

**Monterey College of Law  
San Luis Obispo College of Law  
Empire College of Law  
Kern County College of Law**



**Student Handbook**

**2024-2025**

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## GENERAL INFORMATION

Monterey College of Law (MCL) is a community law school founded in 1972 by prominent local attorneys and judges and accredited by the State Bar of California since 1981. The non-profit's mission is to provide a quality legal education in a local community environment where graduates are dedicated to professional excellence, integrity, and community service. In 2015, MCL established a second campus in San Luis Obispo, the San Luis Obispo College of Law (SLOCL), with the first class graduating in 2019. MCL became the first law school to operate three separate campus locations when it opened Kern County College of Law (KCCL) in Bakersfield in 2017, with its inaugural class graduating in 2021. MCL established a fourth campus, Empire College of Law (ECL), in Santa Rosa in 2022.

MCL, SLOCL, KCCL, and ECL (The Law Schools) are state bar-accredited law schools that offer a part-time program of instruction for three law degrees: a 90-unit Doctor of Jurisprudence (J.D.) degree, a 36-unit Master of Legal Studies (M.L.S.) degree, and a 24-unit Master of Laws (LL.M.) degree. We also offer hybrid online J.D., MLS, and LL.M. degree programs that combine synchronous and asynchronous remote learning along with in-person curriculum and skills training activities.

The Law Schools offer serious, highly motivated students the opportunity to seek a career in law, change careers, reenter the workforce, or advance their current professional career by obtaining a legal education. Most of the students at The Law Schools work full-time while attending courses in the evenings. The current student body ranges from 20 to mid-60s, with an average age of 35. Through academic programs and support services, we work to develop relationships with students from traditionally underrepresented backgrounds. We will continue to foster and maintain a diverse and inclusive law school environment.

The Law Schools' students are trained in substantive law, legal analysis, and oral and written communication skills. The Law Schools are committed to maintaining high academic standards with small classes. Courses taught by practicing lawyers and judges emphasize training in legal skills and professional responsibility. Professors are knowledgeable in legal theory, as well as the process and techniques used in the practice of law. Small class sizes, active classroom exchange, and accessibility to faculty allow for personal attention and individual instruction.

[See <https://montereylaw.edu/general-information/index.html> for the current Board of Trustees and <https://montereylaw.edu/staff/index.html> for the current Staff Directory.]

### Mission Statement

Monterey College of Law's mission is to provide a quality legal education in a community law school

setting with graduates dedicated to professional excellence, integrity, and community service.

### **Course Times/Locations**

Courses at all The Law Schools' locations are held Monday through Thursday evenings from 6:30 to 9:30 PM. Online classes in the Hybrid Online program are generally held from 6:30 to 8:30 PM, followed by an hour of asynchronous assessment. Clinical programs are generally held from 4:00-6:00 PM.

Courses offered at The Law Schools in the fall and spring semesters are 16 weeks long (including examinations). The summer semester is 11 weeks long (including examinations). Students are expected to take fall, spring, and summer classes.

### **Course Cancellation**

The Law Schools reserve the right to cancel a class at any time. If a course is canceled, students will be notified promptly and be given the opportunity to enroll in another course, if possible.

### **Credit Hour**

MCL's credit definition is one credit equals one hour of in-class instruction and three hours outside-of-class work and study, per week, for 15 weeks or its equivalent, which is consistent with the State Bar of California and WSCUC Credit Hour Policies.

### **Handbook Revisions**

The Law Schools reserve the right to change the provisions of this handbook and its courses, classes, forms, procedures, policies, and requirements at any time, with or without notice, except as required by law or regulation.

### **Legal Holidays**

Administrative offices are closed on legal holidays and during the Winter break in December. The faculty determines class scheduling on legal holidays. Classes canceled because of legal holidays will be rescheduled by the professor in order to meet the requirement of 15 hours of classroom instruction per unit. For the current Academic Calendar, see

<https://www.montereylaw.edu/currentstudent/academiccalendar.html>

### **Accreditation**

The California State Bar Committee of Bar Examiners has accredited Monterey College of Law Bar of California since 1981. San Luis Obispo College of Law is an accredited branch of Monterey College of Law, approved by the Committee in 2015. Kern County College of Law is an accredited branch of Monterey College of Law, approved by the Committee in 2017. Empire College of Law is an accredited branch of Monterey College of Law, approved by the Committee in 2022.

For the current information report on accreditation, see

[https://montereylaw.edu/\\_resources/MCL\\_01\\_60617a2022.pdf](https://montereylaw.edu/_resources/MCL_01_60617a2022.pdf)

### **Bar Pass Statistics**

The Law Schools are committed to providing courses for each substantive area of the law that may be tested on the California Bar Examination. No law school can guarantee bar exam passage to any student. However, The Law Schools' trustees, faculty, and administration are committed to providing a quality

education that allows one to meet or exceed the State Bar's minimum cumulative bar pass rate as set by the accreditation rules and guidelines. The Law School's required public filing on minimum pass rate is located here <https://montereylaw.edu/currentstudent/accreditation.html>

## Library

The Law Schools meet or exceed the Committee of Bar Examiner standard for student and faculty access to library materials for all programs. The Law Schools' students also have access to public community Law Libraries located in each of the schools' communities. For information on each community law library, see the links below:

Monterey County Law:

<https://www.co.monterey.ca.us/government/government-links/law-library#ColumnUserControl3>

San Luis Obispo County Law Library: <http://www.sloccl.org/home.html>

Kern County Law Library: <https://kclawlib.org/>

Sonoma County Public Law Library: <https://sonomacounty.ca.gov/justice-services/law-library>

## COMMITTEE OF BAR EXAMINERS OF THE STATE OF CALIFORNIA

### Registration as a Law Student

Law students **must** register with the Committee of Bar Examiners within 90 days of beginning the study of law (Business & Professions Code Section 6060(d)). Students must complete the registration process on the State Bar's website <https://www.calbar.ca.gov/Admissions/Requirements>.

Please be aware that creating a My Law Student Profile *does not* fulfill a law student's obligation to register with the Committee of Bar Examiners. Failure to register with the State Bar of California may hinder or prevent a student from taking the bar exam or being licensed in the State of California.

### Equal Opportunity and Non-Discrimination

The Law Schools operate in accordance with policies and procedures that comply with the Constitutions and all applicable laws of the United States and the State of California to provide both equal opportunities and prohibit unlawful discrimination.

Monterey College of Law is committed to diversity within its educational programs and the legal profession. It strives to foster an environment of mutual respect and inclusion in which all individuals are valued for who they are and what they can contribute as members of the student body and, later, as members of the professional communities that promote cultural awareness, freedom from bias, and appreciation of diversity. The Law School is committed to preparing its graduates to competently and responsibly fill the many roles performed by members of the legal profession and other careers in a diverse society.

Where appropriate, course content considers issues related to individual and cultural differences so students will develop the skills necessary to enable them to provide professional services to individuals of diverse backgrounds. In keeping with this commitment, the faculty also convey attitudes respectful of individual and cultural differences.

## The First Year Law Students' Examination ("FYLX" or "Baby Bar")

Students admitted to The Law Schools JD program as "special" students are required to take and pass the First Year Law Students' Examination (FYLX) within three administrations of becoming eligible to take it, which is upon successful completion of their first year of law study. A "special" student is one who has completed less than two years of qualified undergraduate study. The FYLX is a State Bar of California requirement for special students. Special students must take and pass the FYLX to achieve licensure. Special students who do not pass the FYLX within three administrations of becoming eligible to take it will be academically disqualified from the JD program and will not receive credit for courses completed beyond the first year of study.

The Law Schools may require certain students to take and pass the First Year Law Students' Exam as a condition of acceptance or academic probation. These students will be advised of their status. They must file the examination application and the application fee directly with the Committee of Bar Examiners at least two months prior to the examination date. Application information for the First Year Law Students' Exam is found on the California State Bar website, <https://www.calbar.ca.gov/Admissions/Examinations/First-Year-Law-Students-Examination>.

## Admission to Practice Law in California

The Juris Doctor degree itself does not entitle a law school graduate to be admitted to the California State Bar or to practice law. In order to practice law in California, all of the following requirements must also be satisfied:

1. Complete the necessary pre-legal education;
2. File a registration application and be permitted to register as a law student or attorney applicant within 90 days of starting law school;
3. Complete the required legal education;
4. Special Students must take and pass the First-Year Law Students' Examination. A "special" student is one who has completed less than two years of qualified undergraduate study. Special Students must file an application, establish eligibility, and take and pass the First-Year Law Students' Examination *See First-Year Law Students' Exam*;
5. File an application, establish eligibility, and take and pass the California Bar Examination;
6. File an application for moral character determination and receive a positive moral character determination from the Committee of Bar Examiners;
7. File an application, take the Multistate Professional Responsibility Examination (MPRE), and achieve a scaled score of 86.00 or greater. The MPRE is administered and graded by the National Conference of Bar Examiners;
8. Comply with California court-ordered child or family support obligations; and
9. Meet all admission requirements and take the attorney's oath of office no later than five years from the last day of administration of the California Bar Examination the applicant passes.

*See the State Bar of California's Website for additional licensure information*

## Practicing Law in Other States

States other than California may require a degree from an American Bar Association accredited school or

approval from an examining committee as a prerequisite to taking their bar examination. The Law Schools are not seeking accreditation from the American Bar Association. Study at, or graduation from, The Law Schools may not qualify a student to take the bar examination in other states or satisfy the requirement to practice law in other states. Therefore, if a student intends to seek admission to practice in a state other than California, the student should contact the admitting authority in that state for information regarding the legal education requirements for admission to practice law.

## Residency Requirements

The Committee of Bar Examiners has established residency requirements under the "Rules Regulating Admission to Practice Law in California" Students must complete 1,200 hours of instruction in residence, extending over 84 months of study, in order to qualify for a J.D. degree and take the California Bar Exam. Students should take nine or ten units each fall and spring semester and the remaining units over three summer semesters in order to complete all required/desired courses in a timely fashion and comply with the State Bar Rules.

Any student wanting a reduced (less than nine units) course load must obtain written approval from the Academic Dean or Dean's designate. *See Transfer Credits*. Students who are not continuously enrolled in a program, students who fail to meet the attendance requirements, and students who do not return at the designated time from an approved leave of absence will be administratively withdrawn from the program. *See Administrative Withdrawal*

## ADMISSIONS POLICIES

### Admissions Application and Enrollment Fee Waivers

The Law Schools does not offer application or enrollment fee waivers. However, the application and enrollment fees may be deferred and added to the tuition if the applicant has been approved by the Department of Rehabilitation (DOR) or another approved training program to enroll, and the approved organization pays tuition and fees. The Law Schools may request confirmation of the applicant's program approval. Applications are valid for up to one year from the date started.

### Applicants with Prior Institutional Discipline

Applicants who have been dropped, suspended, or otherwise disciplined by any school for any reason other than academic performance are required to submit a detailed explanation, including the dates of attendance and reasons for each incident of institutional discipline during the admissions process.

### Applicants with Prior Law Study

Applicants who have previously attended law school are required to submit official transcripts reflecting all prior law study as part of the admission process. Applicants may be required to start their law studies over, as a condition of admission. If starting over, applicants must file the [Starting First-Year Law Studies Over Certification](#) with the State Bar. A copy of the approved Starting Over certification, received from the State Bar of California, must be provided to the admissions office promptly. Applicants applying for transfer from an unaccredited or registered law school must complete the [Application for Evaluation of Law Study Completed or Contemplated](#) and submit the final report from the state bar with their application.

## **Applicants Previously Disqualified From Law Study**

Applicants previously disqualified from any law school for academic reasons may be granted admission only when there is an affirmative showing by the applicant that they possess the requisite ability for the successful study of law. Such a showing may be made if 1) the applicant presents credible evidence that the prior disqualification was not caused by the applicant's lack of capacity for the study of law but resulted from a traumatic event or serious hardship that prohibited the applicant from performing at their normal level. 2) Or after at least two years have elapsed since the disqualification, if the applicant demonstrates that work, study, or other experience during the interim has resulted in a stronger potential for law study than the applicant exhibited at the time they were previously disqualified for academic reasons. 3) The applicant takes and passes the First-Year Law Students Examination.

## **Duty to Amend Application**

Every student has an obligation to promptly amend their application for admission to correct any inaccuracy or omission with respect to any information stated therein or required to be stated therein as of the commencement of the student's first term of classes. If a student's application contains an inaccuracy or omission, and the student does not amend the application to correct such inaccuracy or omission within 30 days after the commencement of first-term classes, such failure shall constitute a violation of the Law School's Honor Code and subject the student to discipline up to and including dismissal.

An amendment to an application for admission must be submitted in writing to the admissions department. Whether or not an amendment is timely, upon receipt of an amendment to an application for admission, the Admissions Committee shall determine whether the amendment is material. If determined to be material, the Admissions Committee may reconsider the admission decision, dismiss the student from the Law School, or impose any other appropriate remedy. The Law Schools will consider an amendment material if it contains information that, if known at the time the student was accepted for admission, is likely to have resulted in a different admission decision.

## **Rescission of Admissions**

The Law Schools may rescind an applicant's admission at any time, including after attendance, if it determines that an individual has been admitted on the basis of having provided false information or has withheld requested information. The Law Schools further reserves the right to require applicants to provide additional information and/or authorization for the release of information about any such matter, and to place a hold on registration and/or the conferral of a degree during the investigation into any such matter.

The Law Schools will reverse the enrollment of students who are accepted and enrolled at the Law School, but never attend classes.

## **Admissions Deferment**

An accepted applicant may defer enrollment for up to two enrollment terms. For example, an applicant accepted for fall term enrollment may defer to the following spring or summer term. The application and non-refundable enrollment fees are forfeited if the applicant does not enroll within the required time. Deferred applicants must submit a new application for consideration if they do not enroll within the required time.

## Transfer Credit

The Law Schools will consider applications for transfer from other law schools, subject to the [Rules and Guidelines for California Accredited Law Schools](#). At the time of transfer, students are advised of the number of units accepted for transfer, the method of calculating cumulative GPA, class standing, and requirements for graduation at The Law Schools. Transfer credits may not exceed one-half of the units required to graduate from The Law Schools unless a petition is submitted to The Law Schools' Academic Dean or Dean's designate and a special waiver is granted. In certain circumstances like a scheduling conflict, studying abroad, or taking a specialty class not offered at the Law Schools, students in good standing may be permitted to take individual law classes as a "Visiting Student" at another law school. Subject to prior approval by the Academic Dean or the Dean's designate, these units may be transferred and applied toward the credit units required for graduation.

In order to be eligible for transfer credit, the student must receive a grade of 80.0 or higher in the course. The numerical grade will not be used in the calculation of the student's cumulative GPA at The Law Schools, and a grade of "P" will be indicated on the transcript. If an equivalent course is offered at The Law Schools, the student may not receive credit for more units than the number of units offered at The Law Schools. If the transfer course is for fewer units than the equivalent course, subject to the grade standards being met, the actual units earned for the transfer course will be granted.

If a student's request to take classes at another institution has been approved by the Academic Dean or the Dean's designate, the student must submit a written statement of intent to the Registrar prior to enrolling in the course. To transfer the course, the student must submit an official transcript to the Registrar and pay an administrative fee of \$100.00 per unit.

Students may also be eligible to take elective courses for Clinical Studies credit during the summer semester through Study Abroad programs offered by other law schools. See Appendix 6 for Study Abroad Guidelines.

Students applying for transfer from another J.D. degree program to The Law Schools must submit the following for the initial preliminary application review:

1. A [Transfer Student](#) application, including a personal statement and application fee;
2. Official transcript from current law school; and
3. Documentation from current law school stating the student is in good academic and financial standing.

The Law Schools will consider a course grade of 80.0 and above eligible for transfer. A transfer applicant may petition the law school to accept a course grade of 75.0 to 79.0 to be eligible for transfer. A course grade of below 75.0 is not eligible for transfer. Elective course units may be eligible for transfer if the course is similar to one offered by The Law Schools.

The admissions committee will prepare a transfer credit checklist using the official law school transcript provided with the application, noting which course credits are eligible for transfer and which must be completed for The Law Schools' graduation requirements.

To continue the admissions process, the transfer student must review and confirm the transfer credit

checklist. An approved checklist cannot be adjusted at a later date. The transfer student must provide official transcripts from all colleges and universities attended and other required supporting documents to complete the application for admissions committee review and decision.

## ACADEMIC PROGRAMS

The Law Schools strive to enable each student to develop substantive knowledge, excellent legal skills, and an understanding of the professional and ethical responsibilities facing the practicing lawyer. The curriculum integrates a theoretical understanding of legal principles with training in practical lawyering skills.

The majority of law school courses emphasize substantive law using the traditional casebook method. Advocacy, writing, and clinical courses emphasize practical skills. The Internship Program encourages students to participate in internships under the supervision of practicing lawyers and judges.

### Institutional Learning Outcomes and Program Learning Outcomes

Institutional Learning Outcomes (ILOs) are integrated into the Law School's J.D. program and curriculum through a combination of substantive courses and clinical, externship, and independent study experiences. While separate, program outcomes for the M.L.S and L.L.M programs complement the ILOs. For each program, learning outcomes are defined generally and specifically in each course. Assessment of the learning outcomes associated with each program is outlined in the Learning Outcomes Assessment Map. *See appendices*

**ILO1 Doctrinal Knowledge:** Students will master knowledge and understanding of pertinent principles and theories of the law, their relationships, and their limitations.

**ILO2 Professional Analytics (critical thinking):** Students will analyze the legal rules and principles applicable to a problem and formulate legal theories. Students will apply problem-solving skills to diagnose a legal problem, generate alternative solutions, and develop a plan of action.

**ILO3 Communication Skills (oral and written):** Students will communicate effectively, whether advocating, advising a client, eliciting information, or effectuating a legal transaction.

**ILO4 Professional Responsibility:** Students will have knowledge and understanding of established standards related to a lawyer's professional conduct, including the ability to recognize and solve ethical issues and multicultural issues arising in practical situations.

MCL's J.D. curriculum was designed to prepare students with the lawyering skills and competencies expected of entry-level attorneys. Upon completion of the program, graduates will demonstrate competency in ILO1, ILO2, ILO3, and ILO4.

MCL's M.L.S. curriculum was designed to prepare students for professional non-lawyer careers. Students will graduate with an advanced knowledge of the law and the American legal system. Upon completion of the program, graduates will demonstrate five competencies.

1. PLO1. Demonstrate basic legal knowledge in the areas applicable to various business and management positions.
2. PLO2. Apply the law as a tool for effective and ethical decision-making.

3. PLO3. Demonstrate the ability to perform legal research and analysis necessary for work in a variety of legal and professional settings.
4. PLO4. Effectively interact with attorneys regarding applying legal solutions to business and management.
5. PLO5. Communicate information in a clear, concise, well-organized, and professional manner in writing that is appropriate to the audience and the circumstances.

Advanced law degrees serve as recognition of formal legal education beyond the J.D. degree. The L.L.M. program offers students a broad platform to design their own course of study within parameters set by the MCL law faculty. Upon completion of the program, graduates will demonstrate four competencies.

1. PLO1. Articulate substantive knowledge of legal theories and use in key areas tested on the California Bar Exam.
2. PLO2. Demonstrate fluency with advanced American legal terminology through exposure to substantive texts, cases, statutes, and memoranda.
3. PLO3. Apply knowledge of legal professionalism, ethics, and the responsibilities required of representatives of clients and officers of the court in California.
4. PLO4. Demonstrate the ability to transfer previously learned legal concepts to those relevant to law in the United States and California.

## Doctor of Jurisprudence

To obtain a Doctor of Jurisprudence degree, students must comply with the degree requirements of The Law Schools and the rules of the Committee of Bar Examiners of the State Bar of California. Required courses must be completed in the prescribed order. In order to graduate, students must attain a 70.0 cumulative grade point average (GPA) with a minimum of 90 credits of study, and be in good financial standing. MCL's credit definition is one credit equals one hour of in-class instruction and three hours of outside-of-class work and study, per week, for 15 weeks or its equivalent. [See Course Catalog](#)

## Required Curriculum

### First-Year Courses

**Contracts (6 units)** This class covers enforceable agreements, including requirements for the formation of a contract; problems of interpretation, consideration, and its equivalent; damages for breach; the statute of frauds, illegality, and rights and liabilities of third parties arising from the contract itself or from assignment of contractual rights or delegation of duties.

**Criminal Law & Procedure (6 units)** Topics include substantive criminal law and elements of criminal responsibility; law of crimes against persons, property, and habitation; the theory of criminal responsibility, parties, and defenses to crimes. Also covered are the procedures for indictments, arrest, bail, trial sentencing, and appeals.

**Torts (6 units)** The historical development and nature of non-contractual civil law which allocates the economic burden of various injuries. A study of the principles of liability for physical harm under theories of negligence, intentional torts, and strict liability, including the law governing defamation, invasion of privacy, and other relational harms.

**Legal Writing I (2 units)** An introductory course designed to improve analytical and written communication skills. Students work on simple legal problems, learning how to identify and analyze legal

issues and express their legal reasoning. Assignments include exercises in case briefing, exam writing, and drafting legal memoranda.

**Legal Skills (1 unit)** This class addresses key skills needed for law school, the bar exam, and the practice of law. Students review key facts, rule synthesis, analogies and comparisons, analysis, and essay writing.

**Professional Responsibility (2 units)** An examination of the lawyer's obligation to the client and the public. The class examines the professional rules contained in the American Bar Association Model Code and the Rules of Professional Conduct, attorney-client privilege, conflicts of interest, advertising, and legal malpractice.

**Legal Research (2 units)** A class to familiarize students with the basic foundations of legal research. Assignments include researching problems in the law library and researching and writing office memoranda, opinion letters, and other documents. A survey of CALR tools, including online resources for legal and public records research.

### Second-Year Courses

**Civil Procedure (6 units)** This course covers the rules of preparing and bringing a civil case to trial. The concepts of formation of a claim (pleadings), pretrial preparation (discovery), and the law and cases governing personal and subject matter jurisdiction and venue are introduced along with summary judgment, interpleader, and res judicata.

**Evidence(6 units)** Both the Federal Rules of Evidence and California Statutes are used to explore the concepts of relevance, hearsay, witness competency, privileges, presumptions, burdens of proof, and judicial notice. *Prerequisite: Criminal Law & Procedure*

**Real Property (6 units)** The historical development and current application of real property law, including the nature of estates, landlord/tenant rights and obligations, life estates, rules against perpetuities, vesting, restraints on alienation, easements, servitudes, nuisances, lateral support, regulation of land use, transfer of interest in land, and financing of real estate. *Prerequisite: Contracts*

**Advanced Legal Writing (2 units)** Students develop their persuasive writing skills through writing assignments involving motions, points and authorities, and declarations. This advanced class enables students to demonstrate their legal analysis and ability to advocate a position. *Prerequisite: Legal Writing I*

**Appellate Writing (2 units)** Students develop advanced writing skills for use in law and motion and appellate practice. *Prerequisite: Legal Writing I, Legal Writing II*

### Third-Year Courses

**Business Law (6 units)** This course covers law related to the formation and operation of California corporations. Detailed consideration is given to exemption provisions of the Securities Act of 1933; the proxy, anti-fraud and insider trading provisions of the Securities Exchange Act of 1934; and pertinent SEC

regulations. Also covered in the course is an in-depth examination of the Uniform Partnership Act, the Uniform Limited Partnership Act, and the formation, operation, dissolution, and termination of partnerships.

**Constitutional Law (6 units)** A study of the United States Constitution with an emphasis on the theory and practice of judicial interpretation and review. Topics include the separation of federal powers, the relation of the federal government to the states and specific government powers (tax, treaty, war, and commercial). The course also covers limitations placed on the exercise of governmental power, emphasizing the Bill of Rights, due process, and equal protection clauses. *Prerequisites: Criminal Law & Procedure, Evidence*

**Community Property (3 units)** The nature of property interests of married California residents, including identifying and tracing community and separate property, management and control of marital property, and liability for debts. Basic rules and procedures in the context of dissolution of marriage, annulment or legal separation are viewed and property rights of non-marital partners are covered. *Prerequisite: Real Property*

**Moot Court (2 units)** The Moot Court Competition gives students an opportunity to study advanced constitutional issues. The semester culminates in a series of hearings, where local judges hear the students' oral arguments on each side of a current civil liberties issue. The public is invited to witness the final round of arguments by four students in front of an appellate panel of judges. *Prerequisite: Constitutional Law*

#### Fourth-Year Courses

**Remedies (3 units)** A general survey of equity, including the adequacy of legal remedies, injunctions, specific performance, declaratory relief, and the jurisdiction and powers of courts of equity. The course also covers the measure of damages in contracts, torts, and property, and enforcement of money judgments. *Prerequisites: Contracts, Torts*

**Wills and Trusts (3 units)** A study of California law regarding the succession of property, wills, and trusts. *Prerequisite: Real Property, Community Property*

**Bar Preparation (3 units)** Students in the Class of 2028 and beyond will complete a three-unit required bar preparation course in their 4L year.

### **Clinical and Elective Curriculum**

#### Mandatory Clinical Units

**Core Mediation Training (2 units)** This intensive 32-hour Mediation Certification Training will teach you how to help others work through their conflicts. This training meets the requirements of the California Dispute Resolution Programs Act for mediators. The communication and problem-solving skills taught in this course are applicable in a wide range of situations including work, personal and community life. The course has been adapted to a virtual format.

**Clinical Studies (2 units)** The Clinical Studies requirement may be met through participation in one of the law school's clinics or may be completed through legal and judicial internships available to third and fourth-year students upon approval. *Prerequisite: 1L classes, including Professional Responsibility.*

### General Elective Units

JD students in the graduating cohort of 2027 and earlier must complete 16 elective units. Students in the Class of 2028 and beyond must complete 13 elective units. Elective courses are offered in the summer semester. Elective courses change every year, and the summer course schedule will be announced prior to the summer elective enrollment period. *See academic calendar.* After completing two required clinical units, students may take additional clinical courses to satisfy their elective requirements. JD students may allocate up to 11 clinical units toward their degree.

### **Master of Legal Studies (M.L.S.)**

The MLS degree is a 36-unit graduate law program for individuals who want to obtain advanced knowledge of the law and the American legal system but do not wish to become lawyers. The degree program is designed for individuals in careers that involve interaction with lawyers and the legal system and those entering professions where an understanding of legal reasoning and the legal system will improve their professional effectiveness. The M.L.S. degree program can be valuable to individuals in fields such as law enforcement, public administration, financial services, human resources, healthcare management, government regulation, non-profit management, court administration, and social services. M.L.S. students attend law courses that are a part of the regular law school curriculum and are held to the same standards for attendance, participation, and grading as J.D. students. The M.L.S. degree also requires the successful completion of a major writing project. In order to graduate, M.L.S. students must attain a 3.0 cumulative grade point average (GPA) with a minimum of 36 credits of study and be in good financial standing. MCL's credit definition is one credit equals one hour of in-class instruction and three hours of outside-of-class work and study, per week, for 15 weeks or its equivalent.

The M.L.S. degree is not a replacement for a law degree, does not entitle an individual to practice law or hold themselves out as a lawyer, and does not qualify the holder to sit for a bar exam. The M.L.S. degree requirements and curriculum are detailed here <https://www.montereylaw.edu/ourprograms/mls.html>

Students must complete 36 units of graduate legal studies. A minimum of 18 units must be completed in residence at Monterey College of Law. Students are allowed flexibility in selecting courses in order to provide the opportunity to focus on specific areas of legal interest. There are 29 units of required courses and 7 units of electives. Required Courses include: Contracts (6 units), Torts (6 units), Criminal Law (3 units), Constitutional Law (6 units), Legal Research (2 units), Legal Writing I (2 units), Core Mediation training (2 units), and M.L.S. Thesis (2 units).

### **J.D./M.L.S. Concurrent Degree**

The Law Schools provide applicants the option of concurrently enrolling in the J.D. and M.L.S. degree programs. JD students in good academic standing may apply to join the joint J.D. and M.L.S. degree program after completing their 2L year. Students who apply to and are accepted into the M.L.S program

are not eligible to transfer into the joint J.D. and M.L.S degree program.

Both the J.D. and M.L.S. degrees will be conferred upon successful completion of the joint degree program. Students in the joint J.D/ M.L.S. degree program must complete a major writing project in addition to the courses required for the JD program. Students should discuss their courseload and other obligations with their academic advisor before applying to join the joint degree program. Students in the J.D./M.L.S. program may elect to discontinue their legal studies upon completion of the M.L.S. degree program without continuing in the J.D. program. Students accepted into the joint J.D./M.L.S. degree program may elect to transfer back to the J.D. program. In order to graduate, students in the joint J.D./M.L.S. program must attain a 70.0 cumulative grade point average (GPA) with a minimum of 90 credits of study, and be in good financial standing. Students placed on academic probation may be dismissed from the joint degree program. **Students in the joint J.D./M.L.S. program who receive a grade below 65 in a required course must repeat the course.**

The M.L.S. degree is not a replacement for a law degree, does not entitle an individual to practice law or hold themselves out as a lawyer, and does not qualify the holder to sit for a bar exam.

### Master of Laws (LL.M.)

Advanced law degrees serve as recognition of formal legal education beyond the J.D. degree. The LL.M. program offers students a broad platform to design their own course of study within parameters set by the MCL law faculty. The LL.M. degree requires the successful completion of 24 graduate law units. MCL's credit definition is one credit equals one hour of in-class instruction and three hours of outside-of-class work and study, per week, for 15 weeks or its equivalent. LL.M. students must also complete a thesis. Transfer credits will be allowed for certain graduate and law courses that meet MCL's academic standards. If approved, transfer credits may be applied towards up to one-half of the 24-unit graduation requirement. [See Course Catalog](#)

### Program Transfer

Students will be enrolled in the program to which they apply and are accepted. Students must take classes designated for their program and location. Students may apply to transfer to a different program by completing the [transfer request application](#). Students must meet the academic good standing requirements for the program they are applying for to be eligible for transfer. Students must have a cumulative GPA of 70 or above to transfer into the hybrid online enrollment option. *See Good Standing*

Approved program transfers will be effective as of the first fall semester following an approved transfer request. Students must continue to take classes designated for their current program and location until the transfer effective date. Students experiencing an emergency or exigent circumstances must speak to the Dean or Dean's designate to apply for an emergency mid-academic year transfer.

### Hybrid Online Enrollment Option

The hybrid online enrollment option launched in 2019. Students in hybrid online classes must participate in synchronous (live) course sessions Monday through Thursday from 6:30-8:30 PM PST and complete asynchronous class assignments. Students taking hybrid online classes must both attend the synchronous class sessions and complete the asynchronous class assignments to satisfy the State Bar of California attendance and verified academic engagement requirements. JD and JD/MLS Concurrent enrollees must attend an on-site educational symposium held once each academic year in the Spring

semester.

## Clinical Courses

All JD students are required to complete two (2) clinical units (in addition to Core Mediation Training). Students in the JD program may use a maximum of eleven (11) clinical units towards the degree requirements.

Students in good academic standing are also eligible to earn clinical units by participating in internships under the supervision of practicing lawyers and judges. In order to receive academic credit, students wishing to participate in clinical studies must have their paperwork completed and approved **prior** to beginning their program.

For Internship Program Guidelines, see

([https://montereylaw.edu/\\_resources/MCL%20Internship%20Program%20Guidelines%20Instructions%2022.pdf](https://montereylaw.edu/_resources/MCL%20Internship%20Program%20Guidelines%20Instructions%2022.pdf))

## Moot Court

Students enrolled in the JD program at The Law Schools are required to participate in their home campus Moot Court program. Students in the hybrid online JD program are encouraged to take moot court on-site. The moot court program provides students the opportunity to participate in a Constitutional Law appellate advocacy program. Students participate in oral arguments before trial and appellate judges. Funding for the program at the Monterey campus is provided, in part, by the Heisler Moot Court Endowment, established in 1985 in memory of Francis and Friedy Heisler, renowned proponents of civil liberties.

Students enrolled in the J.D. program at the San Luis Obispo campus participate in the Andreen Moot Court program established in 2018 and so named in memory of Justice Kenneth Andreen. While students enrolled in the J.D. program at the Kern campus participate in the Wiseman Moot Court program established in 2020 in honor of Justice Rebecca A. Wiseman, retired associate justice of the Fifth District Court of Appeals.

## ACADEMIC POLICIES

### Required Course Load

Because The Law Schools' curriculum is designed as a part-time program, the courses follow a required sequence that anticipates completion in four years starting from the fall semester of a student's first year of 1L courses. The J.D. Course Catalog outlines the required order of courses for the J.D. program. Students must complete two semester courses in succession. For example, 2L students will take Real Property I in the fall semester and Real Property II in the spring.

Students in the J.D. program must complete all degree requirements within 84 months (seven years). Students who are not on the path to completing the J.D. course requirements within 84 months may be administratively dismissed from the J.D. program. Students should work with their academic advisors to identify course schedules appropriate for their circumstances.

Students in the J.D. program will take nine or ten doctrinal and legal writing units each fall and spring

semesters and the remaining required and elective units during the summer semesters to complete all required and elective courses in a timely fashion and comply with the program and State Bar Rules. See *J.D. catalog for the required sequence of courses*

1L students in the J.D. program with a GPA below 70 may not enroll in summer elective courses without written permission from the Academic Dean or Dean's designate.

Students who do not successfully pass at least 60% of the units they are enrolled in during a semester will be placed on academic probation.

Any student desiring a reduced course load (less than nine units in an academic year) must obtain written approval from the Academic Dean or Dean's designate. Students who are not continuously enrolled in courses may be administratively dismissed from the program. Continuous enrollment is defined as taking at least one class every semester in the academic year. See *Administrative Withdrawal*

In certain special circumstances and subject to course availability, students may petition to go on "academic overload" in their 3L year. Academic overload is defined as taking more than three doctrinal classes in a semester. However, these circumstances require a student to have and maintain a very high cumulative GPA (81.00 or above) and not be working full-time. Students interested in going on academic overload must meet with their academic advisor after the spring semester of 2L to discuss the program requirements.

After meeting with their advisor, students must apply and receive pre-approval. 3L students who are approved to go on academic overload with the intent to graduate early will take four doctrinal courses in the fall, three doctrinal courses in the spring semester, and moot court in the summer. Students who go on academic overload in the fall semester of their 3L year and complete the JD requirements at the end of their 3L summer semester will qualify to sit for the first February bar exam that follows their graduation.

J.D. Students must satisfy all graduation requirements and be in good academic and financial standing before being certified to sit for the bar exam. Students must satisfy ALL graduation requirements by the end of the semester prior to the bar exam they wish to take. For example, a student taking the July bar exam must successfully complete all degree requirements by the end of the spring semester.

## Attendance

### State Bar Requirements

Committee of Bar Examiners rules require "regular and punctual attendance" in order to satisfy the residence credit requirements. The Committee of Bar Examiners requires students to complete "at least 80% of the verified academic engagement required by each course in which the student is enrolled." Students must complete three hours of verified academic engagement every week a class is scheduled to satisfy the attendance and engagement requirement for the week.

As defined by the Committee of State Bar Examiners, academic engagement includes "physical classroom time" or "distance learning technology in any manner, including, but not limited to, any of the following: (a) participating in a synchronous class session; (b) viewing and listening to recorded classes or lectures; (c) participating in a live or recorded webinar offered by the law school; (d) participating in any

synchronous or asynchronous academic assignment in any class monitored by a faculty member; (e) taking an examination, quiz or timed writing assignment; (f) completing an interactive tutorial or computer-assisted instruction; (g) conducting legal research assigned as part of the curriculum in any class.” Faculty teaching an online class may occasionally hold a three-hour live Zoom session in lieu of a two-hour live Zoom session paired with an hour of asynchronous engagement if the class curriculum necessitates the change (student presentations, mock trials, guest speaker, etc.)

Students taking online classes must both attend the synchronous class sessions and complete the asynchronous class assignments to satisfy the State Bar of California regulated attendance and verified academic engagement requirements.

Assigned class reading and self-directed study tasks do not count toward verified academic engagement. State Bar rules require students to complete two hours per week of self directed studying and assigned reading for every class class unit, in addition to three hours of academic engagement.

Failure to comply may result in administrative dismissal. Official class records are maintained that show the attendance and engagement records for every student.

### **Attendance Policy**

Attendance is taken during each class. Rosters are reviewed by the Academic Dean or the Dean’s designate. Students with three class absences during a 16-week semester are subject to dismissal from that course. Students with two absences during an 11-week semester are subject to dismissal from that course. Students with one absence from a one-unit course are subject to dismissal from that course. If dismissed, the student may not continue to attend class or take the midterm or final examination. The student may not be eligible for a tuition credit if dismissed from a course due to failure to meet attendance requirements.

A student who is late, unprepared, not properly connected, and logged into the weekly Zoom Sessions with audio and video or otherwise creates a disturbance may be dismissed and deemed absent from the entire three-hour in-person class / two-hour Zoom class, upon the discretion of the professor.

Students who join the Hybrid online programs and/or take classes online are required to attend live classes from a suitable professional class environment. Students must be able to fully interact with their classmates and professor through audio and video conferencing, take notes, answer poll questions, and access Populi during each class session (for example, students should not attend class while driving or shopping).

Students attending online classes are required to test their audio and video equipment before joining a Zoom session and attend each class session with their cameras on and audio working. Students who do not have their cameras on throughout the entirety of the Zoom session may be marked absent from the Zoom class, and that absence will count against their attendance per the attendance policy stated above. If a student is unable to turn their camera on for an individual class due to an emergency, the student should notify their professor prior to the start of class. Students in the Hybrid online program who seek accommodations due to a disability must speak to the Dean or the Dean’s designate.

### **Course Grades**

A final exam is required in all doctrinal courses. Courses may also include graded quizzes and

assignments. Pass/fail courses, clinical courses, internships, and similar courses are exempt from this policy. Such courses are governed by grading criteria set out in the course syllabus and approved by the Academic Dean or the Dean's designate.

## Grading System

The Law Schools use a numerical grading system to reflect the academic performance of its students:

80-100	Outstanding
73-79	Good to Excellent
66-72	Marginal to Average
60-65	Below Average
Below 60	Failure/No credit

Numerical grades are given for all courses unless the course syllabus designates it as a "pass/fail" course. In special circumstances, the Dean may approve a change from the grading methodology indicated in the course syllabus, but adequate notice must be provided to the students prior to the change taking effect.

Certain other designations may be entered on a student's transcript. None of these are included in the student's GPA. For "Pass/Fail" coursework, the following designations apply:

P+	Pass with high honors
P	Pass
P-	Marginal but passing
F	Failure (no credit)

The remaining official designations of The Law Schools are:

A/55	Administrative Failure
A/D	Administrative Dismissal
W	Withdrawal by permission
I	Incomplete
N	No Credit (Mid-year course not completed)

## Criteria for Final Course Grade

In most graded courses, anonymously graded end-of-term examinations, quizzes, class exercises, and other assignments will be used to calculate final course grades. Students should refer to their course syllabi and Populi pages for details. Pass/fail courses, clinical courses, skills courses, internships, and

similar courses generally do not include an anonymous end-of-term exam. Such courses are governed by criteria set out in the course syllabus.

The end-of-term examinations may consist of essay questions and/or objective questions. Individual essay questions generally require a minimum of 50 minutes for analysis, outlining, and written answers. The typical length of the examination is equal to the number of units in the course. For example, a three-unit course generally yields a 3-hour exam. Faculty members may modify the time allocated for an exam as long as advance notice is provided to the students. Testing accommodations may be granted following the law school's exam accommodation policy. Faculty may also require completion of additional course work, papers, and quizzes as part of the course assessment. Failure to successfully complete these assignments and/or quizzes may result in a failing grade for the course.

### Course Failure and Repeating Courses

A grade of less than 60 is a failing grade. Students shall not receive academic credit for any course in which they receive a failing grade. If the failing grade is in a required course, the course must be repeated. Failing a required course a second time results in academic disqualification. Upon successful completion of the repeated course, the "new" grade will be entered on the student's transcript and used in the calculation of the cumulative GPA.

Grades below 70 in a required bar-tested subject suggest that a JD student may not have achieved the necessary mastery essential in the preparation for the bar exam, and students should discuss repeating the course with their academic advisor. Students in the JD and LL.M programs who receive a grade below 70 in required courses may be required to repeat the course. *See Academic Probation Students in the JD program who receive a grade below 65 in a required course **must repeat** the course in the next academic year.* Students in the MLS program must repeat courses in which they receive a grade below 60. Upon successful completion of the repeated course, the "new" grade will be entered on the student's transcript and used in the calculation of the cumulative GPA.

Although individual questions on an exam may receive scores lower than 55, the lowest final course grade entered on student transcripts and computed into the GPA will be a 55.

JD students who fail a bar-tested subject twice will be dismissed from the program.

### Academic Waiver

Students seeking an academic waiver or exception from a policy must submit a written appeal to the academic standards committee. The academic standards committee is a standing committee of professors and deans from all campuses. Students who wish to submit a written appeal to the academic standards committee should contact their academic advisor.

Students who wish to appeal the decision of the Academic Standards Committee may request a review by the Academic Dean. The request for review must be received by the Academic Dean within 7 calendar days after the date the student is notified of the decision of the Academic Standards Committee. Requests for review received after this deadline will not be granted. Final review is limited to confirmation that the Academic Standards procedural due process required by the law school's academic policies was properly followed and completed. Additional evidence and arguments are not considered in the final review. The decision upon review is final and not appealable

## Good Standing

In order to be in “good standing,” a student must be in both academic and financial good standing. A student who is current on all financial obligations is in good financial standing. Academic standing is determined at the close of the Spring semester based on the cumulative Grade Point Average (GPA).

Students in the J.D. program must have a cumulative GPA of 70 or above to be in good academic standing.

Students in the M.L.S. program must have a cumulative GPA of 65 or above to be in good academic standing.

Students in the L.L.M. program must have a cumulative GPA of 75 or above to be in good academic standing.

Students who do not successfully pass at least 60% of the units they are enrolled in during a semester will be placed on academic probation

## Examinations

### Examinations

There is a written final examination or project for every course offered for credit, with the exception of clinical courses, skills training, trial practice, or other designated courses in which substantial written work is the basis for the assessment.

Exam grading by faculty is anonymous. Student exam identification (ID) numbers are used to identify student test papers. Students must not share their exam ID numbers with professors. Students who share their exam ID number with a professor should contact the Registrar immediately.

In order to maintain anonymity, a student shall *not* contact the instructor regarding an exam prior to the release of exam grades. Questions should instead be directed to the Registrar or Academic Dean. All examinations shall have a score assigned for each answer. These scores are considered “raw points” rather than a final grade for the course. Final grades for exams and each course may be subject to a course “curve” in which an exam grade or final grade may be assigned that is different than an exam’s “raw score.” In addition, the course syllabus may indicate other course requirements, such as quizzes, projects, and papers, that may be considered in the final course grade.

### Administration of Exams

End-of-term examinations for doctrinal classes are managed and proctored by the law school administration. End-of-term examinations are anonymous. All questions regarding examinations schedule, makeup exams, testing software, etc., must be directed to the law school administration, not the faculty. Students will be identified on examinations by anonymous testing ID only. Students should not share their anonymous testing ID with their professors or other students. Doing so will compromise the anonymity of examinations. Students must contact the Registrar if they believe their anonymous testing ID was compromised.

The official examination schedule will be distributed by the Registrar each semester. Students enrolled in on-site classes may take on-site examinations using a laptop computer or by handwriting. Students

enrolled in the Hybrid Online program may elect to take their examinations on-site or remotely using their computers with the Examsoft AI monitoring program. Students in the hybrid online programs who wish to handwrite their exam answers must test on-site.

Exams are administered using the Exemplify program licensed by Examsoft. Exemplify allows exam takers to securely take their examinations, which are downloaded to their laptop computers. The Exemplify program blocks access to files, programs, and the internet during an exam.

For students taking exams remotely, digital proctoring is conducted using Examsoft's ExamMonitor program, a remote proctoring, technology-driven program. ExamMonitor enables students to be observed by capturing audio and video recordings of exam takers during the duration of an examination. For more information on ExamMonitor, see

[https://cdn2.hubspot.net/hubfs/2956392/ExamMonitor/ExamSoft\\_ExamMonitor.pdf](https://cdn2.hubspot.net/hubfs/2956392/ExamMonitor/ExamSoft_ExamMonitor.pdf)

Exemplify works on most relatively new (i.e., purchased within the last 3-4 years) laptop computers. For the current specifications required for PCs and Macintosh computers, see the specifications posted on the Exemplify website. <https://examsoft.com/resources/exemplify-minimum-system-requirements/>

Students testing remotely must utilize the AI monitoring system. Students who obfuscate their faces or are otherwise hidden from view while testing remotely may receive a failing grade and will be subject to the Student Honor Code.

Cell phones, tablets, electronic watches/fitness trackers, notebooks, outlines, books, papers, backpacks, calculators, tape recorders, and other personal items **are prohibited** from on-site examination rooms and remote testing spaces and may not be accessed during the testing period. Students who access prohibited devices or materials during an examination may receive a failing grade and will be subject to the Student Honor Code.

Exams begin promptly at the designated time. Students must be in their designated exam room or testing space 15 minutes prior to the commencement of the exam and be prepared to take exams. Students who elect to take exams using laptop computers must have their computer on and the exam software ready to begin **no later than 15 minutes prior to the commencement of the exam**. A student arriving after the commencement of the exam may take the exam but will not receive any additional time to complete it. On-site late arrivals will not be allowed to use laptops and will be directed to the writing exam room to eliminate the distraction of computers being set up after the start of the exam. Exam proctors are not required to delay exams to provide exam instructions to late arrivals.

If a student leaves the classroom or remote testing space during the examination period, the student is not permitted to take any materials out of the room or to speak with other students inside or outside of the room. This rule includes telephone calls, text messages, emails, and other forms of communication. Students who violate this rule may receive a failing grade on the exam and will be subject to the Student Honor Code.

If a student leaves the examination room, they will not be given additional time to complete the examination. Students must return printed examination questions to an exam proctor before leaving the testing space. Students testing remotely may not record, photograph, or otherwise copy digital examination questions.

Students must contact an exam proctor immediately if they experience a problem during an exam that prohibits them from completing the exam. Proctors will be available on-site for students taking on-site exams and by phone or email for students testing remotely.

If a student finishes an on-site examination before time is called, they may turn in the student test papers to the proctor and leave. However, if only 5 minutes of the examination time remain, the student must remain in the room until time is called.

Any student who continues to write/type after time has been called will not have their paper graded, may receive a failing grade, and will be subject to the Student Honor Code.

(See <https://www.montereylaw.edu/currentstudent/Student%20Honor%20Code.pdf>)

Since most law school examinations are designed to impose time pressures, writing beyond the allotted time is, in a very real sense, "cheating." Any form of cheating can result in administrative dismissal from the school. When time is called at the end of the examination, each student must remain seated. The proctor will instruct students on how to turn in student test papers, including uploading to the exam server or personally handing them in to be checked off. Only when this procedure has been completed may students leave. Student test papers "lost" prior to being uploaded to the exam server or being accepted by the proctor are the sole responsibility of the student.

### **Illegible Handwriting**

Students are held responsible for submitting legible examination papers. In the unusual event that a professor is unable to read an exam due to illegible handwriting, the following procedures will apply:

- 1) The illegible examination paper will be submitted to the Academic Dean or the Dean's designate who will attempt to locate a reader. Should a reader not be found, the student will dictate the exam answers verbatim from the submitted student test papers into a recorder in the presence of a designated staff member.
- 2) The dictation will be transcribed, and a copy of the transcription given to the professor for grading. The student may not see or correct the transcription.
- 3) All additional costs related to this procedure will be paid by the student. Fees to cover both administration and transcription will be charged.

See <https://www.montereylaw.edu/currentstudent/financial/tuitionandaid.html>

- 4) If there is a discrepancy between what the designated staff member thinks the handwritten paper said and what the student dictated, the staff member will highlight or make a note of any discrepancies and bring them to the attention of the Dean or the Dean's designate to resolve any conflict.

### **Accommodations**

Students with disabilities should inform the Registrar and Academic Dean or the Dean's designate, in writing, of their intention to pursue special accommodations at least four weeks before they are needed. Students may submit at any time. However, this may entail a period of study during which a student's accommodation decision is still pending. If a student with accommodations requires a modification to

their accommodation, they should contact the registrar and submit an updated application and supporting paperwork.

Students requesting accommodations must complete the Special Accommodations paperwork required by the school and provide appropriate written diagnostic documentation from a qualified medical professional. To the extent possible and/or as required by law, reasonable accommodation will be provided to all approved accommodation requests. Assignment of special exam seating shall be limited to students with accommodations. Special seating shall be assigned by the exam proctor subject to policies approved by the Academic Dean or the Dean's designate. *See Special Accommodations in student services.*

### Examination Scheduling

The academic calendar identifies the examination week for each semester. Students should anticipate testing three to four days during each exam week and arrange their schedules accordingly. The Registrar will release the examination schedule by email several weeks before exam week. The examination schedule will identify the day on which each subject will test. Allowances are not made for students who are late to the examination or who fail for any reason to complete any part of the examination except as indicated below.

### Rescheduling Examinations

If, due to extraordinary circumstances or unusual emergencies (e.g., major illness, serious family emergency, traffic accident, natural disaster, etc.), a student is unable to take an examination at the scheduled time, the student must request permission to reschedule the exam. Except in cases of sudden illness, hospitalization, or inability to contact the law school, requests to reschedule an exam must be made in advance and in writing to the Academic Dean or the Dean's designate. Approval for rescheduling an exam is entirely within the discretion of the Academic Dean or the Dean's designate.

**Professors should not be contacted with a rescheduling request under any circumstances.** If permission to reschedule the exam is granted, a rescheduling examination fee of \$600 will be charged to cover the cost of preparing and grading a make-up exam. In addition, an administrative fee of \$100 will be charged to cover the cost of an exam proctor.

Exams must be rescheduled and completed as soon as possible, and in no case later than the second week of the following semester. It is the responsibility of the student to contact the Registrar to confirm the rescheduled exam date/time. Failure to complete an exam during the prescribed time will result in the student being administratively dropped from the course. No credit will be granted for partial course completion. The student may not be eligible for a tuition credit or account credit for being dismissed from a course due to failure to complete an exam in the prescribed time.

### Grade Deadlines

Generally, faculty members score student test papers within 30 days of the exam date. Exam scores are returned to the Registrar, reviewed for discrepancies, and submitted to the Academic Dean or the Dean's designate for final review and approval. Upon final approval, scores are released by posting them on the student's personal account on Populi. Faculty are not authorized to release exam or course grades. Only the final scores/grades released/posted by the Registrar are considered official grades.

## Student Review of Graded Exams

After grades are released, students will receive notice that they may request their student exams for review. Original exam documents and electronic files are the property of the Law School. The Law School is required by the State Bar Accreditation Rules and Guidelines to maintain the original exam written or digital copies for a period of five (5) years. As a convenience, on-site students may copy their written exams on the Student Bar Association (SBA) copier. *No original student-written test papers are allowed to leave the law school.* The procedure for students in the Hybrid J.D. program to review/download digital copies of exams will be provided along with the notice that exams are available for review.

## Exam Review Meeting

A student may request a review of their examinations by the faculty member. The purpose of such review is to enhance the student's education by providing the opportunity for appropriate academic feedback. **Faculty members are not authorized to change an individual exam grade once the course grades have been finalized and posted unless it is pursuant to a Grade Appeal process set forth below.**

## Grade Appeals

After final approval by the Academic Dean or the Dean's designate, grades will not be changed unless there are computational or clerical errors, such as incorrect point calculation or a clear failure to read or grade a portion of the exam, or if two pages of an exam are stuck together. An allegation that an instructor has not fairly graded an examination or has departed from the established grading policy outlined in the grading guidelines will be treated as an allegation of a material mistake.

Before filing a petition for a grade appeal, the student must first meet with the course professor to discuss the exam and their exam answers. Grade appeals based on computational error, clerical error, or material mistake must be submitted as a written petition with any accompanying supporting documents or materials within 30 calendar days of the final grades being made available to the student. Written grade appeals and attachments should be emailed to the Registrar and Academic Dean.

The authority to decide student grade appeals for computational or clerical errors is held by the Academic Dean or the Dean's designate. If timely submitted, a computational or clerical error in grading may be corrected at the administrative level by the Academic Dean or the Dean's designate. The authority to decide student grade appeals based on an alleged material mistake is held by the Academic Standards Committee. Upon receipt of a petition alleging a material mistake, the Academic Dean will forward the petition to the ASC.

When conducting exam grade reviews, the ASC shall give deference to the grading decisions of faculty members. Grades will not be changed unless the ASC finds, by clear, convincing and objectively verifiable evidence, that the grade reflected unfairness, a departure from the grading policy, or a clear grading error. Students must provide relevant and credible evidence to support the allegations in their petition. Petitions received without such evidence will be denied on the basis that the petition is insufficient. A student's belief that the exam analysis or answer provided deserved a higher grade does not constitute objectively verifiable evidence warranting a change by the ASC. The academic standards committee will communicate its decision to the student and the Academic Dean.

The Academic Standards Committee's decision is final. Upon student request, the Academic Dean may conduct a final review. That final review is limited to confirmation that the Academic Standards Committee afforded the procedural due process required by the law school's academic policies. Additional evidence and arguments are not considered in the final review. The decision upon review is final and not appealable.

## Graduation

### Graduation Requirements

In order to graduate, a student must have successfully completed the following: 90 units for the J.D. degree; 36 units for the M.L.S. degree; and 24 units for the LL.M. degree. The student must also be in good standing.

J.D. Students must satisfy all graduation requirements and be in good standing before being certified to sit for the bar exam. Students must satisfy ALL graduation requirements by the end of the semester prior to the bar exam they wish to take.

### Graduation Ceremony

The Law School holds one graduation ceremony during the summer semester for each campus. Students in the Hybrid program may participate in the ceremony for the campus they've designated as their home campus.

Students may request to walk in the graduation ceremony if they are within 6 units of completing their degree.

Walking at graduation does not confer a degree. Students must be in good standing and complete all graduation requirements to earn their degree(s).

### Applying for Graduation

Students eligible to graduate must complete the graduation application on [Populi](#). The application is available [here](#).

The graduation application is a prerequisite for degree conferral and graduation. Students must complete the graduation application linked above when they are in their last year of study. The application window opens annually in September and closes in November. Students should only submit the application if 1) they will complete ALL degree requirements by the end of the spring semester in the year they graduate or 2) they will be within 6 units of completing their degree and are applying to walk in the graduation ceremony. Walking in the graduation ceremony does not confer a degree or guarantee future conferral of a degree. Students must successfully complete all degree requirements to achieve degree conferral.

To achieve degree conferral, students must be in good standing, which requires both academic and financial standing. Students who have been suspended or expelled may not participate in the graduation ceremony.

## Academic Standing and Class Ranking

Academic standing is determined annually at the close of the Spring semester based on the cumulative Grade Point Average (GPA). Class rank will be determined in a student's final year of classes. The top two students in each graduating class will be announced at graduation.

## Hardship Policies

### Incomplete

Where extraordinary circumstances arise that create hardship that prevent a student from completing individual course requirements in a timely fashion, a student may request an "Incomplete." Requests must be made in writing and submitted to the Academic Dean prior to the end of the course(s) in which the student is currently enrolled. The request for "Incomplete" will extend the deadline for completion of coursework and must be approved in writing by the Academic Dean or the Dean's designate. A specific time for completion of the course(s) must be agreed upon. If the "Incomplete" is not removed in the time specified, the grade will be changed to an Administrative Failure (A/55).

Except in extraordinary circumstances, a student will not be permitted to take an "Incomplete" in more than one course in a single semester. However, an "Incomplete" in Clinical Studies not caused by the student is exempt from this rule. Approved internships may be completed in more than one semester according to the guidelines. For Internship Program Guidelines, see [https://montereylaw.edu/resources/Clinical-Studies-Guideline\\_06.pdf](https://montereylaw.edu/resources/Clinical-Studies-Guideline_06.pdf)

### Leaves of Absence

Students are expected to complete their degree program in consecutive years. Interrupting the course of studies can be detrimental to the student's success in law school. Exceptional circumstances (financial disruptions, severe health problems, serious family emergencies, etc.) may necessitate that a student seeks a "leave of absence."

Students considering a leave of absence should make an appointment to speak with the Academic Dean or the Dean's designate. A student must complete the [Leave of Absence Form](#) on Populi specifying the reason(s) for the proposed leave of absence and anticipated return date. The student's academic record will be considered when evaluating the request. The request must:

1. be for no more than one academic year from the time the LOA request is submitted, and
2. agree that the student will abide by The Law Schools' academic policies and fees in force at the time of the student's return, and
3. agree that the student's failure to return to The Law Schools at the end of the approved leave of absence will result in the student being administratively dismissed from the program. Students who are administratively dismissed from the program must reapply for admission to return to classes.

At the discretion of the Academic Dean or the Dean's designate, a student may be allowed to take a slightly lighter class load per semester, thereby extending the course of study to longer than four years.

To terminate a leave of absence, the student must submit a 350 - 500 word personal statement requesting to end the leave and detailing steps they will take to ensure their success when re-enrolled.

All current tuition and fees must be paid in full before a leave of absence is granted and/or before readmission is considered.

### **Military or Essential Health and Safety Worker Emergency Leave**

Military and Reserve personnel or Essential Health and Safety Workers who are called to duty or to respond to a public emergency/crisis will be granted a leave of absence and may return to The Law Schools with the same academic standing held prior to the leave of absence. Students on emergency leave may choose either of the following:

1. Students who have paid in full may either request a full refund for the current academic term or request that a tuition credit on their account be held until they return and resume their studies. Students who take emergency leave will return at the tuition rate in place at the time of their emergency leave.
2. Students on the TIP payment plan with an outstanding balance due will be allowed to resume payment upon their return to classes.

### **Academic Counseling**

Students will be assigned to an academic advisor in their first year of law school. Students are required to meet with their academic advisor in the fall and spring semesters of their first year. Students with a GPA below the necessary requirement for good standing or a course grade below 65 must schedule an appointment with their academic advisor. *See Good Standing*

Students experiencing academic challenges may request individual counseling with their and academic advisor, professors, and the academic support department. Students who are determined to be at academic risk may also be required to repeat classes, take fewer classes, and participate in academic support tutorials or workshops. Although the Law Schools provide a range of academic support services, including tutoring, academic workshops, and academic counseling, it is the student's obligation to seek out and participate in these services.

### **Academic Probation and Disqualification**

Any student with a cumulative grade point average (GPA) below good academic standing at the end of the Spring semester is automatically placed on academic probation. Students who do not successfully pass at least 60% of the units they are enrolled in during a semester will be placed on academic probation. *See Good Standing*

Students on academic probation have one year to raise their cumulative GPA to the necessary threshold for good academic standing.

As a condition of probation, the student in the J.D. and LL.M. programs may be required to repeat one or more courses in which they earn grades lower than 70. Students in the MLS program may be required to repeat classes in which they earn grades below 65. Upon successful completion of the repeated course, the "new" grade will be entered on the student's transcript and used in the calculation of the cumulative GPA. As a condition of academic probation, students may be required to participate in academic support workshops or tutorials. Failure to successfully complete required supplemental academic support

programs may be taken into consideration in decisions related to academic probation and academic disqualification.

A student who fails to achieve good standing at the conclusion of their year-long academic probation shall be academically disqualified from the program. Students who are disqualified from the JD program may qualify to remain in the Master of Legal Studies program as long as their cumulative GPA is above 65. Students academically disqualified from the LL.M. program are not eligible for transfer to another program.

Students who are academically disqualified from the JD program and do not remain in the Master of Legal Studies program may be entitled to a partial credit of paid tuition for courses in which they are enrolled at the time of dismissal.

### **Introduction to Satisfactory Academic Progress**

*Institutions participating in student aid programs under Title IV of the federal Higher Education Act (HEA) continually evaluates the satisfactory academic progress (SAP) of their students. Student aid programs under Title IV of the federal Higher Education Act (HEA) are **NOT presently available at the College**. As an institution seeking accreditation by the WASC Senior College and University Commission (WSCUC), however, the College has adopted a satisfactory academic progress monitoring policy to prepare for accreditation and eventual participation in federal student aid programs, should the school achieve accreditation and qualify for, and choose to participate in those programs. Until such time as accreditation and participation is approved, SAP monitoring is advisory for students and permits the school to collect data that it will use if or when implementing a compliant federal student aid program.*

The SAP policy the law school will follow *if* the school achieves accreditation, qualifies for, and chooses to participate in student aid programs under (HEA) is available in the appendices. The soonest this policy will be activated is March 2024.

### **Academic Proposals**

Students who are placed on academic probation must submit a written proposal outlining their plan to raise their GPA to the threshold necessary to maintain good academic standing. Students on probation should meet with their academic advisor to discuss their plan prior to submitting their proposals.

Students who are determined to be at risk of being placed on academic probation may be required to submit an Academic Proposal. Academic Proposals should address reasons for poor academic performance and provide a proposed plan that details the student's course schedule, study regime, academic support programs, and changes to circumstances or personal conditions that are affecting academic performance. Students who are determined to be at academic risk may also be required to repeat classes, take fewer classes, and participate in academic support tutorials or workshops.

Students who are placed on academic probation must submit a written proposal outlining their plan to raise their GPA to the threshold necessary to maintain good academic standing.

### **Withdrawal from Courses**

A student may withdraw from a course prior to the last regular class meeting with permission from the Academic Dean or the Dean's designate. Unauthorized withdrawal from required bar-tested subjects or failure to complete the required number of units for graduation may disqualify a student from sitting for

the California Bar Exam under the Committee of Bar Examiners rules.

Reductions in course load may affect a student's qualification under Bar residency requirements. Students who do not obtain permission to withdraw, or do not take a required examination without being excused, will receive an Administrative Failure (A/55). This grade will be computed into the student's GPA. Students who are not continuously enrolled in courses and a program, students who fail to meet the attendance requirements, and students who do not return at the designated time from an approved leave of absence will be administratively withdrawn from the program.

### **Withdrawal from Law School**

A student may withdraw from the law school at any time prior to the last regular class meeting. Students should seek academic counseling with the Academic Dean before withdrawing. All current tuition and fees must be paid in full to withdraw in good standing.

Students who withdraw or are dismissed from the law school must reapply if they wish to return to a program. If the student contemplates seeking readmission to the law school, they must provide a written request that explains the reasons for the original withdrawal or dismissal and why circumstances now support readmission, and the likelihood of success if readmission is granted. This information will be considered by the Admissions Committee at the time of application for re-admission in addition to the information collected through the normal admissions process. Students who withdrew or were dismissed must pay any outstanding balance before they will be considered for readmission.

### **Administrative Dismissal**

A student may be administratively dismissed from an individual course, program of study, tutorial, or clinic for the following reasons:

1. excessive absences (more than 20% in any course);
2. failure to complete quizzes, major assignments, or exams;
3. failure to promptly pay tuition and fees when due;
4. failure to comply with State Bar rules, requirements, or documentation;
5. violating the standards of classroom professional conduct or the terms of the Student Honor Code;
6. disruptive, harassing, bullying, or other unprofessional behavior in class or in interaction with administration, faculty, or other students.
7. consistent failure to arrive on time, attending class without being properly prepared, or attending class without participating;
8. failure to maintain continuous course enrollment in a program. Continuous enrollment is defined as taking at least one class every semester; or
9. failure to return at the designated time from an approved leave of absence.

Notice of administrative dismissal shall be provided in writing to the student and may include email or other digital means of communication. Students are not entitled to tuition credits following administrative dismissal unless a waiver is granted due to special circumstances. Depending on the circumstances of dismissal, the Academic Dean or the Dean's designate may enter either Administrative Failure (A/55) or Withdrawal by Permission (W) for all pending coursework. The student may petition for readmission following the procedures outlined in the preceding section.

## **REGISTRATION, TUITION, AND FINANCIAL AID**

### **Registration**

Students must register online through Populi at the beginning of each academic year for the Fall, Spring, and Summer semester courses. Students will register for *required* summer courses during the annual registration period. Students may add summer elective classes during the summer elective registration period. Students must complete an enrollment agreement when registering. Semester courses may be altered during the add/drop period. Payment of fees, tuition, and/or costs for instructor-prepared materials are to be paid through a range of payment plans set up with the Business Manager. Students with an outstanding balance may not register for or enroll in the next semester/academic year unless the outstanding balance is paid or they are current with an approved payment plan. Late registration and add/drop fees are assessed if a student does not register during the designated annual registration period.

Students must apply to participate in clinical education classes. The clinical education catalog and application will be released prior to the beginning of each semester. Students who are approved to take clinical education classes will be registered for the approved classes prior to the start of the semester.

### **Tuition and Fees**

Tuition and fees for the current school year are set forth in the Tuition and Fee Schedule, see <https://www.montereylaw.edu/currentstudent/financial/tuitionandaid.html>

\*There are additional costs for textbooks and instructor-prepared materials. Tuition and fees are due and payable at registration or according to the Tuition Installment Plan (TIP) agreement. Failure to make timely payments of tuition, fees, or other amounts owed to the law school may result in the assessment of late fees, the inability to sit for examinations, and denial of registration for the subsequent semester or academic year. Students with an outstanding balance may not register for or enroll in the next semester/academic year unless the outstanding balance is paid or they are current with an approved payment plan. Students must be in good financial standing to graduate and earn their degree. Tuition and fees are subject to change at the discretion of The Law Schools.

Payment may be made by check, cashier's check, money order, debit, or credit card. To assure approval, please ensure your credit card limit will accommodate the amount that you will be charging. Please note: For security reasons, The Law Schools do not accept cash payments. Please plan an appropriate payment method in advance.

### **Tuition Credit Policy**

The annual flat-tuition rate is based on taking 12 or more units during the academic year, which includes

the Fall, Spring, and Summer semesters. Students who enroll on a flat tuition schedule for 12 units or more during an academic year (including combined Fall, Spring, and Summer semesters) are only eligible for a prorated credit if they submit timely add/drop forms and are approved by the Academic Dean to drop to fewer than 12 enrolled units for the combined Fall, Spring, and Summer semesters. For example, if you register for 9 units in Fall Semester, 9 in Spring Semester, and 4 units for the Summer Semester but are approved to drop all Summer Semester courses, there is no prorated-tuition credit because you will have already completed more than 12 semester units (in this example, 18 units during the Fall and Spring) during the academic year.

Students who submit timely add/drop forms and are approved to enroll in fewer than 12 units in an academic year can be eligible for a prorated credit of tuition charges. To be eligible for a tuition credit, a student must notify the Academic Dean and the Registrar by filing a timely add/drop form and submitting a written notice (by email) of his/her intention to reduce the number of enrolled units and/or withdraw from the academic program. The amount of tuition credit is determined as of the date of receipt of written notice of withdrawal and is calculated as follows:

Withdrawal before the start of instruction: 100% Tuition Credit

Withdrawal during the first 60% of instruction: \* Pro Rata Tuition Credit

$$\frac{\text{Total hours of instruction offered (minus) Total hours elapsed}}{\text{Total hours of instruction offered}} \times \text{Total Tuition Cost}$$

Withdrawal after completion of 60%\* of instruction: No credit

\* 60% of instruction is completed in the ninth week of classes during the Fall and Spring semesters and in the sixth week of classes during the Summer Semester. Please note that student fees are not refundable. Students attending the Law Schools under the Veterans Administration Benefits Program are governed by a special refund policy. All tuition and fees paid are subject to a pro-rata refund regardless of when the veteran student withdraws from a course.

If there are any funds available after applying tuition credits *and* reconciling a student's account, then a refund may be issued.

### Returned Check Policy

Any student whose check is returned for nonpayment (NSF) will be subject to a returned check fee of \$50. Returned checks will not be resubmitted. A cashier's check or money order payable to The Law Schools will be required to cover any current amount due, including incurred fees.

### Financial Information

The Law Schools are independent, 501(c) 3 non-profit educational institutions that receive no support from taxes or other public funds. The primary source of revenue comes directly from student tuition.

Because The Law Schools do not meet the criteria for the U.S Department of Education Title IV, students do not qualify for either federal or state-insured educational loans. However, other educational loans may be available to students based on personal credit status. Students are urged to plan their budgets carefully before entering law school. At the current time, new enrollees at California Accredited Law Schools (including MCL and its branch locations) are not eligible to participate in the GI Bill Educational Benefits program. Due to a policy change by the Department of Veterans Affairs, participation in the federal GI Bill Educational Benefits program is limited to ABA-approved law schools only.

## Scholarships

Monterey College of Law-awarded scholarships are available each Fall and Spring semester for second, third, and fourth-year students. First-year students are eligible to apply for scholarships during the Fall semester. Scholarships are applied toward tuition and are awarded on the basis of scholastic achievement, financial need, and/or service to MCL and the community. Students are notified by email when scholarship applications are due. Application forms may be found here:

<https://www.montereylaw.edu/resources/Scholarship-Studyship-ApplicationRev2021.pdf>

Only students whose grade point average is 70.00 or above and who are in good financial standing are eligible for consideration. Good financial standing is defined as having an account that is current, or if delinquent, a student has made payment arrangements with the business manager. Note that a student may not be in “good financial standing” if his/her/their Populi registration account is locked for financial reasons. The awarded scholarship amount will be credited to the student accounts of scholarship recipients.

Scholarships available for students attending Monterey College of Law, San Luis Obispo College of Law, Kern College of Law, Empire College of Law may be found here:

<https://www.montereylaw.edu/currentstudent/scholarshipsandawards.html>

MCL, SLOCL, KCCL, ECL, and hybrid students may also be eligible for scholarships awarded by outside sources. Notices regarding these scholarships are sent via email to students upon receipt. Students should contact the Campus Dean or Campus Administrator at each location to inquire about scholarship criteria, availability, and application process.

## OTHER POLICIES & PROCEDURES

### Populi

The Law Schools use the learning management system Populi. Students are required to use Populi to register, complete class assignments, upload class work, access course materials, access grades, and perform many other academic procedures and requirements as identified by the administration.

Populi, the information posted within the Populi system, and access to the system are limited to students who are currently taking classes at the Law Schools for the limited purpose of completing class and graduation requirements. Information obtained from Populi and Populi access may not be shared. Students may not record, screenshot, share, live broadcast, or otherwise publish information they access on Populi.

Students will receive a Populi student account prior to beginning classes. Students will retain Populi access while they are enrolled in classes and while taking bar preparation classes. Populi accounts for individuals who are not currently enrolled in classes or bar preparation will be deactivated.

## Student Information

Every student has an obligation to promptly provide the law school with updated personal contact information. Students may review the address, phone number, and personal email address associated with their student file on Populi.

## Class Recordings

Online classes meeting via Zoom may be recorded and posted to the Populi course page for student learning and study purposes. No student, under any circumstances, may post or distribute any recordings, screenshots, pictures, or other forms of reproduction of the Zoom sessions. Course recordings will only be made available to students enrolled in the course and for the duration of the course.

The recording or broadcasting of on-site or online course lectures via audio, screenshot, photo, video, or live stream is **strictly prohibited**. Students who violate this policy will be in violation of the student honor code. If a student cannot be present at a planned lecture, appropriate arrangements should be made with another student to obtain a copy of their class notes or speak directly with the professor about obtaining a recording of the session. Students who seek accommodations due to a disability must speak to the Dean or the Dean's designate.

## School Email Accounts

Students will receive a school email for academic use while taking classes. The administration will send all official communications and information through the school email system. Students are required to check their school email accounts frequently. The Law Schools retain the right to delete a student's email account after a student graduates or is otherwise not enrolled in classes.

## Student Honor Code

The Law Schools are adult, professional, graduate educational institutions. Law students, as future members of the legal profession, are subject to the responsibilities and ethical standards of the profession. The well-being of the profession and the integrity of The Law Schools depend upon the maintenance of such standards. Student behavior and conduct in class should be appropriate, and any behavior determined to be a violation of the Student Honor Code or that is deemed unprofessional or that interferes with the learning opportunities for other students by The Law Schools' administration or faculty may be a cause for dismissal from an individual course and/or dismissal from school.

Academic integrity requires that work for which students receive credit be the result of their own effort. Acting honorably in an academic setting requires more than simple honesty. Academic dishonesty takes place whenever students undermine the academic integrity of the institution or attempt to gain an unfair advantage over others. Ignorance of the honor code is not accepted as a valid excuse for prohibited conduct. Cheating, plagiarism, and other forms of academic dishonesty are honor code violations.

When the law school receives or becomes aware of information indicating that a student has engaged in

behavior that constitutes a violation of the Honor Code, is unbecoming an MCL student and/or an attorney under State Bar of California rules, or violates another standard of conduct provided by school policies, the student will be asked to meet with appropriate administrative personnel. After the initial meeting, the Dean may recommend such actions as are necessary or appropriate to address the behavior of the student. The Dean may also refer the matter to the Academic Standards Committee for disciplinary review.

If the matter is referred to the Academic Standards Committee for disciplinary review, the student will be given written notice of the specific allegations. The student will be given the opportunity to present evidence and written statements to the Committee. Members of the Committee may ask questions of the student and of any related witnesses. The Committee shall make findings as to the truth or falsity of the allegations against the student and formulate a recommended disciplinary action. The Committee's decision shall be final.

A student charged with misconduct will be given a written final determination, which includes a statement of the facts, conclusions, and sanctions. The related documentation will be added to the student's law school file.

Pursuant to the State Bar of California's process concerning the investigation of the moral character of persons applying to practice law in the State of California, the law school may be required to disclose violations of the Honor Code to the State Bar.

For the complete Student Honor code,

<https://www.montereylaw.edu/currentstudent/Student%20Honor%20Code.pdf>

### **Non-Discrimination Policy**

The Law Schools admit students without regard to age, sex, race, religion, creed, color, physical handicap, sexual preference, or national or ethnic origin.

### **Harassment Free Environment**

The Law Schools maintain a strict policy prohibiting unlawful harassment or bullying in any form, including verbal, physical, and sexual harassment or bullying of, or by, students, faculty, or staff on campus or online. For a complete sexual harassment policy, see

[https://montereylaw.edu/resources/Sexual-Harrasment-Policy\\_06.pdf](https://montereylaw.edu/resources/Sexual-Harrasment-Policy_06.pdf)

Sexual harassment includes, but is not limited to, making unwanted sexual advances and requests for sexual favors, either explicit or implicit. Sexual harassment also includes conduct of a sexual nature that demeans or humiliates the student or employee, substantially interferes with an individual's work or academic performance, or creates an intimidating, hostile, or offensive working or classroom environment.

Harassment or bullying behavior includes actions or words that demean, humiliate, or create fear or significant anxiety for a student, faculty member, or employee, and/or substantially interfere with an individual's work or academic performance, and/or create an intimidating, hostile, or offensive working or classroom environment.

Any student, faculty member, or employee who believes they have been harassed or bullied on campus

or online by a student, staff, or faculty member of The Law Schools should report the facts of the incident and the names of the individuals involved promptly to the Sexual Harassment Officer or the Law Schools' Dean.

All harassment complaints shall be investigated in a timely manner and conducted in the strictest confidence and in accordance with established grievance procedures. After appropriate investigation, any student, faculty member, or staff member who is found in violation of this policy is subject to appropriate discipline. Depending on the circumstances, disciplinary action may include a warning, academic expulsion, or employment termination.

### **Sexual Assault Policy**

All sexual assaults should be reported to the police or 911 immediately. The Monterey Rape Crisis Line (831-373-4357), SLO Hotline (800-783-0607), the Bakersfield Crisis Line (661- 327-1091), and Verity in Santa Rosa (707-545-7273) can provide support, information, and assistance.

Pursuant to California Education Code Section 94385, The Law Schools maintain a policy prohibiting sexual assault on campus. Any student or employee who believes they have been sexually assaulted on campus should report the facts of the incident and the names of the individuals involved promptly to the Sexual Harassment Officer as defined in the sexual harassment policy.

All sexual assault complaints shall be investigated in a timely manner and conducted in the strictest confidence and in accordance with established grievance procedures.

After appropriate investigation, any student, faculty member, or staff member found in violation of this policy is subject to appropriate discipline. Depending on the circumstances, disciplinary action may include expulsion, termination, or employment termination.

### **Anti-Bullying, Harassment, and Intimidation Policy**

The law school is committed to the establishment and maintenance of a safe, caring, equitable, and inclusive educational environment in order to maximize the learning potential of all students and to protect the health and safety of faculty, students, and staff.

Faculty, students, and staff have the right to expect that the law school environment will be free from bullying, harassment, and intimidation. Therefore, this type of behavior is strictly prohibited in all law school-related settings (in-person and virtual), including classes, group and individual meetings, online and in-person verbal and written communication, and events.

#### *What Can Constitute Bullying, Harassment, or Intimidation in a Zoom Classroom Setting?*

Unwanted verbal, nonverbal, or physical attention that is meant to demean, intimidate, embarrass, or threaten may be considered harassment. This includes unsolicited comments about an individual's physical appearance or the appearance or setting of their Zoom environment. Harassment may also include comments (verbal or written), postings, jokes, images, or gestures that reference sex, gender, ethnicity, political or philosophical ideology, disability, or physical appearance in a manner meant to demean, intimidate, or threaten.

#### *Violations of Policy*

Violation of the school's anti-bullying, harassment, and intimidation policy may subject faculty, students,

or staff to discipline that may include informal or formal warnings, participation in mandatory training or counseling, temporary suspension, or termination/dismissal.

## **Firearm Policy**

As a private educational institute, The Law Schools have a policy prohibiting the possession of firearms on campus without express written permission from the Dean or the Dean's designate. This policy does not apply to active or retired law enforcement officers.

## **Student Records/Privacy Act**

The Family Educational Rights and Privacy Act of 1974 protects students from having their records released to persons or institutions without the student's written consent and allows students to review their own official education records to make sure that no misleading, inaccurate, or otherwise inappropriate information has been included in their files. The Law Schools will not release student information to third parties without the express written consent of the student.

## **Student Complaints and Grievances**

Students have the right to file a formal student complaint if they believe their rights have been violated with regard to administrative policies, technical requirements, financial processes and systems, grading, the Americans with Disabilities Act, harassment, Equal Opportunity, or other matters.

### **Grievance Policy and Procedure**

#### 1. Introduction

Grievances are concerns, problems, or complaints that staff, students, or faculty raise with the law school. These may be about any aspect of their work, study, treatment that they have received, or relationships with staff, students, or faculty. This policy is also used when dealing with complaints of bullying and/or harassment. The purpose of this policy is to ensure that complaints are dealt with in a timely manner, fairly, and consistently.

#### 2. Scope

This policy applies to all staff, students, and faculty at all locations and in the hybrid online program.

#### 3. Confidentiality

All grievance proceedings, including details of any investigation and statements relating to it, are considered confidential and will not be publicly disclosed unless required by the State Bar, the Committee of Bar Examiners, other licensing entities, or otherwise required by law. The Board of Trustees will be notified in closed session of the outcome of any formal process upon conclusion. Any breach of confidentiality may also be considered under the disciplinary policy.

#### 4. Exclusions

This policy does not apply to complaints of professional malpractice, civil legal claims, or criminal activity: such complaints should be raised immediately with the law school dean or if presenting the complaint to the law school dean creates a possible conflict of interest, the complaint should be raised with the chair of the law school Board of Trustees. This policy shall not be used to address complaints that are covered by the student Honor Code, academic disciplinary policy, or grading appeals.

The grievance policy shall not be used to deal with complaints made after employment or student enrollment has ended. However, if a grievance has been formally filed and not resolved before an employee or student is no longer employed or enrolled, if requested by the aggrieved party, the grievance process may be completed.

#### 5. Requirement of Good Faith

Any complaint raised under this policy should be made in good faith. Any complaint found to have been made in bad faith may give cause for disciplinary action. All staff, students, and faculty are expected to co-operate in the implementation of this policy and the accompanying Harassment and Bullying Policy (where applicable), both of which are intended to establish and maintain a safe, fair, and reasonable employment and academic environment.

#### 6. Informal Grievance

Many grievances can be resolved informally and quickly, and there is an expectation that staff, students, and faculty will seek to do this, without unreasonable delay, before formal steps are initiated. The law school Dean, Academic Dean, or Campus Dean should be notified of grievances that are of an informal nature so that involved parties can be consulted with an objective of resolving the grievance to the benefit of the involved parties. If deemed necessary, a trained mediator may be asked to participate in the facilitation of communication between parties.

#### 7. Formal grievance process

If a complaint has not been satisfactorily resolved through informal measures, the aggrieved party will be requested to provide a written statement that includes a summary of the complaint, parties involved, and specific circumstances related to the complaint. The formal written complaint should be submitted in writing or by email to either the law school Dean, Academic Dean, or Campus Dean.

##### 7.1 Investigation

In some cases, it may be necessary to carry out an investigation into the grievance. The amount of any investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from the involved parties and any witnesses, and/or requesting and reviewing relevant documents. The investigation may be carried out by the law school dean or may be assigned to a third-party outside investigator.

In order for a grievance to be investigated, the aggrieved party must agree to cooperate fully and promptly in any investigation. Failure to do so will result in the formal grievance being dismissed. Cooperation may include providing the names of relevant witnesses, providing relevant documents, and participating in informal and/or formal interviews.

In response to a formal written grievance being submitted, an investigation must be conducted and completed before a grievance hearing will be held.

## 7.2 Hearing

Upon completion of an investigation, and a written recommendation by the investigator that grounds exist for a grievance hearing, a hearing will be convened within four weeks of receipt of the formal written grievance, unless circumstances related to completing the investigation require additional time. A three-person panel will be selected that may include senior management, faculty representatives, or outside professionals. None of the panelists shall have any direct involvement in the grievance matter. The hearing will be conducted in a manner that allows parties to explain the grievance, introduce information, provide witnesses, and to provide guidance on how the grievance may be resolved. If the grievance could result in formal discipline, including probation or termination of employment or enrollment, the involved parties may be represented by counsel, although it is not required.

A decision may be provided upon conclusion of the hearing, but will also include a written set of findings provided to all principal parties within two weeks after the conclusion of the hearing.

In some cases, it may be necessary to adjourn the process to allow for further investigation. In this circumstance, parties will be provided at least two week's notice of the date, time and location for resuming the hearing.

## 7.3 Appeal

The findings of the hearing are considered final. No process for appeal is provided.

## 8. Collective grievances

A collective grievance occurs where a group of staff, students, or faculty feel aggrieved about the same issue. In this circumstance, the aggrieved group will be provided the opportunity to have the grievance considered collectively and will be requested to nominate one or more representatives of the group as a spokesperson. The collective grievance procedure will follow the same timescales and process as an individual grievance.

# STUDENT SERVICES

## Academic Support

Students are invited to take advantage of academic support services provided by The Law Schools.

Academic support services are coordinated by the academic support department and may include individual subject-specific workshops, small-group and/or individual tutoring, exam grading services, and learning style counseling. At-risk students and students on Academic Probation may be required to participate in Academic Support services. Standard participation and attendance requirements apply to all Academic Support services.

Because the Law Schools are committed to the academic success of its students, Academic Support services are subsidized. Students pay a designated fixed fee for courses, workshops, or tutorial services. Students should contact Dean Chong to discuss and enroll in Academic Support Services.

### **Academic Advisors**

Students will be assigned to an academic advisor in their first year of law school. Students are required to meet with their academic advisor in the fall and spring semesters of their first year. All students with a GPA below 70 or a course grade below 65 must schedule an appointment with their academic advisor to discuss their academic standing and the course repeat policy.

### **Exam Packs**

Prior exams and instructor-provided model-answer outlines for each class level are posted online each semester by the Student Bar Association (SBA). This service is provided to each student by the SBA and as part of the annual SBA fee. The decision to provide exam samples is at the discretion of each faculty member. Exam pack materials will be posted on the school's website under the Student Bar Association.

### **Bar Exam Preparation Services**

The Bar Preparation department offers bar prep programs for students in the J.D. program. Programming includes early-start preparation programs and classes and individual counseling. 3L students may also enroll in early bar preparation classes. J.D. students who successfully complete the J.D. program will also be enrolled in the Barbri bar exam preparation program. Students who transfer to MCL may be required to pay an additional fee to enroll in the Barbri preparation program. Students should contact Dean Chong to discuss and enroll in bar prep services.

### **First-Generation Law Student Program**

The first-generation (first-gen) law student population is a growing population at MCL. This prompted the school to start a first-gen program focused on fostering internship and work opportunities for the students and giving them the necessary professional modeling essential to their success as practicing attorneys. While targeting first-gen students, the program is open to all students. The program pairs students with an attorney in their region. Students paired with practicing attorneys gain insight into the legal profession, obtain possible networking opportunities, and gain additional mentorship while in law school.

### **Student Emergency Loan Fund**

Created by former Dean Karen Kadushin and funded by the contributions from the members of the Board of Trustees and faculty, the Student Emergency Fund (SELF) enables students to borrow up to \$500 as a short-term, interest-free loan to cover personal emergencies. The SELF cannot be used to pay The Law Schools' tuition and fees.

## Placement Assistance

The Law Schools encourage local attorneys, legal agencies, and businesses to provide notice of their employment opportunities with the Law Schools. A variety of positions for attorneys, law clerks, research assistants, etc., are made available to students and graduates via email.

## Accommodations

The Law Schools recognize that disabilities include physical, psychological, and learning disabilities and will make every effort to provide reasonable accommodations for students with professionally verified disabilities. Students are required to provide written documentation from an appropriate medical professional to substantiate accommodation requests. Confidential request forms may be found here: [https://montereylaw.edu/\\_resources/Special-Accommodations-App.pdf](https://montereylaw.edu/_resources/Special-Accommodations-App.pdf)

These forms should be submitted to the Registrar as early as possible so that appropriate arrangements can be made. The request shall also include appropriate diagnostic documentation supporting the request for accommodations.

The policy on Special Accommodations may be found here:

[https://montereylaw.edu/\\_resources/Special-Accommodations-Policy-2012.pdf](https://montereylaw.edu/_resources/Special-Accommodations-Policy-2012.pdf)

## Student Counseling Program

Students in need of counseling for issues related to drugs, alcohol, or depression may contact the confidential State Bar of [California Lawyer Assistance Program here](#).

The Law Schools have also contracted with a third-party provider to provide individual counseling services. If a student cannot pay or does not have insurance to cover the cost of these services, the law school may cover the cost for enrolled students, or graduates enrolled in the law school's bar preparation program for the first time, to complete up to ten counseling sessions. Students in need of these services should contact their advisor or the Academic Dean for referral information. Unless disciplinary action is warranted for disruptive activity or other violations of the Student Honor Code, all communication related to the Student Assistance Program shall be confidential and will not be included in the student's permanent record.

## STUDENT AND ALUMNI ORGANIZATIONS

### Student Bar Association

All students join the Student Bar Association (SBA) and receive the benefits of membership. Each year new officers and class representatives are elected. An SBA representative sits on the MCL Board of

Trustees as a non-voting member and works with the administration to ensure that student needs are known. The SBA presents programs, including panels on techniques of effective law study, and social events. For Student Bar Association By-Laws, see

<https://www.montereylaw.edu/currentstudent/kcclsba/kcclsba-pdfs/KCCL%20Bylaws.pdf>

[https://montereylaw.edu/currentstudent/sloclsba/slocl-sba-pdfs/SLOCLSBA\\_bylaws2023.pdf](https://montereylaw.edu/currentstudent/sloclsba/slocl-sba-pdfs/SLOCLSBA_bylaws2023.pdf)

<https://montereylaw.edu/currentstudent/mlcsba/mcl-sba-pdfs/BYLAWS%20-%20MCL%20SBA.pdf>

## **Alumni Association**

The Alumni Association serves as a support group for the students, a resource network for graduates, and a bridge between recent graduates and graduates in practice.

## **OTHER BAR ASSOCIATIONS AND LEGAL ORGANIZATIONS**

### **Monterey County Bar Association**

<https://www.montereycountybar.org/>

### **Santa Cruz County Bar Association**

<https://www.santacruzbar.org/>

### **San Luis Obispo County Bar Association**

<https://slobar.org/>

### **San Luis Obispo County Unity Bar**

<https://slounitybar.com/>

### **Northern Santa Barbara County Bar Association**

<https://nsbbar.org/>

### **Kern County Bar Association**

<https://kernbar.org/>

### **Unity Bar of Kern County**

### **Multi-Cultural Bar Alliance of Kern County**

<https://www.facebook.com/MCBAKernCounty/>

### **Sonoma County Bar Association**

<https://www.sonomacountybar.org/>

### **Napa County Bar Association**

<https://napacountybar.org/>

### **Mendocino County Bar Association**

<https://www.mendocinocountybar.com/>

## **APPENDIX DIRECTORY**

Appendix 1                      STUDY ABROAD GUIDELINES

Appendix 2                      COLLECTION PROCEDURES

Appendix 3	STUDENT PLAGIARISM
Appendix 4	GRADUATION CHECKLIST (Sample)
Appendix 5	SUMMARY OF REQUIREMENTS FOR ADMISSION TO CA STATE BAR
Appendix 6	PROGRAM LEARNING OUTCOME ASSESSMENT BY DEGREE
Appendix 7	SATISFACTORY ACADEMIC PROGRESS POLICY (information only)