

APPENDIX 10



STUDENT HONOR CODE

Law students, as future members of the legal profession, are subject to the responsibilities and ethical standards of the profession. The wellbeing of the profession and the integrity of The Law Schools depends upon the maintenance of such standards.

The Honor Code applies to all activities related to the law school program, including affiliated programs such as clinical programs, externships, internships, study abroad programs, and courses taken at other law schools for academic credit. The Honor Code applies to behavior of students during their tenure as law students, including periods of academic leave, and law school sponsored preparation for the bar exam. The Honor Code is not limited to activities on the MCL campus in Seaside and Santa Cruz.

Misconduct

The following acts warrant discipline of a student:

1. Dishonesty in any form, including plagiarism.
2. Disruptive, harassing, or threatening conduct or communications affecting the orderly administration of the law school or any of its affiliated programs, or likely to unreasonably interfere with the discharge of professional responsibilities and duties of any member of the faculty, staff, administrative of the law school or any of its affiliated programs. Such acts may include physical behavior or conduct, or be made in the form of written communications as more broadly defined by California Evidence Code section 250, and to include as an example, but not as a limitation, texts, telephone messages, e-mails, posting-on social media sites, such as Facebook, Twitter, and YouTube.
3. Theft, destruction, or defacement of school property, or of property belonging to a member of the school community.
4. Providing false or misleading information to the law school, the State Bar, or any other agency or organization related to the student's status or tenure as a law student or applicant to the bar.
5. Any act or omission that would subject the student to conviction of an offense involving moral turpitude.
6. Any act or omission that would subject the student to discipline by the State Bar of California if the student was an attorney.

Disciplinary Process

The following rules define the process and timing for matters brought under the Honor Code. With a showing of good cause, the Dean and Academic Standards Committee ("Committee") are granted authority under the Honor Code to do the following: a) extend any deadline or process under this Article or Section for a reasonable period of time [not to exceed 30 days absent a showing of extraordinary circumstances]; b) establish reasonable guidelines for the timing and duration of scheduled hearings; c) continue a scheduled

hearing for additional session(s) if deemed necessary;
and d) consolidate multiple allegations of Honor Code violations for an individual student into a single hearing.

1. A person having knowledge of a matter that may warrant student discipline may inform the Dean of the facts of the matter in writing. E-mail or other forms of digital communication qualifies as "writing" for the purpose of this process and required notifications.

2. If the Dean determines that further inquiry is necessary, the student will be notified in writing of the alleged facts and afforded an opportunity to respond either in person, or in writing, within five days. The Dean has the discretion to dispose of the matter informally or submit the matter to the Academic Standards Committee. If the matter is of a nature that may result in permanent expulsion from the law school, the matter must be referred to the Academic Standards Committee.

3. If the matter is referred to the Academic Standards Committee, the Committee will conduct a hearing within 10 days, subject to the provisions regarding extensions of time noted above. Written notification of the hearing time and place shall be provided to the student.

a) Although it is not required, the student may engage outside counsel to assist at the hearing at the student's expense. Witnesses may be called and cross-examined. However, witness appearances are voluntary. The hearing may be electronically recorded or transcribed by a court reporter upon the decision of the law school. The cost of the recording or transcription shall be the responsibility of the law school.

b) A student may not be disciplined unless acts warranting discipline are proven by clear and convincing evidence. Evidence of such acts must be found to be reliable and trustworthy, but need not be admissible in a court of law.

4. The Dean or Academic Standards Committee shall determine whether a disciplinary sanction is warranted, and the decision shall be final. The decision shall be provided to the student in writing, with a statement of facts that supports the Committee's decision. The written decision must be provided no more than ten days after conclusion of the disciplinary hearing.

Possible Sa nctio ns

1. Permanent expulsion.
2. Suspension for a designated period of time.
3. Probation during which time the student must abide by specified terms and conditions.
4. Formal written reprimand placed in the student's permanent file.
5. Informal reprimand. No written record to be placed in the student's permanent file.

The Committee of Bar Examiners shall be notified if a student has been disciplined with other than an informal reprimand.