanting to exceed 90 credits. In no case should students plan or request to exceed the 90-credit limit by more than three additional credits.

The Law School follows the ABA Standard for determining the credit hours it awards for coursework. A “credit hour” is an amount of work that reasonably approximates:

- A. not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time; or
- B. at least an equivalent amount of work as required in subparagraph A. of this definition for other academic activities as established by the institution, including simulation, field placement, clinical, co-curricular, and other academic work leading to the award of credit hours.

Fifty minutes suffices for one hour of classroom or direct faculty instruction. An “hour” for out-of-class student work is sixty minutes. The fifteen-week period includes one week for a final examination.

Section E 1.12. Returning to Enrollment Following Permanent Withdrawal. Students who withdraw during the semester should refer to the withdrawal procedures for information about re-entry into the school. See [Chapter3](#) of the Policy Manual.

A. Returning Following a Permanent Withdrawal. A permanent withdrawal, for a student in good standing or on academic probation, indicates that the student will not return at a future date. However, if the student has followed the withdrawal procedure, the student may request a subsequent return. This request must be submitted in writing to the Admissions Committee through the Associate Dean of Students and Professionalism. Such request, however, does not guarantee that the student will automatically be allowed to return. If the student is allowed to return, the student will retain the academic status as at the time of withdrawal.

Please see [Chapter3](#) of the Policy Manual for additional information about withdrawing.

APPENDIX F

Board Policy 402: SEXUAL AND OTHER FORMS OF HARASSMENT

The Law School is committed to educational and employment environments that are free from discrimination and harassment by, between, and against its students, faculty, and other employees. The Law School abides by all local, state, and federal laws and regulations that prohibit discrimination and harassment. This includes Title IX of the Education Amendments of 1972 and American Bar Association Standard 211(a), which provides that “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, sexual orientation, age or disability.”

For these reasons, and to further the Law School’s Professionalism Plan, the Board of Directors has adopted this Policy Against Sexual and Other Forms of Harassment, which replaces the Policy 402 adopted January 18, 1992 and amended May 17, 2003.

If you have questions about how Title IX applies, contact one of the Law School’s Title IX Coordinators: **Amy Timmer**, Associate Dean of Students and Professionalism (for students), at timmera@cooley.edu; or **Kathy Conklin**, Senior Vice President of Operations Finance (for employees), at conklink@cooley.edu. You may also contact the U.S. Department of Education’s Office of Civil Rights.

I. Harassment Defined

While sexual harassment is the most recognized form of harassment, any harassment of a Law School student, faculty member, or other employee is prohibited by this Policy when an individual engages in conduct that creates an offensive, hostile, or intimidating employment or educational environment and that is based on one or more of the following protected characteristics:

- gender or sexual orientation;
- age;
- race or color;
- ethnicity or nationality;
- religion, religious beliefs, or religious practices;
- disability or need for an accommodation;
- pregnancy, marital, or familial status;
- height or weight;
- veteran status; or
- any other characteristic protected by law or regulation.

The Law School will determine whether harassment that violates this Policy has occurred by considering (1) the following definitions and applicable laws and regulations; (2) the nature of the complaint; and (3) the circumstances surrounding the harassment alleged to have occurred.

Within the Law School's educational community, it is expected that students and faculty members will engage in robust and respectful academically oriented exchanges, which may involve passionately held but diverse and conflicting viewpoints. The Law School understands that classroom or other discussions with legitimate educational purposes may sometimes involve issues of race, gender, sexual orientation, or other legally protected characteristics. When these exchanges occur respectfully, even if heatedly, and do not violate the standards described below, there will be no basis for finding that harassment prohibited by this Policy has taken place.

A. Sexual Harassment Defined

Sexual harassment is any subjectively unwelcome, severe or pervasive conduct of a sexual nature toward another person (including a person of the same gender), such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, that has either the purpose or effect of:

- Creating an objectively offensive, intimidating, or hostile educational or work environment that denies or materially restricts an individual's ability to fully enjoy and participate in the terms and conditions or benefits of education or employment; or
- Conditioning educational or employment benefits or reprisals on the individual's response to demands for sexual interaction.

Acts of sexual violence (including, for example, but not limited to, acts such as rape, sexual assault or battery, or sexual coercion) are considered a form of sexual harassment that violates this Policy.

Specific examples of other forms of sexual harassment include, but are not limited to:

- Unwelcome or unwanted sexual advances;
- Demeaning acts of aggression or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of an overt sexual nature;
- Oral, written, or any other form of graphic communication or distribution of materials of a sexual nature;
- Threats of reprisal against, or promises of advantage for, a person's academic standing, grade, or terms and conditions of employment conditioned on a student, faculty member, or employee's response to sexual demands or requests; or
- Any other unwelcome conduct of a sexual nature that creates a hostile, intimidating, or offensive working or educational environment.

B. Other Forms of Harassment Defined

Any form of subjectively unwelcome, severe or pervasive conduct or communication, whether physical, written, oral, or electronic, will constitute harassment that violates this Policy when the conduct or communication:

- Demeans, intimidates, or shows hostility toward an individual or group based on a person's gender or sexual orientation; race or color; age; ethnicity; nationality; religion, religious beliefs, or religious practices; height; weight; disability or need for an accommodation; pregnancy, marital or familial status; veteran status; or any other characteristic protected by law or regulation; and
- Has the purpose or effect of creating an objectively offensive, intimidating, or hostile educational or work environment that denies or materially restricts an individual's ability to fully enjoy and participate in the terms and conditions or benefits of education or employment.

II. All Forms of Harassment are Prohibited

The Law School strictly prohibits all forms of harassment by, between, or against its students, faculty members, and other employees, as well as visitors or vendors.

If, after investigating, the Law School determines that an individual has harassed a student, faculty member, or other employee, the Law School will take prompt and effective corrective action to ensure the harassment stops and does not recur. These actions may include:

- Discipline, up to and including dismissal from employment (for Policy violations by a faculty member or other employee);
- Discipline, up to and including dismissal from enrollment (for Policy violations by a student); or
- Removal from Law School facilities (for Policy violations by a visitor, vendor, or other third party).

III. Reporting Guidelines

The Law School encourages any person who believes, in good faith, that he or she has been harassed to promptly report a complaint to the Law School officials designated below. The Law School also invites reports by any person who witnesses conduct that he or she believes, in good faith, may violate this Policy.

Complaints by Students

When this person has engaged in harassing conduct toward you, you should report a prompt statement of concern or complaint to:
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A Law School student	The Assistant Dean of the alleged victim's campus, or to the Associate Dean of Students and Professionalism
A Law School faculty member (including adjunct faculty)	The Campus Dean of the alleged victim's campus
A non-faculty Law School employee	The Campus Dean of the campus where the harassment took place, or to the Vice President of Operations and Finance
A third-party on Law School premises (e.g., a visitor, vendor, etc.)	The Campus Director or Campus Dean of the alleged victim's campus

Complaints by Law School Employees:

When this person has engaged in harassing conduct toward you, you should report a prompt statement of concern or complaint to:
A Law School student	Your Supervisor or the Campus Dean of the campus where the employee works, or to the Vice President of Operations and Finance
A Law School faculty member (including adjunct faculty)	The Campus Dean of the campus where the employee works, or Vice President of Operations and Finance
A non-faculty Law School employee	Your Supervisor or the Campus Dean of the campus where the employee works, or to the Vice President of Operations and Finance
A third-party on Law School premises (e.g., a visitor, vendor, etc.)	The Campus Director or Campus Dean of the campus where the employee works, or to the Vice President of Operations and Finance

If the Law School determines that a complaint was brought in bad faith, without evidentiary support and to harm another individual's reputation, the Law School may discipline the complaining party.

IV. Law School Investigation and Resolution of Complaints

The Law School shall develop, disseminate, and provide regular training on written procedures for reporting, investigating, and promptly resolving all complaints of harassment, including sexual harassment. The identity of individuals and circumstances involved in a complaint will be kept confidential to the extent practical, without hindering the investigation, as required by law and Law School policy.

The Law School will consider all information and evidence relevant to the complaint, including any provided by the complaining party, the alleged harasser, and other witnesses (if any, including those identified by the complaining party and alleged harasser). The Law School will

determine whether sexual or other harassment that violates this Policy has occurred based on a preponderance of the evidence.

The Law School may consider aggravating, mitigating, or other extenuating or situational circumstances to decide how to resolve a complaint and, if necessary, impose appropriate remedies or discipline. The Law School may take interim measures before concluding its investigation to protect a complainant from on-going harassment or retaliatory conduct related to the complaint or investigation.

Although the scope and timeframe of the Law School's investigation will vary from case to case, in all cases the Law School will try to complete its investigation of any complaint within sixty (60) calendar days of when the Law School receives the complaint.

As soon as possible after completing its investigation, and subject to FERPA (the Family Educational Rights and Privacy Act), the Law School will provide written notice to both the complaining party and accused harasser of the outcome of its investigation. In all cases, the Law School's goal will be to prevent harassment from recurring and to correct its discriminatory effects on the complaining party and others.

V. Retaliation is Prohibited

The Law School strictly prohibits any person from retaliating against another person who either: (1) reports a concern or files a complaint under this Policy based on an honest, good faith perception of the events at issue; or (2) participates or otherwise cooperates in the Law School's investigation of any harassment complaint.

Any person who believes that he or she has been subjected to retaliation should make a complaint as soon as possible under the guidelines for complaints stated above.

Any person who engages in any form of retaliation that violates this Policy will be subject to discipline, including dismissal from employment or from enrollment with the law school.

VI. Faculty-Student Relationships are Prohibited

The professionalism and integrity of the faculty-student relationship is at the heart of the Law School's educational mission. This relationship vests the faculty member with considerable trust, and he or she has authority and accountability as a mentor, educator, and evaluator. The educational relationship between faculty member and student must be protected from influences or activities that can interfere with learning, professionalism, and personal development, and the professionalism of the faculty as a whole must be maintained at the highest levels.

In addition to creating the potential for coercion, any romantic or sexual relationship between a Law School student and faculty member—even if consensual—jeopardizes the integrity of the educational process by creating a conflict of interest. A relationship of this type also impairs the learning environment for other students and taints the esteem in which all faculty should be held. Further, the unequal institutional power inherent in the relationship heightens the

vulnerability of the student and the potential for coercion. Finally, the relationship may expose the Law School and the faculty member to liability under laws that prohibit sexual harassment and discrimination.

For these reasons, any romantic or sexual relationship between a currently enrolled Law School student and faculty member (including adjunct faculty members) is inappropriate and therefore strictly prohibited, regardless of whether the relationship is consensual and regardless of whether a complaint has been filed about the relationship. The only exception to this prohibition is for relationships that existed before the student's enrollment, or before the faculty member's employment, with the Law School.

Should a relationship that violates this Policy develop, the faculty member must report the relationship to his or her department chair or campus Associate Dean, who will take any necessary steps to ensure that the student's educational experience is not negatively affected by the relationship.

Faculty members who willfully violate this Policy may be disciplined, up to and including termination from employment.

(Adopted October 22, 2011)

Policy 402 Addendum **Contact Information for Making Complaints**

Position	Contact Information
Associate Dean – Lansing	Michael McDaniel , ext. 4428 mcdanielm@cooley.edu
Assistant Dean – Lansing Campus	Mable Martin Scott , ext. 2721 martinm@cooley.edu
Campus Director – Lansing	Julie Mullens , ext. 2616 mullensj@cooley.edu
Associate Dean – Grand Rapids	Tracey Brame , ext. 6919 bramet@cooley.edu
Assistant Dean – Grand Rapids	Victoria Vuletich , ext. 6960 vuletichv@cooley.edu
Campus Director – Grand Rapids	Joan Rosema-David , ext. 6985 rosemaj@cooley.edu
Associate Dean – Kalamazoo	Tracey Brame , ext. 6919 bramet@cooley.edu
Assistant Dean – Kalamazoo	Victoria Vuletich , ext. 6960 vuletichv@cooley.edu
Campus Director – Kalamazoo	Joan Rosema-David , ext. 6985 rosemaj@cooley.edu
Associate Dean – Auburn Hills	Joan Vestrand , ext. 7717 vestrandj@cooley.edu
Assistant Dean – Auburn Hills	Erika Breitfeld , ext. 7754 breitfee@cooley.edu
Campus Director – Auburn Hills	Audra Foster , ext. 7707 fostera@cooley.edu
Associate Dean – Tampa Bay	Dan Matthews , ext. 5147

	matthewd@cooley.edu
Assistant Dean – Tampa Bay	Katherine Gustafson, ext. 5107 gustafsk@cooley.edu
Campus Director – Tampa Bay	Daniela Mendez, ext. 5128 mendezda@cooley.edu
Associate Dean of Students and Professionalism (located in Lansing) (Title IX Coordinator – All Students)	Amy Timmer, ext. 2842 timmera@cooley.edu
Vice President of Operations and Finance (Lansing) (Title IX Coordinator – Employees)	Kathy Conklin, ext. 2208 conklink@cooley.edu

Kalamazoo students should contact Grand Rapids administrators to file a complaint.

Procedure for Resolving Complaints Under Law School Board Policy 402 Against Sexual and Other Forms of Harassment

This policy is adopted pursuant to Law School Board Policy 402 Against Sexual and Other Forms of Harassment (“the Policy”) and describes the procedures to be followed when a person files a complaint (“Complaint”) alleging a violation of the Policy.

Complaint

Any person who believes that he or she has been subjected to harassment in violation of the Policy may file a Complaint. Complaints should be brought in good faith. Persons found to have purposely filed a bad faith Complaint may be subject to discipline under other appropriate Law School policies.

A person who files a Complaint is known as the Complainant. A person against whom a Complaint is filed is known as the Respondent.

Whether a person files a Complaint under the Policy does not affect his or her right to file a separate complaint with the appropriate state or federal agency having jurisdiction over such complaints (e.g., the Department of Education’s Office of Civil Rights, the federal Equal Employment Opportunity Commission, or the Michigan Department of Civil Rights, or, for complaints alleging sexual violence, the local police). Moreover, the Law School will investigate and attempt to resolve a Complaint even if the events described in the Complaint are the subject of a separate criminal investigation or proceeding by state or local authorities.

Complaint Process

Except as noted below, all Complaints will be received, investigated, and resolved according to the procedures set forth below.

Complaints against a student will be received, investigated, and resolved under the Law School’s Disciplinary Procedures policy, set forth in Appendix I of the Student Policy Manual. A person wishing to initiate a Complaint against a student should follow the procedure in Appendix I in the Student Policy Manual, although the Complaint may be filed with any person designated in Section III of the Policy to receive Complaints.

Filing

Complaints should be filed with any person designated by the Policy to receive a Complaint, depending on who the Complaint is against. See Section III of the Policy, “Reporting Guidelines,” for more information about the person or office to whom a Complaint should be made.

The individuals and offices available to receive Complaints under the Policy were selected to give all members of the Law School community the opportunity to initiate a Complaint in a place where they will feel comfortable doing so. These individuals and offices have the responsibility, after speaking with the Complainant or reviewing the written Complaint, to ensure that the Complaint is directed to the proper office or individual for investigation, as explained further below.

If a Complaint is filed with an office or individual not designated to receive Complaints, the Complaint will be forwarded to an appropriate official or office for evaluation, investigation, and resolution.

Time for Filing

Unless there are extenuating circumstances, Complaints should be filed within 180 days of the last conduct complained of. Although the Law School will investigate and attempt to resolve Complaints brought later than 180 days, the loss or unavailability of evidence or witnesses, or inadequate memories, may make doing so impractical.

Form

Although verbal Complaints will be handled under these procedures, the Complaint should be in writing, and may be submitted in any reasonable form (e.g., paper, email, etc.).

The Complaint should describe in detail the conduct believed to violate the Policy. The Complainant should attempt to identify, in the Complaint, any evidence and witnesses that he or she believes will substantiate the Complaint.

Who Handles Investigation and Resolution

The Law School has designated specific offices and individuals to investigate complaints of harassment that may violate the Policy. Depending upon whether the Respondent is a student, a faculty member, a staff member, or a third party (e.g., a Law School vendor), the investigation will be conducted by the designated office or individual with the appropriate expertise and jurisdiction to do so. The offices and individuals responsible for receiving Complaints are set forth in Section III of the Policy, “Reporting Guidelines.”

In any particular case, the Associate Dean or the Vice President of Operations and Finance may designate which office or individual will investigate and attempt to resolve a Complaint. The Law School will ensure that a person who is the subject of a Complaint, or who may be a material witness to events described in a Complaint, will not be assigned to investigate that Complaint. The Office of Human Resources, if it is not conducting the investigation, or the Office of the General Counsel will provide advice or assistance throughout the investigation and resolution procedures as necessary.

Generally speaking, Complaints will be investigated and resolved by the following persons or offices, regardless of to whom the Complaint was first made. Any office or person who investigates a Complaint may involve other offices or persons as necessary to ensure the prompt and fair resolution of a Complaint.

- Complaints against a staff member: *The Office of Human Resources*
- Complaints against a faculty member: *The Associate Dean of the campus where the alleged harassment took place, in cooperation with the Office of Human Resources*
- Complaints against a student: *See “Disciplinary Procedures,” Appendix I, Section 1.04 of the Student Policy Manual*
- Complaints against third parties (e.g., a Law School vendor): *The Associate Dean of the campus where the alleged harassment took place*

Opportunity for Informal Resolution

In most cases, upon the Law School’s receipt of the Complaint, the Complainant will be advised of the opportunity to attempt an informal resolution of the Complaint. If the Complainant chooses to proceed informally, he or she retains the right to stop proceeding informally at any time prior to resolution and request a formal investigation and resolution of his or her Complaint. Informal resolution will not be attempted for Complaints involving allegations of sexual assault or violence.

Within seven (7) days of the Law School’s receipt of a Complaint that the Complainant agrees to attempt to resolve informally, the Respondent will be notified of the name of the Complainant and the allegations. The Respondent will be asked to respond to the allegations, in writing, within fifteen (15) days of notification of the Complaint.

The Respondent may decline to participate in an informal attempt to resolve the Complaint at any time. In that case, a formal investigation and resolution will proceed.

The goal of an informal resolution is to provide a forum for the Complainant and Respondent to meet face-to-face and, with the aid of a third party trained in mediation and other alternative dispute resolution techniques, discuss the Complainant’s concerns and whether an informal resolution is possible. The third party will review whatever evidence and interview any witnesses the Complainant or Respondent identifies for that purpose. Informal resolution of the

Complaint will include a written acknowledgment of the informal resolution, prepared by the mediating party and signed by the Complainant and the Respondent. Prior to signing a written resolution acknowledgment for this purpose, both the Complainant and the Respondent will be advised that the Associate Dean, Vice President of Operations and Finance, or General Counsel will review the written resolution acknowledgment and determine whether action should be taken beyond that which formed the basis for informal resolution (e.g., additional training regarding harassment or further discipline under appropriate Law School policies).

The Law School will attempt to conclude informal resolution proceedings within thirty (30) days of receipt of Respondent's response to notification of the Complaint. Should informal proceedings not result in a resolution for any reason, a formal investigation and resolution will occur.

Formal Investigation and Resolution

Within seven (7) days of the Law School's receipt of a Complaint, the Respondent will be notified of the Complaint and the allegations. The Respondent will be asked to respond to the allegations, in writing, within fifteen (15) days of notification of the Complaint. The Respondent will also be advised that his or her failure to cooperate in the investigation may be separate grounds for action against him or her, including disciplinary action if appropriate.

Except when the Law School has reasonable grounds to believe that revealing the Complainant's identity to the Respondent may bring adverse consequences to the Complainant, notification to the Respondent of the Complaint will include Complainant's identity. Should Complainant request that his or her identity be kept confidential, the Law School will evaluate the request in the context of its responsibility to provide an educational environment free from harassment for all students and employees. In doing so, the Law School may weigh the request for confidentiality against any one or more of the following factors: the seriousness of the alleged harassment; whether there have been other harassment complaints about the same individual; and the Respondent's right to receive information about the allegations to the extent it is maintained in an "educational record" about the Respondent. The Law School cannot guarantee absolute confidentiality for any Complaint.

In the notification of the Complaint, Respondent will be encouraged to identify, in his or her response, all evidence and witnesses that may be relevant to the Complaint and the Law School's investigation.

Both the Complainant and the Respondent will be advised of their obligations to preserve all evidence (including electronically stored information, such as email communications, text messages, digital files, etc.) that may assist the Law School in its investigation of the Complaint.

The person or office responsible for investigating the Complaint will undertake one or more of the following actions:

- meet with the Complainant or Respondent as often as is deemed necessary;

- interview witnesses (including, but not limited to, those identified by the Complainant or Respondent as having relevant information);
- review documents, communications, records, or any other information (including electronically stored information) that may be relevant;
- request written statements from the Complainant or Respondent; and
- make any other appropriate inquiries relevant to the Complaint.

When sufficient investigation has been conducted to reasonably determine, based on a preponderance of the evidence, whether harassment has occurred, the designated investigating official shall prepare a written report that summarizes (1) the nature of the Complaint; (2) the evidence; and (3) if harassment is determined to have not occurred, the basis for such conclusion, including whether remedial action should be taken notwithstanding the determination that no harassment occurred; or (4) if harassment is determined to have occurred, the remedial action that will be taken to ensure the harassment stops and does not recur.

As soon as possible after completing its investigation, and subject to FERPA (the Family Educational Rights and Privacy Act), the Law School will provide written notice to both the Complainant and Respondent of the outcome of its investigation.

If harassment is found to have occurred in a Complaint against a staff member, a copy of the written investigation report will be shared with the staff member's supervisor and the remedial action will be imposed (including discipline, if appropriate).

If harassment is found to have occurred in a Complaint against a third party (e.g., a Law School vendor), a copy of the written investigation report will be shared with the Vice President of Operations and Finance, who shall determine the appropriate implementation of remedial action (including removal from the Law School's premises, if appropriate).

In the case of a Complaint against a faculty member, a copy of the written investigation report will be sent to the Dean, who may (1) request to review the evidence on which the report's findings were based or additional evidence and (2) accept, reject, or modify the remedial action set forth in the report. If remedial action against or involving a faculty member is to include dismissal, the dismissal will be imposed in accordance with Board Policy 201.

Remedial Actions Pending Investigation

The Law School may impose interim remedial measures before conducting and concluding its investigation if doing so is deemed necessary to protect a Complainant from on-going harassment or retaliatory conduct related to the Complaint or investigation.

Time of Investigation

Absent extenuating circumstances, an investigation will be completed promptly so that a decision can be rendered within sixty (60) days of receipt of the Complaint. If this is not possible, the Complainant and Respondent will be informed of the status of the investigation within sixty (60) days, and thereafter as necessary.

No Right to Participation by Outside Counsel

Although Complainant and Respondent are each separately free to consult with outside legal counsel of their own choosing and expense, outside legal counsel will not be permitted to participate or appear on behalf of a Complainant or Respondent in any informal or formal proceeding related to the Law School's investigation and resolution of a Complaint.

Appeal

Except as provided in other policies, there is no right to appeal either the conclusion of whether harassment occurred or the remedial action(s) to be imposed.

Confidentiality

A confidential record of all Complaints, including their disposition, will be maintained by the Law School's Title IX Coordinators. In conjunction with the Law School's Title IX Coordinators, the General Counsel's Office will be informed of, and maintain a confidential record of, the nature of all Complaints of harassment investigated by other offices, the names of complaining parties and respondents, and the final disposition of all Complaints.

Training

The General Counsel and Vice President of Operations and Finance shall be responsible for developing and providing regular training regarding the Policy and the Law School's procedures for handling and resolving Complaints under the Policy.

(Eff. October 22, 2011)

APPENDIX G

SUBSTANCE ABUSE PREVENTION POLICY FOR STUDENTS AND EMPLOYEES OF WESTERN MICHIGAN UNIVERSITY THOMAS M. COOLEY LAW SCHOOL

Section G 1.01 Purpose. Western Michigan University Thomas M. Cooley Law School is committed to preventing the unlawful possession, use, or distribution of illegal drugs and alcohol on school premises or while employees or students are engaged in school activities or business. The school also is committed to assisting students and employees with substance abuse problems in rehabilitating themselves. To help achieve these goals and to comply with the requirements of the Drug-Free Schools and Campuses Act, the school has adopted the following policy and program.

Section G 1.02. Standards of Conduct for Students and Employees. The following conduct is prohibited on school premises or when a student or employee is engaged in school activities or business:

- A. the unlawful possession, use, or distribution of alcohol or other drugs;
- B. the abuse of alcohol or prescription drugs; and
- C. inappropriate behavior related to use of alcohol or other drugs.

Section G 1.03. Violations. Discipline for violation of these standards may include the completion of an appropriate rehabilitation program.

- A. Students.** Students who violate these standards are subject to discipline up to and including expulsion and referral for prosecution.
- B. Employees.** Employees who violate these standards are subject to discipline up to and including discharge and referral for prosecution.

Section G 1.04. Off-campus Activity. The school may discipline students or employees for the unlawful possession, use, or distribution of alcohol or other drugs off school premises or other than while engaged in school activity or business if such conduct adversely affects the individual's association with the school or the school's reputation.

Section G 1.05. Legal Sanctions for the Unlawful Possession or Distribution of Alcohol and Other Drugs. Federal, state, and local laws prohibit the unlawful possession or distribution of alcohol and other drugs, which may result in imprisonment, fines, or both. See Resource Index below for federal, state, and local penalties and sanctions for illegal possession of a controlled substance or alcohol, as well as a chart listing the federal penalties for drug trafficking, also found at: https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf.

Section G 1.06. Health Risks Associated with Illegal Drug Use and Alcohol Abuse. The use of illegal drugs and the abuse of alcohol may be harmful or fatal. Illegal drug use and

alcohol abuse can damage the liver, stomach, kidneys, sinuses, heart, brain and other organs, can impair judgment, and can increase the risk of accidents. Information on the health risks associated with illegal drug and alcohol use is available at:

<http://www.drugabuse.gov/ScienceofAddiction/health.html>

Section G 1.07. Counseling and Information on Treatment and Rehabilitation.

Counseling for students and employees with drug or alcohol problems is available through the office of the Associate Dean of Enrollment and Student Services, the Associate Dean of Students and Professionalism, the Assistant Deans of the campuses, or the Human Resources Department. Information on treatment and referrals to treatment centers is available through the National Institute on Drug Abuse Hotline at 1-800-662-HELP or via its website at <https://www.drugabuse.gov/> and specifically at <https://findtreatment.samhsa.gov/> Lawyers and law students may also seek help through the State Bar of Michigan's Lawyers and Judges Assistance Program at 1-800-996-5522.

Section G 1.08. Program Review. The school conducts a biennial review of this program to determine its effectiveness, to implement changes as necessary, and to ensure consistent enforcement of disciplinary sanctions.

RESOURCE INDEX

In general, persons who violate federal, state, or local law for possession, use, or trafficking in drugs, or for illegal possession or use of alcohol, are subject to penalties that can include:

- Fines as determined under local, state, or federal laws;
- Imprisonment, including up to life imprisonment, for possession or trafficking in drugs such as heroin and cocaine;
- Forfeiture of personal and real property;
- Denial of federal benefits such as grants, contracts and student loans;
- Loss of driving privileges;
- Required attendance at substance abuse education or treatment programs.

A. Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance.

Federal law determines the penalties for use, delivery, or possession with intent to deliver, and manufacture of certain controlled substances by reference to the five schedules of controlled substances as defined in the comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. § 812.

More information on Federal penalties and sanctions can be located at:

https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf

Federal law also provides for forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance, including of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance. See 21 U.S.C. §§ 862 and 881(a).

Federal law further provides for the denial of certain federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 5 years for the first offense, and up to 10 years for second and subsequent offenses. See 21 U.S.C. § 862. It further provides for the revocation of certain federal licenses and benefits (e.g. eligibility to receive or purchase a firearm, pilot license, public housing tenancy, etc.) See, e.g., 18 U.S.C. § 922(g).

B. State of Michigan Penalties and Sanctions for Illegal Possession of a Controlled Substance or Alcohol.

(1) Controlled Substances. Michigan law determines the penalties for use, delivery, or possession with intent to deliver, and manufacture of certain controlled substances by reference to the five schedules of controlled substances as defined in MCL §§ 333.7212, .7214, .7216, .7218, and .7220. Substances within schedules 1 and 2 have the highest potential for abuse.

The penalties under Michigan law for the unlawful manufacture, delivery, or possession with intent to deliver, or the knowing or intentional possession of a controlled substance, or even a prescription for the drug (unless the drug was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice) are found at MCL §§ 333.7401 and 333.7403. They can include:

- imprisonment for life or any term of years or a fine of not more than \$1,000,000.00, or both for 1,000 grams or more of a schedule 1 or 2 substance;
- imprisonment for not more than 30 years or a fine of not more than \$500,000.00, or both for 450 grams or more, but less than 1,000 grams of a schedule 1 or 2 substance;
- imprisonment for not more than 20 years or a fine of not more than \$250,000.00, or both for 50 grams or more, but less than 450 grams of a schedule 1 or 2 substance;

imprisonment for not more than 20 years or a fine of not more than \$25,000.00, or both for less than 50 grams of a schedule 1 or 2 substance. Penalties for the manufacture, possession, distribution or use of schedule 3, 4, and 5 substances are less severe but no less serious. Property used to transport or facilitate the transportation of certain controlled substances is subject to forfeiture. MCL § 333.7521.

(2) Alcohol. It is illegal under Michigan law for anyone under the age of 21 to purchase, consume or possess, or have any bodily content of alcohol. A first-time conviction may result in a fine, substance abuse education and treatment, community service and court-ordered drug screenings. A second or subsequent offense could result in imprisonment or probation. Use of false identification by

minors in obtaining alcohol is punishable with a fine, loss of driver's license, probation and community service.

Individuals with a blood alcohol concentration level of .08% or higher can be convicted of operating a vehicle while intoxicated, resulting in possible incarceration, fines, and loss of driving privileges.

C. City of Lansing's Penalties and Sanctions for Illegal Possession of a Controlled Substance or Alcohol. The City of Lansing code of ordinances makes illegal the possession of drug paraphernalia, the furnishing of alcohol to minors, and the consumption of alcoholic beverages on public property. Penalties for this misdemeanor conviction can include a fine not exceeding \$500.00 plus costs of prosecution, or imprisonment not exceeding 90 days, or both; civil fines up to \$500; forfeiture of certain property; and loss of driving privileges. See generally Codified Ordinances of Lansing, Michigan at <http://library.municode.com/index.aspx?clientID=13231&stateId=22&stateName=Michigan>.

D. City of Grand Rapids' Penalties and Sanctions for Illegal Possession of a Controlled Substance or Alcohol. The City of Grand Rapids code of ordinances makes illegal the possession of controlled substances, drug paraphernalia, the furnishing of alcohol to minors, and the consumption of alcoholic beverages on public property. Penalties can range from a misdemeanor conviction with a fine not exceeding \$500.00 plus costs of prosecution, or imprisonment not exceeding 90 days, or both. See generally Codified Ordinances of Grand Rapids, Michigan at <http://library.municode.com/index.aspx?clientId=12116&stateId=22&stateName=Michigan>.

E. City of Auburn Hills' Penalties and Sanctions for Illegal Possession of a Controlled Substance or Alcohol. The City of Auburn Hills code of ordinances makes unlawful the possession and use of controlled substances and drug paraphernalia and the illegal possession or furnishing of alcohol. Penalties can range from a misdemeanor conviction with a fine not exceeding \$500.00 plus costs of prosecution, or imprisonment not exceeding 90 days, or both. See generally Codified Ordinances of Auburn Hills, Michigan at <http://library.municode.com/index.aspx?clientID=12762&stateID=22&statename=Michigan>.

F. City of Kalamazoo's Penalties and Sanctions for Illegal Possession of a Controlled Substance or Alcohol. The City of Kalamazoo's code of ordinances makes unlawful the possession and use of controlled substances, drug paraphernalia and the illegal possession or furnishing of alcohol. Penalties can range from a municipal civil infraction with a fine not exceeding more than \$100.00, or a misdemeanor punishable by imprisonment less than 60 days or a fine of not more \$500, or both. See generally Codified Ordinances of Kalamazoo, Michigan at <https://ecode360.com/KA2666?needHash=true>

G. State of Florida. In addition to the Federal laws, the State of Florida has its own laws dealing with controlled substances.

Alcohol:

(1) It is unlawful for any person under the age of 21 years, except a person employed under the provisions of § 562.13 acting in the scope of her or his employment, to have in her or his possession alcoholic beverages, except that nothing contained in this subsection shall preclude the employment of any person 18 years of age or older in the sale, preparation, or service of alcoholic beverages in licensed premises in any establishment licensed by the Division of Alcoholic Beverages and Tobacco or the Division of Hotels and Restaurants. Notwithstanding the provisions of § 562.45, any person under the age of 21 who is convicted of a violation of this subsection is guilty of a misdemeanor of the second degree, punishable as provided in § 775.082 or § 775.083; however, any person under the age of 21 who has been convicted of a violation of this subsection and who is thereafter convicted of a further violation of this subsection is, upon conviction of the further offense, guilty of a misdemeanor of the first degree, punishable as provided in § 775.082 or § 775.083.

(2) The prohibition in this section against the possession of alcoholic beverages does not apply to the tasting of alcoholic beverages by a student who is at least 18 years of age, who is tasting the alcoholic beverages as part of the student's required curriculum at a postsecondary educational institution that is institutionally accredited by an agency recognized by the United States Department of Education and that is licensed or exempt from licensure pursuant to the provisions of chapter 1005 or is a public postsecondary education institution; if the student is enrolled in the college and is tasting the alcoholic beverages only for instructional purposes during classes that are part of such a curriculum; if the student is allowed only to taste, but not consume or imbibe, the alcoholic beverages; and if the alcoholic beverages at all times remain in the possession and control of authorized instructional personnel of the college who are 21 years of age or older.

(3) In addition to any other penalty imposed for a violation of subsection (1), the court shall direct the Department of Highway Safety and Motor Vehicles to withhold issuance of, or suspend or revoke, the violator's driver's license or driving privilege, as provided in § 322.056.

Drugs:

Except as authorized by Chapter 893 of the Florida Statutes, it is unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a public or private college, university, or other postsecondary educational institution. Any person who violates this paragraph with respect to:

1. A controlled substance named or described in § 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., commits a felony of the first degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

2. A controlled substance named or described in § 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4), commits a felony of the second degree, punishable as provided in § 775.082, § 775.083, or § 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

APPENDIX H

STUDENT HONOR CODE

(as amended in April 2015)

*“We Do Not Lie, Cheat, Steal, Plagiarize,
or Tolerate Among Us Those Who Do”*

PREAMBLE

At the Western Michigan University Thomas M. Cooley Law School, ethics are as important as academic performance and the mastery of practical legal skills. The Honor Code emphasizes that ethics are an integral part of the Western Michigan University Thomas M. Cooley Law School experience and encourages the development of the ethical values that law students and lawyers, as professionals, must possess. In addition, the procedures for enforcing the Honor Code assure the prompt and just resolution of suspected Honor Code violations for the protection of the Law School, the public, and the legal profession. Enrollment in WMU-Cooley Law School signifies, among other things, a student’s commitment and obligation to aid in the enforcement and administration of the Honor Code.

CHAPTER 1 GENERAL PROVISIONS

Section H 1.01. Jurisdiction. This Honor Code supersedes all previous policies and procedures dealing with student ethical violations related to the Law School, as defined in Section 2.01(A)-(E), and, along with the Disciplinary Procedures, is the exclusive policy for dealing with those violations. It applies to all Law School-related Honor Code violations committed by enrolled students, including violations committed while a student, but not discovered until after graduation. The Dean of the Law School, Investigating Deans, Honor Council, and Office of Law School Advocate have the exclusive power and responsibility for taking all action in connection with or relating to suspected violations, except for the revocation of a previously granted degree, which is within the exclusive authority of the Board of Directors of the Law School. This Honor Code does not apply to conduct committed before the student matriculated at the Law School, the review of which is done by the Admissions Committee. All other student misconduct not covered by this Code is governed by the Law School’s Disciplinary Procedures, Substance Abuse Policy, and other student-conduct-related policies contained in the Student Policy Manual.

Section H 1.02. Construction. All substantive definitions in this Code are to be broadly construed to achieve the purposes set forth in the Preamble. All procedural provisions are to be broadly construed to ensure fairness in the proceedings. An investigation or proceeding may not be held invalid because of a non-prejudicial irregularity or error not resulting in a miscarriage of justice.

Section H 1.03. Prospective Application; Limitations Period. This Code applies prospectively to ethical violations committed on or after its effective date. No proceedings may be instituted under this Code if more than one year has elapsed since the date when the ethical

violation was or reasonably should have been discovered, except in cases of published plagiarism, in which case proceedings may be instituted up to three years after the date of publication.

Section H 1.04. Right to Counsel; Appearance. A suspected violator, hereafter called the “Respondent,” may, at his or her own expense, retain and be represented by legal counsel in all Honor Code proceedings. Legal counsel must file a written appearance with the Investigating Dean and the Office of Law School Advocate, care of the Investigating Dean. Service must be in accordance with Section 1.19 of this Honor Code. Upon receipt of formal appearance by Respondent’s legal counsel, the Investigating Dean must provide Respondent’s legal counsel with a complete and updated copy of the Honor Code. No dean, professor, visiting professor, adjunct professor, instructor, student, or staff member may represent a Respondent. Irrespective of whether represented by counsel, the Respondent must personally sign all responses to all requests made of Respondent under this Code.

Section H 1.05. Office of the Investigating Dean. The Dean of the Law School appoints an Investigating Dean, hereinafter “Investigating Dean” for each campus to aid in enforcing this Code.

A. Authority. The Investigating Dean has the exclusive authority to investigate reports of suspected Honor Code violations, informally resolve cases, refer cases for formal resolution under the procedures set forth in this code, and determine the Law School’s position in these cases.

B. Powers and Duties. The Investigating Dean has the power and duty to:

- (1) Investigate suspected Honor Code violations under this Code;
- (2) Determine the Law School’s position in all Honor Code cases;
- (3) Keep records of investigations and any resultant Honor Code cases; and
- (4) Perform other duties provided in this Code.

Section H 1.06. Honor Council. The Honor Council serves as the adjudicatory body in all Honor Code proceedings. The Honor Council does not convene during Law School breaks or exam weeks.

A. Authority. The Honor Council is the adjudicative arm of the School for discharge of its duty to enforce the Honor Code to promote and preserve the high standards of ethical conduct required of all enrolled students.

B. Composition. The Honor Council consists of a minimum of six full-time faculty members appointed by the Dean of the Law School and a minimum of three student members appointed pursuant to Section 1.11. To the extent possible, the composition of the Honor Council consists of faculty representatives from all Cooley campuses and

student representatives from at least three campuses, and reflects a ratio of two faculty members to each student member.

C. Chairperson/Vice-Chairperson. The Dean of the Law School or the Dean's designee must select, from among the members of the Honor Council, a Chairperson and Vice-Chairperson who serve at the discretion of the Dean of the Law School.

D. Quorum. Two thirds of the Honor Council, a majority of whom are faculty, constitute a quorum of the Honor Council. The Honor Council acts by majority vote of the members present.

E. Powers and Duties of the Chairperson. The Chairperson, or the Vice Chairperson in the absence of the Chairperson:

- (1) Oversees, administers, and directs the Honor Council in the performance of its duties;
- (2) Appoints hearing panels;
- (3) Assigns a matter to a hearing panel for proceedings under this Code;
- (4) Enforces the Honor Code procedures;
- (5) Promptly fills vacancies within the Honor Council, the Office of Law School Advocate, and the Office of Student Assistance through the procedures set forth in this Code;
- (6) Reports annually in writing to the Dean of the Law School on the business and activities of the Council; and
- (7) Performs other duties as provided by these rules and necessary to the orderly and efficient administration of the Honor Council.

F. Powers and Duties of the Honor Council. The Honor Council:

- (1) Reviews and decides sanctions and dismissals proposed by the Investigating Deans;
- (2) Hears and adjudicates cases;
- (3) Hears and decides motions for reconsideration and appeals as provided under these rules; and
- (4) Performs other duties provided in these rules.

Section H 1.07. Hearing Panels.

A. Composition; Quorum. A hearing panel in a contested matter must consist of two faculty members and one student member selected from the members of the Honor Council. The most senior ranking faculty member on the hearing panel serves as the Chief Presiding Officer of the panel. A hearing panel must convene at the time and place designated by its Chief Presiding Officer or the Honor Council Chairperson. Two members constitute a quorum. A hearing panel acts by a majority vote. If a panel is unable to reach a majority decision, the matter must be referred to the Honor Council Chairperson for re-assignment to a new panel.

B. Power and Duties. A hearing panel must do the following:

- (1) Hold a hearing on an Honor Code Complaint assigned to it within 25 working days after the date the Complaint is filed with the Council, unless the hearing panel and Respondent stipulate to extending the time, and the Chairperson of the Honor Council agrees. A hearing must be concluded within three working days after it is begun, unless the Honor Council Chairperson grants an extension for good cause.
- (2) Receive evidence and make written findings of fact.
- (3) Impose discipline or dismiss a Complaint by order, under these rules.
- (4) Report its actions to the Honor Council within 10 working days after the conclusion of the hearing.
- (5) Perform other duties provided in these rules.

Section H 1.08. Office of Law School Advocate. The Office of Law School Advocate represents the School in all Honor Code proceedings.

A. Composition. The Office of Law School Advocate consists of one full-time faculty member for each campus appointed by the Dean of the Law School, who serves as Director of the Office, and student members, if any, appointed in accordance with the procedures set forth in Section 1.11.

B. Director of the Office of Law School Advocate. A Director, appointed in accordance with Section 1.10, serves at the discretion of the Dean of the Law School and presides over the Office of Law School Advocate, receives new cases for prosecution from the Investigating Deans, and appoints from among the members of the Office of Law School Advocate, a faculty member and, in the discretion of the Director, one student member to prosecute the matter on behalf of and in the best interests of the Law School.

C. Powers and Duties. In every Honor Code proceeding other than informal resolutions under Chapter 5, including reconsideration proceedings under Chapter 5, formal actions under Chapter 6, or any appeal under Chapter 7, the School's interests are represented by one faculty member serving as the Law School Advocate and, in the discretion of the Law School Advocate Director, one student member of the Office of Law School Advocate.

The Law School Advocate, in consultation with the Investigating Dean of the relevant campus, retains independent professional judgment in the facilitation of the School's position as determined by the Investigating Dean, pursuant to Sections 1.05A and B of this Code.

D. Student Members. The Office of Law School Advocate may include up to two student members for each campus appointed in accordance with Section 1.11. Student members may be assigned by the Director to assist in the representation of the Law School in Honor Code cases. Student members are not authorized to make plea agreements at any time or to participate in any Honor Code proceedings unless supervised by the assigned Law School Advocate. All activities of any student member must occur with the full knowledge, consent, and supervision of the assigned Law School Advocate.

Section H 1.09. Office of Student Assistance. The Office of Student Assistance is a resource for students charged with Honor Code violations. The Investigating Dean must inform the Respondent in the transmittal of the initial Request for Investigation of the advisability of and how to contact the Office of Student Assistance.

A. Composition. The Office of Student Assistance consists of a minimum of one full-time faculty advisor for each campus, appointed by the Dean of the Law School, and up to four students per campus nominated by the Student Bar Association for each campus in accordance with Section 1.11. Office of Student Assistance faculty advisors act as liaisons only, training new appointees and assisting the student members with the administration of their duties. Office of Student Assistance faculty advisors may answer general questions about the Code and advise Respondents of Honor Code violations and procedures if no student members of the Office of Student Assistance are available, such as during exam week or term break, or if the Respondent's circumstances dictate. If the faculty advisor has a conflict of interest, the faculty advisor must refer the student to a different Office of Student Assistance faculty advisor. Office of Student Assistance faculty advisors must not otherwise be directly or indirectly involved in counseling or representing individual students accused of Honor Code violations.

B. Powers and Duties. The full extent of the powers and duties of student appointees in the Office of Student Assistance is to provide a Respondent with the location of the procedures governing Honor Code cases and information related to sanctions and procedures, including the requirement for full candor, cooperation, and honesty in the proceedings. A student appointee may not provide substantive advice to the Respondent and may only impress upon the Respondent the requirement to fully cooperate in the matter and to be completely truthful in all statements about the subject matter of the investigation.

Section H 1.10. Appointment of Faculty Members to the Honor Council, Office of Law School Advocate, and Office of Student Assistance.

A. Honor Council. The Dean of the Law School or the Dean's designee appoints faculty members to fill any faculty member vacancies on the Honor Council.

B. Office of Law School Advocate. The Dean of the Law School or the Dean's designee appoints a faculty member to serve as the Director of the Office of Law School Advocate at each campus. The Director of the Office of Law School Advocate for the Lansing campus coordinates the Law School Advocate Offices for all campuses.

C. Office of Student Assistance. The Dean of the Law School or the Dean's designee appoints a faculty member to serve as the faculty advisor for the Office of Student Assistance at each campus.

Section H 1.11. Appointment of Student Members to the Honor Council, Office of Law School Advocate, and Office of Student Assistance.

A. Eligibility for Appointment. Students must be in good academic standing and must have completed the course in Personal and Professional Responsibility with a grade of "C" or higher to be eligible to serve as a student member of the Honor Council, Office of Law School Advocate, or the Office of Student Assistance. Students placed on academic probation are ineligible to serve in any capacity; students placed on disciplinary probation may be ineligible to serve in any capacity, as determined by the Associate Dean of Students and Professionalism or the Associate Dean of Enrollment and Student Services. A student member who is under investigation, or charged with an Honor Code or disciplinary violation, is suspended from service during the pendency of the investigation or proceeding. A student member who becomes ineligible to serve must immediately disclose this information to the Honor Council Chairperson and promptly resign.

B. Power to Appoint; Appointment Procedure. The Chairperson of the Honor Council has the sole power and authority to appoint or revoke appointment of student members to the Honor Council, Office of Law School Advocate, or Office of Student Assistance after review and approval of the Dean of the Law School. A student member vacancy must be promptly reported by the Chairperson to the President of the Student Bar Association at the relevant campus with the request for a qualified candidate to fill the vacancy. Within 30 days of notice of the vacancy, the Student Bar Association must, in accordance with its internal procedures, nominate and propose to the Dean a candidate or candidates to fill the student vacancy. Students approved by the Dean will fill vacancies identified by the Council Chairperson. If the Student Bar Association fails to timely propose qualified candidates for the position, the Honor Council Chairperson must fill any campus vacancy with a qualified student approved by the Dean of the Law School.

Section H 1.12. Notice of Expected Conduct. The Law School's catalogue and admissions application must contain appropriate references to the Honor Code sufficient to provide fair notice to prospective students of the importance the Law School places on high ethical standards.

Section H 1.13. Notice of Honor Code: Signature as Certification. All first-term and transfer students must be provided with a copy of the Honor Code, are required to attend an orientation lecture explaining the Code's provisions, and must promise to uphold the Honor Code.

Any student who knowingly and deliberately fails to signify acknowledgment of the Honor Code must be dismissed from the Law School.

Section H 1.14. Work Submitted for Credit: Honor Code Certification. A student must certify that he or she has followed the Honor Code in producing any work submitted for credit. If the work is to be graded anonymously, the certification must be physically separated from the work. The Honor Code Certification can be submitted in one of three forms: 1) by hard copy containing the student's signature; 2) by sending the Honor Code Certification in the body of an email from the student's cooley.edu email account when an assignment is submitted as an email attachment; or 3) through the course Blackboard or TWEN page where the Honor Code Certification is part of the submission process. The submission certifies that the student has not committed or observed any Honor Code violations in the course of producing the work, or has reported any Honor Code violations that were observed to the appropriate authorities under this Code. If work submitted for credit does not contain the Honor Code Certification, it must not be graded unless the certification is submitted promptly after the omission is called to the student's attention.

Section H 1.15. Graduating Seniors: Expedited Proceedings. In any case involving a graduating senior, the Investigating Dean must expedite the preliminary investigation, and all other time periods for action required by this Code may be shortened, unless the Respondent objects.

Section H 1.16. Working Days. As used throughout this Code, the term "working days" means all days except Saturdays, Sundays, holidays when the Law School is not in session, days during term breaks, and days during scheduled final examinations.

Section H 1.17. Extension of Time. For good cause, the time periods for action required by this Code may be extended, giving due regard for the impact on the freshness of the evidence.

Section H 1.18. Joinder. Joinder of cases is permitted if the cases involve common proofs. Severance must not be granted unless the moving party proves that severance is necessary to avoid substantial prejudice.

Section H 1.19. Service of Process. Service of the Complaint will be accomplished by certified mail, return receipt requested, or its equivalent, or by personal delivery, and if those fail, then by email and first class mail, to the Respondent's last known address and email address. A Respondent's last known address is the address on file with the Registrar's Office, and a Respondent's email address is the email address on file with the Registrar's Office. Service of all pleadings subsequent to the Complaint, and any written document or notification required or permitted by this Code is accomplished by first class mail. Service is complete as of the date on the Proof of Service, in the case of personal service, or the date the return receipt is signed in the case of service by certified mail or its equivalent. Service by mail is complete at the time of mailing. Mailing means enclosing it in a sealed envelope with first class postage fully prepaid, addressed to the person to be served, and depositing the envelope and its contents in the United States mail. Service by email is complete upon sending.

If the Respondent is unrepresented, all pleadings and notices subsequent to the Complaint will be served on Respondent at the address contained in Respondent's answer. If the Respondent is represented by counsel, all pleadings and notices subsequent to the Complaint will be served on the Respondent's attorney at the address contained in the attorney's appearance filed in accordance with Section 1.04.

Service on the Office of Law School Advocate must be addressed to the Law School Advocate at the campus address designated on the Complaint. If the parties agree and the Honor Council Chairperson approves in writing, pleadings and notices subsequent to the Complaint may be served by email. If email service is used, parties using email service are required to immediately notify the Honor Council and all other parties of current email addresses and any changes to email addresses during the pendency of Honor Council proceedings.

If service cannot be accomplished, and there are reasonable grounds to believe that evidence may be lost due to delay, a deposition or other means may be used to preserve evidence.

Section H 1.20. Filing and Service of Pleadings. Pleadings consist of the Complaint, the Answer, and any amendments to either. All pleadings must be filed with the Honor Council Chairperson. All pleadings must be served on the opposing party. The Honor Council Chairperson must provide all properly filed pleadings to the members of the Honor Council hearing the case. Proof of service of the Complaint may be filed at any time before the date of the hearing. Proof of service of all other pleadings must be filed with the original pleadings. All pleadings and correspondence directed to the Honor Council Chairperson must be addressed to that office at 300 South Capitol Avenue, Lansing, Michigan 48933.

Section H 1.21. Amendment of Pleadings. Either party may amend a pleading once as a matter of course within five working days after being served with a responsive pleading by the opposing party, or within ten working days after serving the pleading if it does not require a responsive pleading. Otherwise, a party may amend a pleading only by leave granted by the Chief Presiding Officer of the assigned Honor Council panel, the Honor Council Chairperson, or by stipulation of the parties.

Section H 1.22. Summary Suspension. The Investigating Dean may summarily suspend any student if the Dean has reasonable grounds to believe that an Honor Code violation may have occurred and that the student's continued presence poses a serious threat to the safety of other students, the staff, or the faculty of the Law School or would disrupt the Law School's ordinary business. Following any summary suspension, the procedures for investigating and resolving reports of violations contained in this Code apply.

Section H 1.23. Imposition of Costs. Any defense or appeal that has no reasonable basis in law or fact, or that has, as its primary purpose, the intent to harass, cause unnecessary delay, or cause needless increase in the cost of the proceedings, is frivolous. Upon the recommendation of the Investigating Dean or a hearing panel, or on its own motion, the Honor Council may impose monetary costs on a Respondent if a defense or appeal is frivolous.

Section H 1.24. Library Policies. Nothing in this Code may be interpreted to preempt the authority of the library to impose independent sanctions for the violation of library policies and procedures.

Section H 1.25. Delegation of Duties. The Dean of the Law School may delegate any of the Dean's responsibilities under this Code. The Dean may employ investigators, retain legal counsel, or appoint faculty members or students who are not members of the Office of Student Assistance, Office of Law School Advocate, or the Honor Council to act as the Dean's designee.

CHAPTER 2 VIOLATIONS DEFINED

Section H 2.01. WMU-Thomas M. Cooley Commitment to Honor. WMU-Cooley students do not lie, cheat, steal, plagiarize, or tolerate those who do. As used in this Code, the term "School-related Honor Code violation" means any act, as defined below, of lying, cheating, stealing, or plagiarism, or the toleration of any such conduct.

A. Lying. Lying means knowingly misrepresenting or knowingly failing to disclose a material fact that a reasonable person would consider relevant under the circumstances. Examples of lying include, but are not limited to, the following:

- (1) **Admission.** Misrepresenting or failing to disclose facts relevant to admission to the School;
- (2) **Class Attendance.** Misrepresenting or failing to disclose facts relevant to class attendance;
- (3) **Course Requirements.** Misrepresenting or failing to disclose facts relevant to compliance with course requirements;
- (4) **Financial Benefits.** Misrepresenting or failing to disclose facts relevant to financial aid, work study, or scholarships;
- (5) **Employment Search.** Misrepresenting or failing to disclose facts relevant to the employment search process;
- (6) **Co-curricular Credit Activities.** Misrepresenting or failing to disclose facts relevant to co-curricular activities for which credit is granted;
- (7) **Misconduct Reports.** Misrepresenting or failing to disclose facts in a misconduct report; and
- (8) **Honor Code/Disciplinary Proceedings.** Misrepresenting or failing to disclose facts in any Honor Code or disciplinary proceeding.

B. Cheating. Cheating means knowingly giving, receiving, taking, using, or attempting to give, receive, take, or use, any unauthorized advantage that is specifically prohibited by

School policies, procedures, or by the student's professor, adjunct professor, visiting professor, or instructor in connection with any course work or co-curricular activity for which credit is granted. Cheating includes, but is not limited to, the following unauthorized advantages:

- (1) **Examinations.** Any prohibited aid, assistance, or cooperation in connection with an examination;
- (2) **Papers, Reports, Briefs.** Any prohibited aid, assistance, or cooperation in connection with a paper, report, brief, or other assignment;
- (3) **Examination Time.** Commencing an examination before the stipulated time, including reading the contents of the examination or writing any notes or outlines, or continuing to write after the time for taking the examination has expired;
- (4) **Materials.** Possession of, use of, or reference to prohibited materials during an examination;
- (5) **Library Material Access.** Depriving other students for an unreasonable length of time of access to library materials or other information that either is needed for the timely completion of course work or is helpful to preparation for a class or an examination, with the intent to disadvantage another student or students;
- (6) **Unreleased Examination Materials.** Obtaining or sharing knowledge or possession of unreleased examination questions, answers, or information, or retaining or making copies of an examination or other materials contrary to a professor's instructions;
- (7) **Personal Work Product.** Any copying or use without permission of another student's personal work product, including briefs, notes, tapes, computer software or data, outlines, written assignments, or other materials; and
- (8) **Outside Course Work.** Failing to disclose to a professor the submission for credit of work that was wholly or substantially done outside the course for which credit is being sought.

C. Stealing. Stealing means knowingly taking any services or property of another without authorization or by fraud. Stealing includes, but is not limited to, taking, without authorization or by fraud, the following:

- (1) **Property.** Any personal property on School premises, or taking any Law School property on or off School premises;
- (2) **Work Product.** Briefs, books, notes, tapes, computer software or data, or outlines belonging to a School employee, faculty member or another student, on or off School premises;

(3) Mail. Any items from employee work stations or faculty mailboxes used by school employees, faculty members, or other students;

(4) Computer Time/Access. School computer time, computer software, or computer access;

(5) Photocopy Services. School photocopy services; and

(6) Library Materials. School library materials.

D. Plagiarism. Plagiarism means knowingly presenting all or part of another's work as one's own, either for credit or for publication. Plagiarism includes, but is not limited to, the following:

(1) Verbatim presentation. Verbatim presentation of another's work without acknowledgment;

(2) Paraphrasing. Paraphrasing or restating another's work without proper acknowledgment; and

(3) Partial acknowledgment. Partial but significantly incomplete acknowledgment of another's work.

E. Toleration.

(1) Failure to Report. Toleration means knowingly failing to promptly report, under Sections 3.01 and 3.02, a significant Law-School-related Honor Code violation, despite knowledge of facts establishing reasonable grounds to believe that a significant Law School-related Honor Code violation may have occurred. As used in this Code, "significant" means sufficient to raise a substantial question about the Respondent's honesty, trustworthiness, or fitness to practice law.

(2) Failure to Cooperate. Toleration also means knowingly failing to fully cooperate in a timely manner with lawful requests made by the Dean, the Dean's designee, the Honor Council, or the Office of Law School Advocate, in connection with any Honor Code proceedings. Neither this section, nor Sections 3.01, 3.02, 3.03, or 3.04 apply to confidential information that is protected by a legal privilege or disclosed to the Office of Student Assistance in any Honor Code proceedings.

Section H 2.02. Knowingly. As used in this Code, "knowingly" means voluntarily and with awareness that the act was taken or, in the case of failure to act, not taken.

CHAPTER 3 REPORTING SUSPECTED HONOR CODE VIOLATIONS

Section H 3.01. Circumstances Leading to Report.

A. Examination-Related Violations. A person, hereafter called the “Complainant”, who becomes aware of facts during an examination suggesting that a violation of the Honor Code, as defined in Section 2.01(A)-(E), may have occurred, must discharge the obligation to report the violation by reporting it to a proctor immediately, or at the first reasonable opportunity. A person who becomes aware of an examination-related violation after the conclusion of the examination must report the violation to the chief proctor on duty or to the Investigating Dean of the relevant campus at the first available opportunity. The Complainant must not approach or attempt to approach the Respondent.

B. Other Honor Code Violations. A non-examination Honor Code violation is any violation of the Honor Code that takes place outside of an examination setting. A Complainant who suspects a non-examination Honor Code violation may approach the Respondent and give the Respondent an opportunity to explain the circumstances surrounding the suspected violation. If no explanation is given, or if despite the explanation, reasonable grounds still exist to believe that a violation may have occurred, the Complainant must promptly report the suspected violation to the Investigating Dean of the relevant campus.

Section H 3.02. Self-Reporting. If a Respondent self-reports to the Investigating Dean, the Investigating Dean may consider that as a mitigating circumstance in determining the appropriate sanction to be imposed.

Section H 3.03. Contents of Report. The report (hereinafter the “Report”) to the Investigating Dean must include a full written description of the suspected violation, including the place and the approximate date and time it occurred. The Report must also include the name of the Respondent or, if the Respondent’s name is not known, all relevant identifying information. The Report must be signed by the Complainant, although it can first be emailed to the Investigating Dean at conduct@cooley.edu.

Section H 3.04. Faculty, Staff Reporting Responsibility. Any dean, professor, visiting professor, adjunct professor, instructor, staff member, or employee who has reasonable grounds to believe that a Law School-related Honor Code violation may have occurred must promptly report it under the procedures described in Sections 3.01. This reporting requirement does not apply to information disclosed in confidence by a student making a good faith effort to ascertain his or her responsibilities under this Code. Any professor, visiting professor, adjunct professor, instructor, or student who reports a suspected violation is disqualified from serving in any capacity other than that of a witness in connection with the case in which the report is filed. A professor, visiting professor, adjunct professor, instructor, or employee must not individually resolve or attempt to resolve cases of suspected violations.

CHAPTER 4 INVESTIGATING SUSPECTED VIOLATIONS

Section H 4.01. Preliminary Review. The Investigating Dean at the relevant campus of the Law School must promptly review every Report of a suspected Law School-related Honor

Code violation and determine whether the Report has sufficient merit to warrant further action, as defined in Sections 4.02 and 4.03.

Section H 4.02. Insufficient Merit to Support. If, after review, the Investigating Dean determines that a Report lacks sufficient merit, the Investigating Dean may notify the person who made the Report, in writing, that it lacks sufficient merit to warrant further action. The Investigating Dean may send a copy of the notification to the Respondent, if appropriate. The Investigating Dean may send a letter to the Respondent advising the Respondent that the Report lacks sufficient merit to warrant further action and that any intimidation or harassment of the person who made the Report is grounds for instituting separate proceedings under the School's Disciplinary Procedures. The Investigating Dean may reopen an investigation within the statute of limitations period, defined in Chapter 1, but only if new evidence indicates that further investigation is appropriate. As used in this section, the phrase "sufficient merit" means that the Report is credibly based on law or fact.

Section H 4.03. Sufficient Merit to Support. If the Investigating Dean determines that a Report has sufficient merit, the Investigating Dean must serve, as provided in Chapter 1, a copy of the Report on the Respondent within 15 working days of making that determination. The Investigating Dean's transmittal letter must notify the Respondent of the following:

A. Response. Within 15 working days after the date the Report is served, the Respondent must submit to the Investigating Dean a signed, written response fully and fairly disclosing all of the facts and circumstances surrounding the suspected violation of which he or she is aware and admitting any facts that are true. Any failure to admit, or denial of, truthful facts constitutes further violation of the Honor Code. There is no privilege against self-incrimination except as provided in Section 4.03B.

B. Privilege Against Self-Incrimination. The Respondent may assert the Fifth Amendment privilege against compelled self-incrimination if the information required could lead to criminal prosecution. Any assertion of the Fifth Amendment privilege must be made expressly. If the Respondent asserts the privilege, the Investigating Dean may refer the matter to the Honor Council for a hearing on the propriety of the claim of the privilege.

C. Harassment of Complainant. Any intimidation or harassment of the person who made the Report is grounds for instituting separate proceedings under the Law School's Disciplinary Procedures.

D. Student Assistance. The Office of Student Assistance is available to inform Respondents regarding Honor Code information and procedures. Information about that office is available on the School's portal.

Section H 4.04. Duty to Assist. The Respondent and all students have a duty to assist and cooperate with the Investigating Dean in the investigation of Honor Code violations and to fully disclose all facts relevant to a suspected violation, whether or not requested by the Investigating Dean.

Section H 4.05. Further Investigation. After the Respondent has filed a response, or the time for filing a response has expired, the Investigating Dean may conduct whatever further investigation the Investigating Dean deems appropriate. When the investigation is complete, the Investigating Dean must decide whether there are reasonable grounds to believe that an Honor Code violation has occurred.

Section H 4.06. Failure to Respond/Default. If the Respondent fails to respond within the time permitted, the Investigating Dean may default the Respondent under Chapter 6, and propose sanctions under Chapter 5. The failure to respond also constitutes “toleration” as defined in Chapter 2 and is itself considered an Honor Code violation, which could result in a default and the imposition of sanctions, including, but not limited to, suspension or dismissal from School.

Section H 4.07. No Reasonable Grounds Dismissal. If the Investigating Dean determines, under Section 4.05, that there are not reasonable grounds to believe that a violation has occurred or is ongoing, then the Investigating Dean must dismiss the Report and provide written notification to the Respondent of the dismissal. The Investigating Dean’s transmittal letter to the Respondent must advise the Respondent that any intimidation or harassment of the person who made the Report is grounds for instituting separate proceedings under the Law School’s Disciplinary Procedures.

Section H 4.08. Reasonable Grounds. If the Investigating Dean determines that there are reasonable grounds to believe that a violation has occurred or is ongoing, the Investigating Dean may, in the Investigating Dean’s sole discretion, pursue informal resolution of the matter under Chapter 5, or refer the matter to the Office of Law School Advocate for formal action under Chapter 6.

CHAPTER 5.00 INFORMAL RESOLUTION

Section H 5.01. Respondent’s Admission. The Investigating Dean may accept a Respondent’s admission that an Honor Code violation occurred or accept a plea of no contest. All admissions or pleas must be in writing and signed by the Respondent.

Section H 5.02. Statement of Mitigating Circumstances. After the Investigating Dean has accepted a Respondent’s admission or plea of no contest, the Respondent has ten working days from the date the Respondent is notified of the Investigating Dean’s acceptance, to submit to the Investigating Dean, in writing, any mitigating circumstances the Respondent believes should be considered in determining the appropriate sanction.

Section H 5.03. Sanctions. Appropriate sanctions may include, but are not limited to, one or more of the following: writing a personal code of ethical conduct; reprimand; public service; reduction of a grade if the professor who taught the course concurs; loss of library privileges; withdrawal of a scholarship; restitution; probation until graduation, with or without conditions; suspension for up to six terms, with or without conditions for readmission; notation on the Respondent’s transcript; permanent dismissal from the School; and recommendation to the Board of Directors that the Board permanently revoke a previously granted degree.

Section H 5.04. Notification and Imposition of Sanction/Reconsideration by Investigating Dean/Remand for Further Information.

A. Notification of Sanction. The Investigating Dean must notify the Honor Council in writing of the proposed sanction. The Investigating Dean's notification must include a copy of the Report, the response, a summary of the facts developed during the investigation, the Respondent's signed admission or plea, the Respondent's mitigation statement, if any, and a statement of reasons explaining the sanction the Investigating Dean intends to impose. Honor Council members, through the Honor Council Chairperson, may request additional information from the Investigating Dean prior to voting on the proposed sanction. The proposed sanction becomes effective unless, within ten working days after the date the notification is transmitted, a majority of the members of the Honor Council conclude that the Investigating Dean's proposed sanction is clearly erroneous or vote to remand for further factual development.

B. Reconsideration by Dean. Any Honor Council member who votes a sanction clearly erroneous must provide the Chairperson of the Honor Council with a written explanation of why the member believes that the proposed sanction is clearly erroneous and the mistake of fact or law that the Dean has made in proposing the sanction. If a majority of the members vote that a sanction is clearly erroneous, those explanations must be forwarded to the Investigating Dean. The vote of clearly erroneous by a majority of the members stays the case and requires the Investigating Dean to consider that information and propose a different sanction to the Honor Council within 15 working days of receiving the explanations.

C. Remand. A vote to remand by a majority of the Honor Council members stays the case and requires that further facts, or an explanation of attempts to gather further facts, be forwarded by the Investigating Dean to the Honor Council within 15 working days of the remand.

D. Reconsideration by Honor Council. After considering any additional information or any different sanction forwarded by the Investigating Dean, the Honor Council will reconsider the proposed sanction. Unless a majority of the members of the Honor Council conclude that the proposed sanction is clearly erroneous, the proposed sanction becomes effective. Sanctions that are found to be clearly erroneous after resubmission by the Investigating Dean, or after remand, are reviewed as provided in Sections 5.06 and 5.07 of this Code.

E. Imposition of Sanction. Absent a clearly erroneous finding, the Investigating Dean must notify the Respondent, in writing, of the sanction. If the sanction imposed is suspension, permanent dismissal from the Law School, or a recommendation that the School's Board of Directors revoke a previously granted degree, the Investigating Dean's transmittal letter must state that the Respondent has the right to request reconsideration of the sanction only, to the full Honor Council under Section 5.05. Reconsideration is limited to whether the sanction is clearly erroneous as defined in Section 5.07 and, if so, what the appropriate sanction should be.

Section H 5.05. Request for Reconsideration of Sanction. The Respondent may request reconsideration of the sanction imposed under Section 5.04 only if the sanction amounts to suspension, permanent dismissal, or a recommendation to the School's Board of Directors to revoke a previously granted degree. The request for reconsideration must be filed with the Chairperson of the Honor Council within ten working days after the Respondent receives the notification of sanction. Reconsideration of sanctions is governed by the sanctions procedures described in Chapter 6 and is reviewed by the full Honor Council. Sanctions that are imposed under Chapter 5 that do not amount to suspension, permanent dismissal, or a recommendation that the School's Board of Directors revoke a previously granted degree are neither appealable nor subject to a request for reconsideration.

Section H 5.06. Clearly Erroneous Sanction. On reconsideration of a sanction by the Honor Council after resubmission to the Investigating Dean or on the Respondent's motion for reconsideration, if a majority of the members of the Honor Council conclude that a proposed sanction is clearly erroneous, proceedings to determine the appropriate sanction must be held, as follows:

A. Proposed Sanction Less Than Suspension, Permanent Dismissal or Recommended Revocation of Previously Granted Degree. Where the Investigating Dean's proposed sanction does not involve suspension, permanent dismissal, or a recommendation that the School's Board of Directors revoke a previously granted degree, a hearing panel pursuant to Section 1.07 of the Honor Code must be appointed to determine the appropriate sanction under the sanctions procedures described in Chapter 6. The hearing panel may impose any sanction(s) authorized by this Code. Any sanction that does not involve suspension, permanent dismissal, or a recommendation that the School's Board revoke a previously granted degree is final and no appeal is allowed.

A sanction of suspension, permanent dismissal from the School, or recommended revocation of a previously granted degree imposed by a hearing panel is appealable to the full Honor Council. Whenever there is a right to appeal to the full Honor Council the transmittal letter must inform the Respondent of the right to appeal the panel's determination of violation or sanction under Chapter 7.

B. Proposed Sanction of Suspension, Permanent Dismissal, or Recommended Revocation of a Previously Granted Degree. Where the Investigating Dean's proposed sanction is suspension, permanent dismissal, or the recommendation that the School's Board of Directors revoke a previously granted degree, the full Honor Council will convene a hearing for determination of appropriate sanction under the sanctions procedures described in Chapter 6. The Honor Council may impose any sanction(s) authorized by this Code. Any sanction imposed by the full Honor Council is final and no appeal is allowed.

C. Role of the Office of Law School Advocate. A faculty member of the Office of Law School Advocate, appointed by the Director of the Office of Law School Advocate, must represent the interests of the School, as determined by the Investigating Dean, in the sanction proceedings.

Section H 5.07. Clearly Erroneous. For all purposes under the Honor Code, “clearly erroneous” means that the reviewing person has a definite and firm conviction that a mistake of law or fact has been made. Any Honor Council member voting that a sanction is clearly erroneous must include with the vote a written explanation of the mistake of law or fact that has been made.

Section H 5.08. Record of Proceedings. All written documentation previously considered by the Honor Council constitutes the record for review of sanctions. In addition, the Respondent and the School may each present one additional written statement regarding the propriety of the original sanction.

CHAPTER 6 FORMAL ACTION PROCEDURES

Section H 6.01. Rules applicable. Chapter 6 of the Code governs all matters referred to the Office of Law School Advocate for formal action, and all hearings and related proceedings before the Honor Council. Except as directed by the Chief Presiding Officer of the panel hearing the case, formal Rules of Evidence do not apply to proceedings under Chapter 6 except as may be useful in evaluating the reliability of proffered testimony or exhibits. In hearings before the Honor Council, hearsay evidence is admissible and the Honor Council may admit and give probative effect to evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

Section H 6.02. Complaint. In any case referred to the Office of Law School Advocate for formal action under Section 4.08 of the Honor Code, the Office of Law School Advocate must prepare a written Complaint setting forth the facts of the alleged violation and the specific sections of the Code that are alleged to have been violated unless, after consultation with the Investigating Dean, the Law School Advocate pursues informal resolution or dismissal of the charge pursuant to Section 6.07. The Law School Advocate must file with the Honor Council Chairperson and initiate service of the Complaint in accordance with Chapter 1 of this Code within 15 working days after the referral from the Investigating Dean. The transmittal letter accompanying the Complaint must inform the Respondent of the role of the Law School Advocate in the proceedings and the member of the Law School Advocate responsible for pursuing the Complaint. The letter must also inform the Respondent that the Respondent must submit a signed written Answer to the Complaint to the Honor Council Chairperson and serve the Office of Law School Advocate, as provided in Chapter 1, within 15 working days after the date the Complaint is served on the Respondent. The letter must also inform the Respondent that a failure to respond within the time required is treated as a default under Section 6.05.

Section H 6.03. Privilege Against Self-Incrimination. The Respondent may assert the Fifth Amendment privilege against compelled self-incrimination if the information required could lead to criminal prosecution. Any assertion of the Fifth Amendment privilege must be made expressly. If the Respondent asserts the privilege, the Investigating Dean or the Office of Law School Advocate, as applicable, may refer the matter to the Honor Council for a hearing on the propriety of the claim of privilege.

Section H 6.04. Answer. Within 15 working days after the Complaint is served, the Respondent must file with the Honor Council Chairperson, and serve on the Law School

Advocate, a signed Answer admitting or denying the allegations in the Complaint, and fully and fairly disclosing all of the facts and circumstances surrounding the allegations in the Complaint, or asserting the grounds for failing to answer the allegations in the Complaint. Respondent's Answer must include the Respondent's mailing address, a valid telephone number, and an email address. Respondent may seek one extension of time to file an Answer from the Honor Council Chairperson.

Section H 6.05. Default. Failure to timely respond under Chapter 4, or to Answer or request an extension of time to file an Answer under Section 6.04, or failure to appear at or cooperate in a properly noticed hearing may result in a default of the Respondent and constitutes toleration, under Chapter 2 of this Honor Code, an additional Honor Code violation. The failure of the Respondent to appear or cooperate is relevant to the determination of sanction by the Honor Council. In the event of a default, the Honor Council may proceed with the administration of sanctions, including suspension, dismissal, and recommended revocation of a previously granted degree. For good cause, the Honor Council may set aside a default.

Section H 6.06. Failure to Appear and Give Evidence. A student who, without good cause, fails to appear and give evidence as requested by a party, is subject to a charge of an Honor Code violation.

Section H 6.07. Investigation. During the pendency of any formal action, the Office of Law School Advocate may further investigate as it deems appropriate, although, as provided in Section 1.07(B)(1), the hearing panel is required to hold a hearing on an Honor Code Complaint assigned to it within 25 working days after the date the Complaint is filed with the Honor Council, unless the hearing panel and Respondent stipulate to extending the time, and the Chairperson of the Honor Council agrees. The Investigating Dean may be requested to exercise the Investigating Dean's authority under Chapter 4 to provide the Office of Law School Advocate investigative, legal, or other assistance. After consultation with the Investigating Dean, the Office of Law School Advocate may dismiss a Complaint that has been filed, under the procedures for dismissing a Report described in Chapter 4, or may pursue informal resolution of the matter under the rules set forth in Chapter 5.

Section H 6.08. Referral for Hearing. Unless the matter is informally resolved or dismissed, a hearing on the Complaint must occur within 25 working days after the Complaint is filed with the Council. Upon receipt of a Complaint, the Chairperson of the Honor Council must then appoint a hearing panel and begin the process of scheduling the hearing at a time mutually convenient for all parties and the hearing panel members.

Section H 6.09. Prehearing Procedures.

A. Extensions. For good cause, the Honor Council Chairperson or the Chief Presiding Officer of the panel hearing the case may grant one extension of time per party for filing pleadings, and may grant one adjournment per party. Additional requests may be granted by the Honor Council Chairperson for good cause, giving due regard for the impact on the freshness of the evidence.

B. Disqualification. The Honor Council Chairperson must notify the Office of Law School Advocate and the Respondent of the names of the hearing panel members at least 15 working days before the date of the hearing. Either party may challenge any panel member hearing the case for cause, as defined in Michigan Court Rule MCR 2.003(B), or in the provisions below.

(1) Presumptive Conflict of Interest. A conflict of interest is presumed when a Respondent, or any witness in a matter before the hearing panel, has had substantial dealings with that panel member. “Substantial dealings” means relations that tend to bias or prejudice a panel member’s opinion. “Substantial dealings” may include a student’s current enrollment in a panel member’s class or the panel member acting as an advisor to the student. Where a conflict of interest exists, as defined in this section, the panel member is disqualified and may not participate in the matter.

(2) Disclosure of Grounds for Disqualification. Within five working days after a Hearing Panel has been appointed, each member of the panel assigned to the case must disclose in writing to the Honor Council Chairperson any information that the member believes could be grounds for disqualification under the guidelines of MCR 2.003(B). The duty to disclose is a continuing one. The Honor Council Chairperson must serve a copy of the disclosure, if any, on each party.

(3) Motion to Disqualify. Within five working days after being served with a copy of a written disclosure, either party may move to disqualify a member of the hearing panel. The Honor Council Chairperson must decide the motion under the guidelines of Michigan Court Rule 2.003. If the Honor Council Chairperson is the subject of the motion, then the Honor Council Vice Chairperson must decide the motion. Except for presumptive conflicts of interest under Section 6.09B(1), disqualification may be waived if all parties agree, in writing, after full disclosure.

(4) Alternate Panel Member. An alternate panel member must be appointed by the Chairperson of the Honor Council to replace a disqualified member. If all members are disqualified, then the Honor Council Chairperson must reassign the Complaint to an alternate hearing panel.

C. Discovery; Disclosure of Evidence and List of Witnesses. Pretrial or discovery proceedings are not permitted except that both parties must, no fewer than five working days before the scheduled hearing, disclose to the other party, in writing, any documentary evidence and a list of witnesses the party intends to call at the hearing. Any documentary evidence or witness not so supplied must be excluded from the hearing, except for good cause shown.

D. Prehearing Conference. The Chief Presiding Officer may order a prehearing conference to clarify stipulated facts, otherwise narrow the issues, or resolve any preliminary matters best determined before the hearing.

Section H 6.10. Hearing Date, Time, and Place; Notice. At least ten working days before the hearing, the Honor Council Chairperson must set the date, time, and place for the hearing and must serve notice of hearing on the parties and their attorneys of record.

Section H 6.11. Respondent's Appearance. The Respondent must personally appear at the hearing and is subject to cross-examination as an opposite party, under Section 600.2161 of the Michigan Compiled Laws. Failure to appear for the hearing constitutes a default as provided in Section 6.05 of this Code, even where an Answer was filed.

Section H 6.12. Hearing Procedures.

A. Conduct of Proceedings.

(1) Hearing Panel. All proceedings take place before a hearing panel established under Section 1.07, as applicable, or with the full Honor Council as prescribed in Chapter 5.

(2) Confidentiality. All hearings are closed to the public. Absent extenuating circumstances, the Complainant must personally appear and is subject to cross-examination.

(3) Sequestration of Witnesses. Upon motion of either party, or at the discretion of the Chief Presiding Officer of the panel hearing the case, witnesses may be sequestered until their testimony has been taken.

(4) Presentation of Proofs. The Law School Advocate is entitled to make an opening statement and present the evidence in support of the Complaint. The Respondent is entitled to make an opening statement at the conclusion of the Law School Advocate's opening statement or after the presentation of the Law School Advocate's proofs. Once the Law School Advocate rests, the Respondent may present evidence. Each party has the right to cross-examine the opponent's witnesses.

Either party may present rebuttal evidence when, in the discretion of the Chief Presiding Officer of the panel hearing the case, such evidence is relevant and will not unduly delay the proceedings. After all evidence has been presented, the parties may make closing arguments and the Law School Advocate may present a rebuttal.

(5) Evidence. Evidence includes physical evidence, in any form, including digital or electronic files, such as documents, photos, correspondence, including email correspondence and voicemail recordings, and testimony. Testimony must be taken under oath or affirmation. The oath or affirmation may be administered by any panel member or a court reporter. At the conclusion of the hearing, the Chief Presiding Officer must take custody of the exhibits.

(6) Continuances. If the proceeding cannot be completed within the time allotted, the hearing panel must continue the proceeding at the earliest practicable date and until the proceeding is concluded.

(7) Burden of Proof. The Law School Advocate must establish any alleged violation by a preponderance of the evidence.

B. Proposed Findings of Fact. At the close of proofs, the hearing panel may require the parties to submit written proposed findings of fact.

C. Ex Parte Communications. Except as to procedural matters, *ex parte* communication between any panel member and either party, the party's representative, or any witnesses or third persons, including faculty and staff, regarding the subject matter of the proceeding is prohibited.

Section H 6.13. Recording and Transcripts. Hearings before the Honor Council and hearing panels may, at the discretion of the Honor Council Chairperson, be recorded by a court reporter. If so recorded, either party or the hearing panel may request a transcript of the proceeding. The party or panel making the request must bear the cost of transcript preparation. If a hearing is not recorded by a court reporter, the Honor Council Chairperson must take reasonable steps to ensure that an audio recording of the hearing is created and made available to any party requesting it.

Section H 6.14. Decision; Subsequent Proceedings.

A. Decision. The hearing panel must issue a written decision containing the panel's findings of fact and conclusions of law no later than ten working days after the conclusion of the hearing or receipt of the transcript of the hearing, if one has been ordered by the hearing panel, whichever is later. The decision must be served on the Law School Advocate, the Respondent or the Respondent's representative, and the Investigating Dean.

B. Insufficient Evidence of Violation; Dismissal. Where a panel finds insufficient evidence to substantiate a violation, the panel must enter an Order dismissing the Complaint. All Orders issued under this section must advise the Respondent that any intimidation or harassment of the Complainant is grounds for instituting separate proceedings under the Law School's Disciplinary Procedures.

C. Finding of Violation. If the panel finds that a violation has occurred, the panel must notify the parties of the decision in accordance with Chapter 1.

D. Statements in Aggravation and Mitigation. If the panel finds that a violation has occurred, each party has ten working days from the date of the service of the decision to file with the Honor Council Chairperson and the opposing party, a written statement of aggravating or mitigating factors that the panel should consider in determining the appropriate sanction. The Honor Council Chairperson must serve any statements in aggravation or mitigation on the hearing panel and the Investigating Dean.

E. Sanctions Proceedings.

(1) Sanctions Hearing. After the time for filing the statements in aggravation or mitigation has expired, and before imposing any sanction, the hearing panel, or the full Honor Council on the hearing of a Chapter 5 motion for reconsideration of sanctions involving suspension, permanent dismissal, or recommended revocation of a previously granted degree, must hold a sanctions hearing. The Honor Council Chairperson must schedule the hearing and provide notice to the parties at least ten working days before the hearing. The Respondent and the Law School Advocate are entitled to a reasonable opportunity to personally address the panel or Council regarding sanctions. At the discretion of the Honor Council Chairperson, the proceeding may be recorded by a court reporter. If so recorded, either party or the hearing panel may request a transcript of the proceeding. The party or panel making the request must bear the cost of transcript preparation. If a hearing is not recorded by a court reporter, the Honor Council Chairperson must take reasonable steps to ensure that an audio recording of the hearing is created and made available to any party requesting it.

(2) Sanctions Order. Within five working days after the sanctions hearing, the panel must issue to the Honor Council Chairperson, or the Chairperson must issue on behalf of the full Honor Council, a written Sanctions Order. A majority vote of the hearing panel or Council is sufficient to impose any sanction authorized by this Code. The Honor Council Chairperson must serve a copy of the Sanctions Order on the parties, the Investigating Dean, and the Law School Advocate. If the sanction imposed by a hearing panel is suspension, permanent dismissal from the School, or recommended revocation of a previously granted degree, then the panel's transmittal letter must inform the Respondent of the right to appeal the hearing panel's determination of violation or sanction under Chapter 7. There is no appeal of a sanction imposed by the full Honor Council.

F. Sanctions. Appropriate sanctions may include, but are not limited to, any one or more of the following: public service; reprimand; writing a personal code of ethical conduct; reduction of a grade if the professor or instructor who taught the course concurs; loss of library privileges; withdrawal of a scholarship; restitution; probation until graduation, with or without conditions; suspension for up to six terms, with or without conditions for readmission; notation on the Respondent's transcript; permanent dismissal from the School; and recommendation that the School Board of Directors permanently revoke a previously granted degree.

Section H 6.15. Enforcement of Sanctions Order. If the Respondent or the Office of Law School Advocate files a timely appeal, enforcement of the Sanctions Order is stayed pending the outcome of the appeal. If no timely appeal is filed, then the Investigating Dean must take the necessary steps to enforce the Sanctions Order.

CHAPTER 7 APPEALS

Section H 7.01. Appeal by Right.

A. Appeal by Respondent.

(1) Informal Resolution. Cases resolved by way of informal resolution under Chapter 5 are not appealable by right or by leave.

(2) Formal Action. In any case resolved by way of formal action under Chapter 6 in which the sanction of suspension, permanent dismissal, or recommended revocation of a previously granted degree has been imposed by a hearing panel, the Respondent has an appeal of right of the finding that a violation occurred and of the sanction imposed. The appeal is to the full Honor Council.

B. Appeal by Law School Advocate. In any case resolved by way of formal action under Chapter 6 in which insufficient evidence of a violation is found, or a sanction less than suspension, permanent dismissal, or recommended revocation of a previously granted degree is imposed, the Office of Law School Advocate has an appeal by right from the hearing panel's Order to the full Honor Council.

C. Filing of Appeal. The person making the appeal (hereinafter the "Appellant") must commence an appeal by right within ten working days from the date the Order was served. An appeal is commenced by filing a notice of appeal with the Honor Council Chairperson. A party who fails to file a timely notice of appeal waives the right to appeal.

Section H 7.02. Appeal by Leave. In any case that is not appealable by right under Section 7.01, or in any case that was appealable by right but for which no timely notice of appeal was filed, either party may file an application for leave to appeal with the Honor Council listing the reasons why leave should be granted. The application must be filed with the Honor Council Chairperson no later than twenty working days from the date the hearing panel's Order was served. The Honor Council Chairperson must serve a copy of the application on the Investigating Dean, the members of the Honor Council, and the opposing party in accordance with Chapter 1. The opposing party then has ten working days from the date of service to respond. Leave is granted only in extraordinary circumstances when the failure to grant leave would cause material and substantial injustice. If the Honor Council grants leave, the appeal proceeds according to the procedures for appeals by right. Leave to appeal may be granted or denied by order without opinion or oral argument.

Section H 7.03. Record on Appeal. Upon the filing of a notice of appeal, the Honor Council Chairperson must order a transcript of the proceedings, paid for by the appealing party or parties. The record on appeal consists of the transcript, if any, all written documents that may have been provided to the Honor Council by the Investigating Dean under the notification of sanction in Chapter 5, the transcript, all exhibits, and all the written documents previously filed or served under this Code.

Section H 7.04. Service of Record on Appeal. The Honor Council Chairperson must serve on the parties a copy of the record for the appeal.

Section H 7.05. Briefs. The Appellant must file a written brief with the Honor Council Chairperson and serve the opposing party (hereinafter the “Appellee”) in accordance with Chapter 1, within 15 working days from the date the transcript is served, or if there is no transcript, from the date the notice of appeal is filed. The Honor Council Chairperson must serve a copy of any brief filed on the Investigating Dean and the members of the Honor Council. The Appellee must file a written response with the Honor Council Chairperson within 15 working days of receipt of the Appellant’s brief. The Appellee must serve the Appellant with a copy of the Response in accordance with Chapter 1. The Honor Council Chairperson must serve the Response on the Investigating Dean, and the members of the Honor Council. For good cause shown, the Honor Council Chairperson may grant one extension of time per party for filing briefs.

Section H 7.06. Procedure on Appeal. Appeals are to the full Honor Council. Appeals are confined to the original record below. Oral arguments are limited to 30 minutes per side. Where the resolution of an issue depends on the credibility of witnesses, the Honor Council must give the decision or Order being appealed substantial deference. The Honor Council must not reverse a panel decision that an Honor Code violation occurred or modify the sanction imposed unless a majority of the members conclude that the decision or sanction is clearly erroneous. If the Honor Council concludes that the sanction imposed by the panel is clearly erroneous, it may impose any sanction authorized by this Code.

Section H 7.07. Decision on Appeal. The Honor Council must issue a written opinion fully explaining its decision, including the mistake of fact or law that was made by the panel, if the panel’s decision is found to be clearly erroneous, in all appeals by right and all appeals by leave in which leave is granted. The Honor Council Chairperson must serve copies of the Honor Council’s opinions and orders on the original hearing panel Chief Presiding Officer, the parties, and the Investigating Dean.

Section H 7.08. Final Judgment. All Honor Council decisions on appeal are final. No decisions or orders in individual cases may be appealed to the Law School President, the Dean of the Law School, or the School’s Board of Directors.

CHAPTER 8.00 STUDENT RECORDS AND CONFIDENTIALITY

Section H 8.01. Confidentiality of Records. Except as provided in Section 8.04, the Honor Council must maintain records of all cases in which a Report has been filed for six years from the date the Report was filed. Except as otherwise provided in this Code, all Honor Code records, information, and proceedings are strictly confidential. This confidentiality requirement extends to the Office of Student Assistance, the Office of Law School Advocate, the Honor Council, the Investigating Dean or the Dean’s designee, the reporting student, the Respondent, all potential witnesses, and all Law School employees having knowledge of or access to those records, information, or proceedings. Any breach of confidentiality by a student must be referred to the Investigating Dean for possible disciplinary action.

Section H 8.02. Publication of Decisions. The Honor Council must conspicuously publish summaries of all cases that result in an admission, a plea of no contest, or a finding that an Honor Code violation occurred. The summaries must include the sanction imposed, but must not identify the reporting student, the Respondent, or any other person involved in the case. The Honor Council must periodically bind the summaries, and copies of the bound summaries must be kept in the library at each campus for reference purposes.

Section H 8.03. Inclusion of Violation Record in Student File. In any case in which there is an admission, a plea of no contest, or a finding that an Honor Code violation occurred, a summary of the case, including the sanction imposed, must be made a permanent part of the Respondent's student file. If any other law school or bar association to which the Respondent has applied for admission requests information about the Respondent, a copy of the summary and any other information the Investigating Dean believes appropriate must be included in the Law School's response. The Dean may disclose the information, even in the absence of a request, and may disclose the information to other outside entities when appropriate. All disclosures under this section must be made in accordance with any applicable state or federal limitations on the disclosure of student education records.

Section H 8.04. Record of Dismissal. In any case in which there is no admission, plea of no contest, or finding that an Honor Code violation occurred, no record of any Honor Code proceedings is included in the student's file or transmitted to any outside entity. Three years after the student graduates, the Honor Council may destroy all records relating to the case.

APPENDIX I

DISCIPLINARY PROCEDURES

Section I 1.01 Disciplinary Procedures Definitions. As used in these procedures,

A. "Board" means the Discipline Board;

B. "Complainant" means the person filing the report of suspected Misconduct.

C. "Complaint" means the formal charge prepared by the Law School Advocate and filed with the Board;

D. "Dean" means the Dean of the School;

E. "Discipline" means any form of sanction imposed by the Board upon a Student, including permanent dismissal from the School;

F. "Investigation" means fact finding under the Dean's direction on alleged Misconduct;

G. "Investigator" means a person designated by the Dean to investigate alleged Misconduct;

H. "Law School Advocate" means a person designated by the Dean to prosecute charges before the Board;

I. "Misconduct" means conduct in violation of moral standards and such other conduct as the Dean may direct to the Board;

J. "Request for Investigation" is a written report of alleged Misconduct that the Dean serves on a Student pursuant to Section I 1.04(B)(3);

K. "School" means Thomas M. Cooley Law School, a Michigan nonprofit corporation doing business as Western Michigan University Thomas M. Cooley Law School;

L. "Student" means a student named in a report of Misconduct, a Request for Investigation, or a Complaint, who was enrolled in the School at the time of the Misconduct in question, regardless of his or her enrollment status at the time of the Investigation;

M. "Violation of moral standards" includes, but is not limited to:

(1) any conduct that evidences criminal tendency or moral turpitude;

(2) any other conduct that reflects negatively on the character and fitness of the Student to practice law.

Section I 1.02. Role of Dean. The Dean shall be the discipline administrator and have the following powers and duties:

A. Requests for Investigation. The Dean may help prepare Requests for Investigation;

B. Investigate. The Dean may investigate alleged Misconduct of Students, including serving a Request for Investigation in his or her own name if necessary;

C. Other Duties. The Dean may perform other duties provided in these procedures or assigned by the Board;

D. Assistance. The Dean may employ or retain legal counsel, Investigators, and staff to investigate under these procedures;

E. Delegation. The Dean may delegate the Dean's duties and powers to an assistant or associate dean; and

F. Summary Suspension. The Dean may summarily suspend, and ban from all School property, any Student for Misconduct when, in the Dean's judgment, that Student presents a threat to the safety of other students, staff, or faculty of the School or when the Student's continued presence would disrupt the ordinary business of the School. The procedures provided in these procedures shall otherwise apply following summary suspension.

Section I 1.03. The Discipline Board.

A. Authority. The Board is the adjudicative arm of the School charged with the responsibility of disciplining Students, except for those matters disposed of pursuant to the Honor Code.

B. Composition. The Board consists of three full-time faculty members appointed by the Dean.

C. Powers and Duties.

(1) **Hearings.** The Board will hold hearings on Complaints assigned to it pursuant to Section I 1.07.

(2) **Other Duties.** The Board will perform other duties provided in these procedures or as directed by the Dean.

Section I 1.04 Reporting Suspected Misconduct. The Dean will accept a report from a Complainant who alleges Misconduct against a Student.

A. Form of Report. A report of alleged Misconduct must be in writing, describe the alleged Misconduct, including the approximate time and place of it, be signed by the Complainant, and be filed with the Dean.

B. Handling by Dean. After making a preliminary review, the Dean shall:

(1) notify the Complainant that the allegations of the report are inadequate, incomplete, or insufficient to warrant further attention;

(2) dismiss the report; or

(3) serve a Request for Investigation on the Student. Service of the Request for Investigation will be accomplished by certified mail, return receipt requested, or its equivalent, or by personal delivery, and if those fail, then by email and first class mail, to the Student's last known address and email address. A Student's last known address is the address on file with the Registrar's office, and a Student's email address is the WMU-Cooley email address on file with the Registrar's office. Service is complete as of the date on the Proof of Service, in the case of personal service, or the date the return receipt is signed in the case of service by certified mail or its equivalent. Service by mail is complete at the time of mailing. Mailing means enclosing it in a sealed envelope with first class postage fully prepaid, addressed to the Student, and depositing the envelope and its contents in the United States mail. Service by email is complete upon sending.

Section I 1.05 Reply by Student. Within 48 hours after a Request for Investigation is served on him or her, the Student shall fully and fairly disclose to the Dean, in writing with his or her signature, all the facts and circumstances pertaining to his or her alleged Misconduct. The Dean may allow further time to reply. Misrepresentation in the reply is grounds for Discipline. The failure of a Student to reply within the time permitted is Misconduct.

Section I 1.06. Action by Dean after Reply. After the Student's reply is filed or the time for filing expires, the Dean may further investigate. When Investigation is complete, the Dean shall do one of the following

A. Dismiss. The Dean may dismiss the report;

B. Agree to Sanctions. The Dean may agree to sanctions with the Student; or

C. Refer to Law School Advocate. The Dean may refer the Request for Investigation, and the reply, to the Law School Advocate for initiation of action before the Board. The Law School Advocate shall have the same powers as the Dean under § I 1.02 A-D and F.

The Dean shall report to the Student the final disposition of every Request for Investigation.

Section I 1.07. Discipline Board Procedure. A Complaint filed by the Law School Advocate setting forth the facts of the alleged Misconduct begins proceedings before the Board.

A. Complaint. The Law School Advocate shall prepare the Complaint, file it with the Board, and serve it on the Student. The unwillingness of a Complainant to prosecute does not itself affect the right of the Law School Advocate to proceed.

B. Service. Service of the Complaint, the Student's answer, the notice of the hearing, and any decision and order of Discipline shall be made in the same manner as provided in Section I 1.04(B)(3).

C. Answer. Within ten days after the Complaint is served on him or her, the Student shall file a signed answer with the Board and serve a copy on the Law School Advocate.

D. Default. A Student who fails within the time permitted to file an answer admitting, denying, or explaining the Complaint, or asserting the grounds for failing to do so, or who fails to continue communicating or cooperating in a pending Investigation, may be defaulted, which default constitutes Misconduct.

E. Representation by Counsel. The Student may be represented by counsel. Counsel shall enter an appearance with the Law School Advocate and the Board.

F. Hearing Time and Place; Notice. The Chair of the Board shall set the time and place for a hearing. The Board shall hold a hearing on a Complaint within thirty days after the date the Student's answer is filed with the Board, unless the Board, the Student, and the Law School Advocate stipulate to extending the time. Notice of a hearing must be served on the Student and the Law School Advocate at least ten days before the hearing.

G. Student's Appearance. The Student shall personally appear at the hearing. The Student is subject to cross-examination unless the Student asserts his or her Fifth Amendment privilege against self-incrimination. However the Board may consider the Student's refusal to testify in any manner it sees fit.

H. Hearings.

(1) Testimony and Evidence. The Board may cause testimony to be taken under oath. The Board shall use the evidentiary standards found in the Michigan Administrative Procedures Act. At the hearing, the Student may offer any relevant evidence, including evidence of mitigating circumstances to rebut the charge of Misconduct or the presumption of permanent dismissal set forth in Section I 1.07(H)(7)(C).

(2) Closed Hearings. Only the Student, the Student's legal representative(s), the Investigator, the Law School Advocate, the members of the Board, and witnesses who may testify are permitted to attend the hearing.

(3) Time for Conclusion. A hearing must be concluded within ten days after it is begun, unless the Board grants an extension for good cause shown;

(4) Findings. The Board will receive evidence and make written findings of facts;

(5) Decisions. The Board will make its decision regarding the alleged Misconduct by the Student or dismiss the Complaint;

(6) Impose Sanctions. The Board will impose sanctions upon Students guilty of Misconduct. Sanctions the Board may impose include administrative probation (with or without conditions), suspension, dismissal from the School, and banning Students from School property;

(7) Decision. The Board shall make its decision within 15 days of the conclusion of the hearing.

a. No Misconduct. If the Board finds that the charge of Misconduct is not established by a preponderance of the evidence, it must enter an order dismissing the Complaint.

b. Misconduct. If the Board finds that the charge of Misconduct is established by a preponderance of the evidence, it must enter an order of Discipline to take effect five days after it is served on the Student unless the Board finds good cause for the order to take effect earlier.

c. Presumed Misconduct / Permanent Dismissal. There shall be a rebuttable presumption that, if the charge of Misconduct is established, the appropriate order of Discipline is permanent dismissal from the School.

d. Decision and Order. The decision and order must be signed by the Board Chair and filed with the Board and the Dean. A copy must be served on the parties; and

(8) Report. The Board will report its actions to the Dean within 15 days of the conclusion of a hearing; and

Section I 1.08. Enforcement. The Dean shall take the necessary steps to enforce a Discipline order after it is effective.

Section I 1.09. Graduating Students. In the case of a Student who has filed a graduation request form, the Board may shorten the time periods herein.

Section I 1.10. Graduated Students. In the case of a graduated Student bar applicant who has not yet been licensed as an attorney but who is alleged to have engaged in Misconduct while enrolled as a Student, the provisions of Sections I 1.04 through I 1.08 shall apply. If the Board finds that such a graduated Student engaged in Misconduct while a Student, the Board shall report its findings to the appropriate bar applicant disciplinary body.

Section I 1.11. Jurisdiction. These procedures supersede all previous policies and procedures dealing with Student conduct reflecting on character and fitness to practice law and, along with the Honor Code, are the exclusive policy for dealing with these violations. They apply to all Misconduct, as defined in these procedures, committed by enrolled Students, including violations committed while a Student, but not discovered until after graduation. The Dean of the Law School, Investigators, the Board, and the Office of Law School Advocate have the exclusive power and responsibility for taking all action in connection with or relating to suspected violations, except for the revocation of a previously granted degree, which is within the exclusive authority of the Board of Directors of the School. These procedures do not apply to conduct committed before a Student matriculated at the Law School, the review of which is done by the Admissions Committee. All other student misconduct not covered by these procedures is governed by the School's Honor Code, Substance Abuse Policy, and other student-conduct-related policies contained in the Student Policy Manual.

APPENDIX J

STUDENT COMPLAINT POLICY

Student Complaints. Students who have a complaint should submit it in writing to the Associate Dean of Planning, Assessment, and Accreditation Office located on the 8th floor of the Cooley Center.

A student may use this policy to contest any decision made by a member of the staff or faculty at the Law School, except when a specific review process or remedy is provided regarding the decision.

Standing to complain about a decision made by a staff or faculty member is limited to students directly, adversely, and substantially affected by the decision. Standing to complain about School policies is limited to those to whom the policy has been applied. A student is someone who is currently enrolled full-or part-time.

Decisions that have an alternate appeal process for review are not subject to this policy. This includes:

- (1) a student wishing to challenge the grade assigned by a professor in a course shall follow the Grade Appeals policy;
- (2) a student believing he or she is the victim of sexual or any other form of harassment shall follow the Sexual and Other Forms of Harassment Policy;
- (3) a student appealing an Honor Council decision shall follow the Honor Code appeal process;
- (4) a student appealing dismissal for excessive absences shall follow the attendance appeal process.

The following decisions are not subject to review: (1) decisions which challenge the validity or wisdom of a policy (except with respect to the Law School's disability related policies), rather than its application to the student, (2) decisions which apply to all similarly-situated students, such as the establishment of financial aid living expense standards, (3) employment-related decisions for student employees.

Informal resolution: All students are encouraged to first review the Student Policy Manual to acquaint themselves with the applicable policy. Students are then encouraged to discuss concerns or questions regarding application of current school policies with the appropriate school officials who apply those policies. This complaint procedure may be invoked when a satisfactory resolution has not been reached through informal means.

Procedure

1. Step One - Discussion with supervisor.

A student who wishes to contest a decision made by a member of the staff or faculty of the Law School that adversely and substantially affects the student may do so by completing and filing a student complaint form. Student Complaint forms may be downloaded here:
https://portal.cooley.edu/secure/content/common/_docs/policies/student_complaint_policy.pdf

The complainant shall fill out the Step One portion of the form. The student shall (1) identify the staff or faculty person who made the decision; (2) state the date on which the challenged decision was made; (3) provide a concise statement of the facts; (4) identify the grounds upon which the decision is challenged; and (5) describe the requested relief.

The student shall submit the form to the Campus Director or to the Associate Dean of Planning, Assessment, and Accreditation. That Director or Dean, or his or her delegee, may discuss the complaint informally with the student, then log the complaint if it falls within this policy. The office will forward the complaint to the supervisor of the person making the decision, which constitutes a request for an informal meeting between the Complainant and the supervisor. The supervisor will schedule a meeting with the complainant within one week unless the supervisor is unavailable during that time, in which case the meeting must be scheduled within one week of the day the supervisor becomes available. Following the in-person meeting, the supervisor will determine whether to deny the request or grant it in full or in part. The supervisor will document the decision on the complaint form, including a brief statement of the basis for the decision. If the basis of the supervisor's decision is that it is subject to an applicable policy, rule, procedure or requirement, the decision can identify the policy, rule, procedure, or requirement by reference. After entering the disposition of the complaint on the form, the supervisor shall return the completed complaint form to the student and send a copy to the Associate Dean of Planning, Assessment, and Accreditation.

A complaint may not be submitted until the business day following the day of the challenged decision and must be submitted within ten days of the date of the challenged decision. The decision shall be rendered by the supervisor within two business days after the meeting. In the absence or unavailability of the supervisor, the supervisor's supervisor may designate another person to conduct the Step One meeting and dispose of the complaint.

2. Step Two - Appeal. A student who wishes to challenge the disposition made pursuant to Step One may do so by completing the Step Two portion of the student complaint form. The complainant shall describe the basis for challenging the decision made by the supervisor and must include authority for student's position under an existing school policy, procedure, rule, or requirement or assert that the decision is clearly erroneous. The Step Two complaint must be submitted to the supervisor of the person who made the Step One decision.

A Step Two complaint may not be submitted until the business day following the day on which the Step One disposition was made. A Step Two complaint must be submitted within ten days of the date of the Step One disposition. The Step Two supervisor shall contact the complainant to schedule a meeting to discuss the complaint within one week of receiving the complaint. Disposition must be completed by the supervisor's supervisor within one week of the meeting. In the absence or unavailability of the supervisor's supervisor, the Associate Dean of

Planning, Assessment, and Accreditation may designate another person to conduct the Step Two review.

After entering the disposition of the complaint on the form, the supervisor shall return the completed complaint form to the student and send a copy to the Associate Dean of Planning, Assessment, and Accreditation.

3. Finality- Step Two decisions are final and not subject to review.

Decisions involving the School's Top Management Officials - If the original decision complained of was made by an Associate Dean or another official of comparable rank or above, the Step 1 complaint shall be filed with the School's Associate General Counsel. The Associate General Counsel will assign the complaint to another associate dean, who shall be selected at random. That person's decision is final and not subject to review.

Decisions in which a Top Management Official is the Step 1 or Step 2 Supervisor - If a top management official (Associate Dean level or above) is the supervisor to whom a complaint is appropriately submitted at any step in the process, the decision by that official is the final decision and not subject to review.

Record of Complaints: All complaints and their disposition become part of the complainant's student file and are available for review by the student and others in the same manner as other student records. A separate record of all student complaints and their disposition shall be maintained by the Associate Dean of Planning, Assessment, and Accreditation who shall prepare an annual report that will be available in the Brennan Law Library.

APPENDIX K

ELECTRONIC NETWORK AND COMPUTING RESOURCES ACCEPTABLE USE POLICY

A. General Statement

The Law School provides network and computing resources in support of its educational and public mission.

All parts of the system's hardware and software, e-mail accounts, and technology accounts, are owned by the Law School. Use of the system is governed by this acceptable use policy and by local, state, and federal law.

Part of the Law School's system is its wireless network for convenient Internet access. The Law School offers access to this network to its students, first-year alumni, alumni association members, employees, and guests and patrons who connect to various hotspots wired by the Law School. The Law School offers its wireless network as a service and does not guarantee uninterrupted service or specific rates of speed.

B. No Expectation of Privacy

By using the Law School's network, users are granting permission for authorized network administrators to monitor and intercept electronic communications.

Access that is necessary to render services or to protect the Law School's property is allowed under the Electronic Communications Privacy Act of 1986 (ECPA). To protect the integrity of the Law School's network against unauthorized or improper use, and to protect authorized users from the effects of unauthorized or improper use of the network, the Law School reserves the right to:

- limit or restrict any use,
- inspect, copy, remove or otherwise alter any data, file, or system resources that may undermine the authorized use of the network, and
- periodically check the network and perform any other administrative functions necessary to protect and maintain it.

E-mail and electronic chat on the Law School's network should not in any way be considered to be private. Although the Law School does not monitor personal communications on a regular basis, it may access a user's e-mail or other electronic account under various circumstances, which can include but are not limited to:

- the Law School needs to monitor network performance,

- the Law School needs to resolve a technical problem,
- an account holder is leaving the Law School,
- an account holder is irresponsible in his or her use of the system, or
- the Law School is investigating a violation of law, the Honor Code, or other policy.

These monitoring activities may occur with or without notice to the user.

C. Security, Passwords, Exclusivity, and Account-Holder Responsibility

Access to the Law School's network and computing resources is granted through individual e-mail accounts assigned to each employee and student for the purpose of conducting Law School business.

This e-mail account is password protected. It is the only e-mail account by which Law School business will be conducted with the account holder.

The Law School portal is accessed with the same user identification and password as used with the e-mail system. Log in to the portal at <https://portal.cooley.edu>.

Activity undertaken on the network through an individual account will be attributed to the account holder, and violations of policy that can be traced to an individual account will be treated as the holder's responsibility. Do NOT share your username and password with anyone.

Account holders will be required to change their password periodically to help maintain security and integrity.

D. Guidelines for E-mail Use

It is strongly encouraged to use the Law School e-mail account solely for Law School business. A personal e-mail account should be used for personal business.

Only Law School employees may use any e-mail list and use is restricted to the business of the Law School. Students may not use these lists.

Matters such as event announcements and job opportunities are posted to the website and the campus Dynasigns as appropriate. Those matters and other matters such as items for sale and housing opportunities may not be sent by individuals or student organizations to the Law School's e-mail lists.

E. Support Services

The Law School provides network technical support for students and employees.

1. For Students

Contact the Student Tech Helpdesk:

Call (517) 371-5140 or your local campus number, ext. 3300.
E-mail to StudentTechHelp@cooley.edu.

Assistance is available 9:00 a.m. to 10:00 p.m. on Mondays through Fridays, and 8:30 a.m. to 9:00 p.m. on Saturdays and Sundays.

2. For Employees

Contact the IT Helpdesk:

Call (517) 371-5140, ext. 2100
E-mail to Helpdesk@cooley.edu.

Assistance is available 8:00 a.m. to 5:30 p.m. on Mondays through Fridays. After hours outages can be reported by calling 517-371-5140 x 2100 and selecting option 1.

F. Computer Labs

Computer labs are available for student and alumni use on all Law School campuses. Priority use of lab computers is for academic rather than recreational purposes. Please observe the following guidelines when using the computer labs:

- Computer lab hours coincide with building hours.
- Smoking, food, and beverages are not permitted in the computer labs.
- Users may not alter the software or hardware configuration of equipment in the labs.
- Always log off from the network before leaving the computer. Users are responsible for the safety, use, and activity originating from their accounts.
- An unattended login does not give another user the right to access or alter any information under that account user name. Students who need to use a computer that appears to be logged in are ethically obligated to log the previous user off.
- Be respectful of fellow students by keeping conversations to a minimum and taking phone calls in the hallway.
- Access to the computer labs is limited to currently enrolled students and alumni.
- Users cannot store their files on the lab computers. File storage is available through the user's Google Docs account.

- Direct dial phones are located in each lab to reach the Student Tech Helpdesk for assistance.
- Do not leave personal belongings unattended.

G. Printing Charges for Students

At the beginning of each semester, each student enrolled at a campus that provides student printing access is given 500 pages of free printing. Upon exceeding that allocation, the student will be charged \$.08 per page. Print charges apply to print jobs sent from lab computers as well as wireless print jobs sent from a student's personal wireless device.

- Printers are set to duplex print by default, minimizing the number of pages printed for each job.
- Print job information displays on the print release station prior to job release, allowing students to make decisions about the cost of each job.
- The 500-page allocation includes allowances for pages which may print imperfectly. Print credits will not be issued for jobs which do not print as the user anticipates.
- Students will receive their allocation for the next semester on the first day of semester break.
- Students may neither roll over remaining credits to the next semester nor transfer credits to another student.

H. Computing Resource System Ethics and Prohibited Behavior

1. Shared Resource

The Law School's network and computing resources system is a core School resource. Because many individuals share in the use of the network, users are required to comply with this acceptable use policy, exercise responsible behavior, and respect the rights of others. By using the system, each user is subject to, and agrees to comply with, this policy.

Users must follow all existing federal and state laws and Law School regulations and policies, including not only those laws and regulations that are specific to computers and networks, but those that may apply generally to personal conduct.

To preserve the security and stability of the network for Law School-related business and ensure compliance with the law, the Law School routinely monitors wireless network traffic. Users found to exhibit behavior or characteristics of use that threatens the security or stability of the network or that violates law or policy will be denied access.

2. Responsibilities Particular to Wireless Network Users

- Users are responsible for ensuring they have the appropriate compliant wireless card and are running up-to-date antivirus software and an up-to-date operating system on their wireless devices.
- Users are responsible for all devices they connect through the Law School's wireless network.
- Users are responsible for securing their own wireless-equipped devices before making connections to the Law School's wireless network.
- Wireless technology is a shared resource. Therefore, the number of simultaneous users and the amount of their activity will directly affect speeds.
- Users may not run programs, processes, or servers in a way that may substantially degrade network performance or accessibility.

3. Prohibited Behavior

The following acts are prohibited and will be reported for investigation to the Associate Dean of Students and Professionalism, the Vice President of Operations and Finance, or the Law School's legal counsel to determine if there has been a violation of the Law School Honor Code, the Disciplinary Procedures, employment policies, or applicable law:

- Negligently or intentionally degrading or damaging, or attempting to degrade or damage (1) the performance of the Law School's network, (2) information not belonging to the user, or (3) any computing system available through the Internet.
- Penetrating or attempting to penetrate the security or configuration of the Law School's network or any system available through the Internet.
- Depriving or attempting to deprive other users of access to network or computing resources.
- Using the network to send unsolicited, commercial, offensive, obscene, annoying, intentionally damaging, or otherwise harassing communications as determined by the recipient of the message and the Law School.
- Using a Law School computer account or password belonging to another individual.
- Granting to another individual a user's account access for any reason.
- Negligently, intentionally, or without authorization accessing, altering, interfering with the operation of, damaging, or destroying all or part of the Law School's network and

computing resources, including any computer, computer system, network, computer program, or database.

- Failing to reasonably protect, or intentionally or knowingly giving or publishing, any password, identifying code, personal identification code, or other confidential information about a Law School computer or any part of the network.
- Storing, sending, or otherwise making available any material that contains viruses, Trojan horses, worms, corrupted files, or any other similar software that may damage the operation of a Law School computer, any part of the network, or a computer belonging to another person.
- Inspecting, modifying, or copying programs, data, or e-mail without authorization or in violation of copyright or other intellectual property laws.
- Presenting false or misleading information when being investigated for computer misuse under this policy.
- Presenting false or misleading information for the purpose of obtaining access to the system.
- Forging the identity of another person in an electronic communication.
- Violating the acceptable use policies of the external networks accessible from the Law School and the Internet.
- Failing to report to the Student Tech Helpdesk or the IT Helpdesk any violations of these policies as well as any flaw in, or the potential to bypass, the system's network security.
- Sending, forwarding, or perpetuating electronic chain letters or "mail bombs."
- Excessively using the network for recreational purposes.
- Promoting or furthering pornographic or inappropriate content.
- Using "peer to peer" file sharing systems.
- Downloading large files in a manner that impairs network resources.
- Illegally downloading copyrighted materials.
- Initiating a port scan of the system.
- Disrupting network services such as through a "Denial of Service" attack.

I. Disclaimers

The Law School is not liable for any damage, undesired resource use, or detrimental effects that may occur to the user's device and software while the user's device is connected to the Law School's network.

The user is responsible for any actions taken from his or her device, whether intentional or unintentional, that causes damage or otherwise affects other devices or users of the network.

The Law School disclaims any responsibility for loss of data or interference with files resulting from its efforts to maintain the privacy and security of its network. By using any part of the Law School's system, the user waives all claims for liability against the Law School for such loss or interference.

The Law School attempts to maintain an error-free hardware and software environment for its students and employees and to properly train its computing staff. Nevertheless, it is impossible to ensure that hardware or software errors will not occur, or that staff will always give correct advice. The Law School disclaims any warranty, either express or implied, for the services provided. Damage or loss resulting directly or indirectly from the use of the network is the sole responsibility of the user.

J. Notice Regarding Unauthorized Distribution of Copyrighted Materials

The unauthorized distribution of copyrighted material, including illegal downloading or peer-to-peer file sharing, is prohibited, is a copyright infringement, is a violation of Law School policy and law, and may subject the offender to student sanctions through the Law School's Honor Code, employee discipline through the Law School's Human Resources Department, and civil and criminal liability.

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act, 17 U.S.C. § 106. These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes copyright infringement.

Illegal downloading can jeopardize the user's career as a lawyer or employee. Both the Recording Industry Association of America (RIAA) and the Motion Picture Association of America (MPAA) have web sites that list legal alternatives to illegal peer-to-peer file sharing. For more information on legal alternatives, please visit the following sites:

RIAA site: <https://www.riaa.com/resources-learning/copyright-notice/>

MPAA site: <http://www.mpaa.org/contentprotection/get-movies-tv-shows>

Users who illegally download content or infringe on another's copyright can be subject to civil liability or criminal penalties. In general, anyone found liable for civil copyright infringement

may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 for work infringed. A court can also, in its discretion, assess costs and attorneys' fees. For details, see 17 U.S.C. §§ 504 and 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the website of the U.S. Copyright Office at www.copyright.gov, especially its FAQ's at www.copyright.gov/help/faq.

K. Violations and Sanctions:

Failure to comply with the requirements of this policy, or the unauthorized or illegitimate use of the Law School's network and computing resources system, may constitute a violation of Law School policy and the Law School's Honor Code or Disciplinary Procedures. Violators of this policy will be subject to review by the Associate Dean of Students and Professionalism, the Human Resources Department, or legal counsel for possible disciplinary or legal action. If investigation or monitoring activities reveal possible evidence of criminal activity, the Law School may refer that evidence to law enforcement officials.

This network is for the use of authorized users only. Individuals using it without authority, or in excess of their authority, are subject to having all of their activities on this network monitored and recorded by Law School personnel.

The Law School reserves the right to make revisions to this policy at any time. Continued usage of the Law School's wired or wireless network and systems indicates that the user understands and agrees to the terms and conditions of this policy.

7.3A Policy on Acceptable Use of Social Media, Outside Websites, and Weblogs for WMU-Cooley Business Purposes

A. General Statement

The Law School has invested heavily in developing its reputation, name recognition, public image, and brand. It is in the Law School's interest to preserve, protect, and advance these assets, and it is the duty of all employees to assist in that regard. This policy is intended to guide employees and their designees in their use of external social media, outside websites, blogs, and other electronic forums for Law School purposes. Together, these media are referred to in this policy as social media.

B. Use of Communications Channels

1. Responsibility to Disseminate Information

The responsibility to develop and disseminate information about the Law School rests principally with the Office of Communications.

2. Purpose of the Law School's Communications Platforms

The Law School has established the portal, the website, and the e-mail system as its primary means of electronic communications. To augment but not to replace them, WMU-Cooley uses social media to communicate, facilitate, and monitor the exchange of Law School information to and from students, alumni, faculty, staff, and the public.

The Law School's presence on social media is intended to serve its strategic goals by disseminating information and building a positive public perception of the School. That purpose is accomplished by creating engaging and positive social interaction that advances name recognition and awareness of the Law School's brand, thereby building the School's reputation with internal and external stakeholders, improving its public image, and creating goodwill.

3. The Office of Communications is Sole Source for Social Media

The Law School's presence on a social media site may be established only upon the approval of the Office of Communications and will be the School's sole presence on that site. No employee may establish a separate presence on any site in the School's name or in furtherance of School business. The Office of Communications will be the sole provider of marketing messages that may appear on any social media site and the sole authority to engage in any form of marketing or advertising on the Law School's behalf. This includes creating or implementing, for example, a Facebook live event or any other event or outreach that is hosted on Webex, or any other videoconference platform, or any other external site without explicit involvement and pre-approval from the Office of Communications.

4. Use of Trademarks, Logos, and Photography

The use of any Law School logo, trademark, or photography must be approved by the Office of Communications and is otherwise prohibited.

5. Posting of Content to Communications Platforms

Primary responsibility to post content rests with the Office of Communications and the employees it delegates to that purpose. The Office of Communications is also authorized to appoint one or more individuals within the Law School, upon the recommendation of an Associate Dean or Vice President, to serve as social media coordinators to monitor and provide content on the social media platforms authorized by the School.

Working under the direction of their respective Dean or Vice President, the social media coordinators will generate and recommend the content to be placed upon any of the School's social media platforms. The Office of Communications will review, and may approve, the recommendation, which may range from reviewing and approving each individual communication to granting limited or general approval to the site coordinator to issue content. Upon approval, the content may be placed in a manner prescribed by the Office of Communications.

All employees posting content to the Law School's communications platforms must abide by the policies and rules of the Law School regarding employee communications, including this Social Media policy, the Electronic Network and Computing Resources Acceptable Use Policy, the Visual Identity Guide, the Confidentiality Policy, and the Professionalism Plan. Employee communications through the Law School's platforms must be solely for Law School business, not for personal business, and must not have the effect of diminishing the value of, or the intended purpose for, the School's presence on social media.

6. Review of Use of Communications Platforms

The Office of Communications will monitor and periodically evaluate WMU-Cooley's presence on social media to determine compliance with this policy and the benefit to the Law School of its having a presence on those sites.

7. Resources for Employees

The Office of Communications is directed to serve as a resource to all WMU-Cooley employees regarding the content and use of any social media site for WMU-Cooley purposes.

APPENDIX L

FAMILY EDUCATION RIGHTS AND PRIVACY ACT (“FERPA”) POLICY, ANNUAL NOTIFICATION OF FERPA RIGHTS, AND DESIGNATION OF DIRECTORY INFORMATION

Section 1.00. Introduction.

A. General Information. This document sets forth the Law School’s FERPA Policy, Annual Notification of FERPA Rights, and Designation of Directory Information. A federal law known as the Family Educational Rights and Privacy Act, or “FERPA,” gives students enrolled at the Law School who are at least 18 years old or older certain rights regarding their education records that are maintained by the Law School.

B. Education Records Defined. “Education records” are defined to include any record maintained by the Law School that identifies and is directly related to the student.

Section 1.01. Basic Student FERPA Rights. A student’s FERPA rights include:

A. Reviewing and Inspecting Records. A student has the right to inspect and review his or her own education records. Any student who wishes to do so should submit to the Registrar a written request, via email, that identifies the record(s) the student wishes to inspect. The Registrar or his or her designee will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records that the student identifies are not maintained by the Registrar, the student will be advised of the correct official to whom the request should be addressed.

B. Time for Response and Fees. Unless exceptional circumstances make doing so impractical, the Law School will provide a student who has requested his or her records access to them, or a copy of the requested records, no later than 45 calendar days after receipt of the student’s request. A student who requests a copy of his or her records must pay a reasonable copy fee, as well as the cost of postage if copies are mailed to the student.

C. Request to Amend Records. A student has the right to request amendments to any of his or her education records that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

(1) Process. A student who wishes to ask the Law School to amend an education record should contact the Registrar via email, clearly identify the part of the record the student wants changed, and specify why it should be changed.

(2) Law School Response. If the Law School decides not to amend the record as requested, the student will be notified in writing of the decision and of the student’s right to a hearing, through the Law School’s Student Complaint Policy process, regarding the request for amendment. Additional information regarding the

complaint and hearing procedures will be provided to the student when he or she is notified of the right to a hearing.

D. Privacy/Consent to Disclosure. The Law School maintains the privacy of a student's education records as required by FERPA, and does not disclose any personally identifiable information about a student from his or her education records without the student's written consent, unless FERPA authorizes the Law School to make the disclosure without consent. Some of the situations in which the Law School may make disclosures without a student's consent are described in Section 1.02 below.

FERPA Consent to Disclosure form. A consent form authorizing the release of a student's personally identifiable information from education records is available through the "Forms" link on the Registrar's page under the Student Services tab on the portal.

E. Complaints. A student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the Law School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

1.02. Disclosure Without Student's Consent. The FERPA law and U.S. Department of Education regulations define the circumstances in which the Law School may disclose personally identifiable information from education records without a student's consent. While not all of the circumstances in which the Law School may do so are described here, the following are some of the most common situations in which the Law School may, in compliance with FERPA, release personally identifiable information from a student's education records without the student's prior consent:

A. Directory Information. FERPA permits the Law School to release, without a student's consent, certain types of information that the Law School designates as "directory information." "Directory information" is defined by FERPA as information contained in a student's education record "that would not generally be considered harmful or an invasion of privacy if disclosed."

The Law School has designated the following information about its students as "directory information":

- (1) a student's name
- (2) whether the student is enrolled, and at which campus
- (3) awards the student has received
- (4) photographic images of the student
- (5) whether the student has graduated and, if so, the date and degree granted.

The Law School may also release, at the time of graduation, information contained on the graduation information sheets completed by students who are graduating.

Opting Out of Directory Information Disclosure. Students who do not want the Law School to release “directory information” about them must complete and provide to the Registrar a “FERPA Directory Information Opt-Out” form, which is available through the “Forms” link on the Registrar’s page under the Student Services tab on the portal. Students may complete this form at any time, and it will remain in effect until cancelled, in writing, by the student.

While the Law School will honor any student’s “FERPA Directory Information Opt-Out” form and not publicly disclose directory information about that student, the following are additional situations in which FERPA allows the Law School to disclose personally identifiable information from a student’s education records without the student’s consent to specific parties in the specific situations defined by FERPA.

B. Subpoenas. The Law School may disclose personally identifiable information from a student’s education records in order to comply with a lawful subpoena or other valid legal process. The Law School will attempt to notify the student whose records are subject to the subpoena before responding to the subpoena so that the student has an opportunity to challenge the subpoena. In this notice, the Law School will advise the student of the date on which it intends to disclose the requested information to comply with the subpoena or other valid legal process. In this situation, it is up to the student to seek a legal order barring the disclosure.

C. Law School Officials with a “Legitimate Educational Interest.” The Law School may disclose education records without a student’s prior written consent to school officials within the Law School who have legitimate educational interests in the records.

(1) School Officials Defined. A “school official” is:

- a.** a person the Law School employs in an administrative, supervisory, academic, research, or support staff position (this may include an employee who is also a Law School student);
- b.** a person serving on the Law School’s Board of Directors;
- c.** a student serving on an official committee, such as the Honor Council or Office of Student Assistance;
- d.** a volunteer or contractor outside of the Law School who performs an institutional service or function for which the Law School would otherwise use its own employees and who is under the Law School’s direct control regarding the use and maintenance of personally identifiable information from education records (such as an attorney, auditor, or collection agent); or

- e. a student volunteering to assist another school official in performing his or her tasks.

(2) Legitimate Educational Interest Defined. A school official is deemed to have a “legitimate educational interest” in a student’s educational record if the information requested is necessary for that person to:

- a. perform appropriate tasks that are specified in his or her position description or by a contract agreement;
- b. perform a task related to a student’s education;
- c. perform a task related to student discipline at the school; or
- d. provide a service or benefit relating to the student, such as mentoring, advising, financial aid, or career or job placement services.

(3) Examples. The following are examples of common situations in which Law School officials will have a legitimate educational interest to review a student’s education records, including personally identifiable information from those records. This listing is not exhaustive—there may be other situations not described here where Law School officials will have a legitimate educational interest in reviewing personally identifiable information in a student’s educational records.

- a. Faculty who are engaging in mentoring, academic advising, and writing letters of recommendation for students;
- b. Deans and other administrators or employees working in areas such as financial aid administration and accounting, student records administration, mentoring, academic advising, career services and job placement, letters of recommendation, and investigation and resolution of disciplinary, Honor Code, or other complaints;
- c. Clinic staff conducting evaluation of applications for clinic placement;
- d. Outside contractors including financial auditors and outside legal counsel.

D. Officials at Another School. Upon request, the Law School may also disclose education records without a student’s consent to officials of another school where the student seeks or intends to enroll (such as by transferring).

E. Accrediting or Governmental Bodies. From time to time, the Law School may be required to disclose information from a student’s educational records to the American Bar Association or the Higher Learning Commission, its accrediting bodies, or to the U.S.

Department of Education, the Michigan Department of Licensing and Regulatory Affairs, or the Florida Commission on Independent Education, its regulating bodies. The Law School is not required to obtain a student's consent before disclosing information, including personally identifiable information, from student education records in these circumstances.

F. Other FERPA Exceptions. In addition to the circumstances described above, the Law School may release personally identifiable information from education records in any of the other circumstances permitted by FERPA and the U.S. Department of Education's regulations for FERPA. All of the exceptions in which disclosures from a student's education records are permitted without the student's consent are set forth in the FERPA regulations at 34 C.F.R. Part 99, Subpart D.

APPENDIX M

WMU-Thomas M. Cooley Law School: Laptop Specifications for 2020-2021

The specifications mentioned below are meant to help guide you as you seek to meet the new laptop requirement at the WMU-Thomas M. Cooley Law School. Bear in mind that we do not encourage the use of Chromebooks, as one of the key goals of Cooley requiring laptops is to prepare you to use the tools that you will actually be using out in your careers.

	Windows-based laptops	Apple MacBooks
Operating System	Windows 10 (NOTE: Windows 10 S and Windows 8.1 are not compatible with Exam4.0)	Macintosh OS 10.14 (Mojave) or higher
Productivity Tools	<p>Microsoft Office Utilize the features of Office 365 (Office 2016) – register with your Cooley account.</p> <ul style="list-style-type: none">Note: Your Cooley email will become your "Microsoft Account." The password for the Microsoft account will be the same as your Cooley network/Portal password.Use MS Word, Excel, and PowerPoint. Use OneDrive for file storage and file sharing. <p>Google Apps for Education Also, your Cooley account is a Google Apps for Education account that also gives you access to many different tools.</p> <ul style="list-style-type: none">Here you will find introductory information to many of the features, but be aware that not all the features mentioned will be available through your Cooley.edu account. Check out Gmail, Hangouts, Calendar, Drive, Docs, Sheets, Slides and Forms.Use Google Drive to back up all your important documents. Your Cooley account comes with unlimited storage for mail as well as documents.Google Drive File Stream is a desktop application that allows you to quickly access all of your Google Drive files on demand, directly from your computer without losing precious hard drive space. More info here.	
Memory	8+ GB RAM	8+ GB RAM
Hard Drive	250+ GB	250+ GB

Virus Protection Software <i>(recommended but not required)</i>	<p>Anti-Virus software is strongly recommended. Sophos Home is FREE antivirus software that works on both Macs and PCs. It's simple to install and use, offers great performance, and protects computers against malware, viruses, ransomware, and other cyber-threats. Download Sophos using the appropriate link: Sophos Home for Windows Sophos Home for MAC</p>
Other <i>(recommended but not required)</i>	<p>For file backup and retention, we strongly discourage the use of Flash Drives (for security reasons). Instead, we recommend that you take advantage of cloud-based storage options such as Google Drive, Microsoft OneDrive, DropBox, Box, etc. Extended life battery, laptop security cable, USB or wireless mouse. A Cat-6 Ethernet network cable is very useful for home usage.</p>