

**UNIVERSITY OF SAN FRANCISCO  
SCHOOL OF LAW**

**STUDENT HONOR CODE**

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**1. PURPOSE**

At the University of San Francisco School of Law, the study and teaching of law is recognized as an integral part of the legal profession. Accordingly, students are expected to respect the rights of others and to conduct themselves in both personal and professional matters in accordance with the high ethical standards required of members of the legal profession. This Code establishes standards and procedures to implement those expectations and to ensure fundamental fairness in the enforcement of its standards. The effectiveness of this Code depends on the cooperation of all members of the law school community.

**2. SCOPE**

Jurisdiction under the Code is limited to the following:

- (a) Prohibited conduct as defined in Section 4 of this Code.
- (b) Actions by a student who is participating in a program of the University of San Francisco School of Law that result in a violation of local, State, or Federal law even though such actions do not occur on property of the University of San Francisco, or actions by a University of San Francisco School of Law student who is attending another academic institution that result in a violation of that institution's honor code or of local, State, or Federal law even though such actions do not occur on property of the University of San Francisco.
- (c) Actions by a student who is participating in a program of the University of San Francisco School of Law or actions by a University of San Francisco School of Law student who is attending another academic institution which bear upon the student's honesty, character, or fitness to practice law, even though such actions do not occur on property of the University of San Francisco.

A person becomes subject to the jurisdiction of the Code upon submitting an application for admission to the Law School or an application to participate in a Law School program. Students have a continuing obligation to remain familiar with the Code and must abide by any new terms of the Code.

**3. DEFINITIONS**

"Academic Activity" includes classroom instruction, clinical instruction, and other officially recognized academic and co-curricular programs such as participation in Law Review and in Moot Court competitions.

"Associate Dean" means the Associate Dean for Academic Affairs, his/her delegate(s) or representative(s).

"Charged student" means a student against whom charges under this Code have been brought.

"Clinical instruction" means instruction provided through or in any clinical, externship, or internship program in which a student is enrolled for academic credit or which is administered by the Law School.

"Code" means this University of San Francisco School of Law Student Honor Code.

"Committee" means the Honor Committee charged with the adjudication of charges under this Code.

"Dean" means the Dean of the School of Law, his/her delegate(s) or representative(s).

"Instructor" means a person who engages in either classroom or clinical instruction of students of the Law School on a full- or part-time basis, including persons who are employed to assist in such programs as the Legal Research, Writing and Analysis program, clinical or externship programs, or the Academic Support Program.

"Law School" means the University of San Francisco School of Law.

"Library" means any library of the University of San Francisco.

"Permanent record" means the file maintained in an official capacity by the University of San Francisco in which is retained a record of law school academic work, forms completed by the student during his/her academic career, copies of correspondence relating to the student, all admissions materials retained after the admission process is complete, and other pertinent records relating to the student.

"Registrar" means the Registrar of the Law School, his/her delegate(s) or representative(s).

"Regular session" means the period from the first day of instruction to and including the last day of examinations for the fall semester and the spring semester.

"SBA" means the Student Bar Association of the University of San Francisco School of Law.

"Staff" means any non-instructional employee of the Law School or of the University.

"Student" means a person enrolled at the Law School, a person who has been accepted for admission or readmission to the Law School, a person who has applied for admission to the Law School, a person who is seeking readmission to the Law School by re-examination (such persons are considered "students" only for the purpose of the Honor Code), a student from another law school who is visiting at the Law School or participating in a Law School program, and/or a person who is enrolled in a summer abroad program run by the Law School or an exchange program sponsored by the Law School.

"University" means the University of San Francisco.

#### **4. PROHIBITED CONDUCT**

Conduct described in 2.a, 2.b, and 2.c above violates the Code. Any student who assists another student to commit any conduct prohibited under this Code also violates the Code in the same way as if the principal violator. Each may be held equally culpable. Attempting to commit any conduct prohibited under this Code also violates the Code in the same way as if the attempt had succeeded. Inadvertent violation of the Code is a defense, with the student bearing the burden of proof by a preponderance of the evidence, provided, however, that a lack of awareness that one's conduct violates the Code does not allow for a defense based on an inadvertent violation of the Code. Extenuating circumstances (such as, for example, pressure from outside work or family obligations) are no defense to a violation of the Code, but may be relevant to sanction. Students have an obligation to disclose promptly if they violate the Code. Failure to do so is a violation of the Code.

Students shall not engage in fraudulent, deceitful, dishonest or unfair conduct in applying to or while students at the Law School. The following are non-exclusive examples of conduct which violates the Code.

#### 4.1 ACADEMIC DISHONESTY

Engaging in any dishonest conduct in connection with any examination, written work, or other academic activity. The following are non-exclusive examples of academic dishonesty:

##### (a) Examinations

- (1) Giving, seeking or receiving aid in any form before, during, or after an examination when such aid might create an unfair advantage for any student. If a student inadvertently obtains information which might create an unfair advantage, the student shall immediately bring the matter to the attention of the Associate Dean and the failure to do so constitutes a violation of the Code.
- (2) Using during an examination any materials not explicitly authorized by the instructor.
- (3) Violating any instruction provided by an instructor or any representative of the Registrar's office relating to an examination. This includes beginning or continuing to write contrary to a proctor's instructions.
- (4) Taking an examination for another student, or permitting another person to take an examination for him or her.
- (5) In any examination that is to be graded anonymously, intentionally providing to the instructor, before, during or after the examination, information suggesting the identity of the student taking the exam.
- (6) Contacting an instructor in regard to a completed examination prior to receiving a grade for the examination.

- (7) Failing to comply with any rules established by an instructor with respect to written work prepared for that instructor.

(b) Written Work

- (1) Submitting as his or her own work, papers that have been prepared in whole or in part by another person. This provision shall not prohibit joint authorship of a paper when such authorship is identified and expressly authorized by the instructor.
- (2) Giving, seeking, or receiving help, cooperation, or collaboration of any sort from any person. An instructor may make exceptions to this rule with respect to collaborative work in the instructor's class. Each student who does not positively know of the existence and nature of any exceptions shall assume that none exist.
- (3) Plagiarizing another's work. Using any material which has been written or published by another without clearly identifying such material by quotation marks, citations, or other appropriate methods constitutes plagiarism. Paraphrasing is the close restatement of another's idea or form, using approximately the language of the original. Paraphrasing without acknowledgment of authorship is a form of plagiarism.
- (4) Submitting a paper, or any portion thereof, for credit in more than one course unless the student makes full disclosure to, and obtains the prior written consent of, the Associate Dean or his/her delegate(s) or representatives(s) and the instructors to whom the paper has been and is to be submitted.
- (5) Failing to comply with any rules established by an instructor with respect to written work prepared for that instructor.
- (6) If the paper is to be graded anonymously, intentionally providing information suggesting the identity of the student submitting the paper.

4.2 MISREPRESENTATION

Making a misrepresentation. The following are non-exclusive examples of misrepresentations:

- (a) Forging or altering any Law School or University document, record, or instrument of identification.
- (b) Furnishing information which is known by the student to be false to any instructor, member of the staff, or other employee or agent of the Law School or the University.
- (c) Furnishing to any person information which is known to the student to be false and which relates to the student's academic record or otherwise concerns his/her activities in the Law School, off-campus Law School activity, or University.

- (d) Furnishing false information or failing to provide information required in connection with the student's application for admission to the Law School.
- (e) Failing to disclose after applying or admission to the Law School information concerning any allegation of unprofessional conduct or allegation, arrest, and/or conviction of a criminal offense.
- (f) Furnishing false information or failing to provide information required in connection with the student's application for financial aid, scholarship, or any other financial assistance.

#### 4.3 INTERFERENCE WITH PROPERTY AND MISUSE OF SERVICES

Taking, destroying or damaging property, or misusing services of the Law School, the University, instructors, staff, or other students. The following are non-exclusive examples of interference with property and misuse of services:

- (a) Stealing, concealing, damaging, or destroying notes, books, papers, computers, computer files, cellular phones, or any other property or device relating to the academic activity of other students.
- (b) Stealing, concealing, damaging, or destroying library property or materials or misusing library services and resources including electronic resources.
- (c) Stealing, concealing, damaging, destroying, or otherwise misusing other Law School or University property or services.

#### 4.4 UNAUTHORIZED OBTAINING OR DISSEMINATION OF CONFIDENTIAL INFORMATION

Obtaining without proper authorization any information maintained in confidential files or records of the Law School or University or any employees thereof or dissemination of any information, however obtained, known or suspected by the student to have come from such confidential sources.

#### 4.5 UNPROFESSIONAL CONDUCT

Engaging in any act or omission in connection with representation of any client in a clinic or other context which violates the rules of professional conduct of the state in which such representation is provided or which otherwise tends to diminish the client's or other's respect for the Law School, the student's supervisor(s), or the legal profession.

#### 4.6 FALSE ACCUSATIONS

Accusing another student of violating the Code, knowing that accusation to be false or showing a reckless disregard as to its truth.

#### 4.7 FAILURE TO COOPERATE

Failing to cooperate with the proceedings under this Code. The following constitute non-exclusive examples of a failure to cooperate:

- (a) Failing to cooperate with the investigation of a complaint under this code, including failure to provide information known to the person being questioned or documents, whether in tangible form or stored electronically, within his/her control.
- (b) Failing to appear and testify, without reasonable excuse, as a witness or a charged student when properly summoned by the Honor Committee.
- (c) Knowingly misrepresenting any fact before the Honor Committee or during investigation of an alleged violation of the Code, or during a consultation with the Associate Dean concerning the alleged violation.
- (d) Violating an obligation of confidentiality imposed by this Code.

## **5. GENERAL GUIDELINES--HONOR CODE PROCEDURES**

### **5.1 TIME LIMITS**

Prompt resolution of investigations and hearings is important to maintain the fairness and effectiveness of this Code. Nonetheless, any time limits set forth herein are subject to extension at the discretion of the Associate Dean. In addition, such time limits are inapplicable when the Law School is not in regular session notwithstanding when proceedings began. When the Law School is not in regular session, the Associate Dean shall establish a schedule for investigation and hearing of the complaint and shall advise all concerned parties of that schedule.

### **5.2 CONFIDENTIALITY**

All matters relating to a charge of violating this Code are confidential and may not be revealed other than to the Dean, the Associate Dean, and such other Law School administrators needing to know in order to properly perform their duties except with the explicit permission of the Honor Committee or the Associate Dean.

### **5.3 RIGHTS AND OBLIGATIONS OF WITNESSES**

All students, instructors, and staff of the Law School and of the University shall cooperate with the investigation and proof of any charge brought under this Code. Any refusal to be interviewed or to produce evidence may be a matter for disciplinary action. Any person has the right, however, to refuse to testify or produce evidence as to matters which would tend to inculcate that person in any violation of law.

## 6. PRELIMINARY PROCEEDINGS

### 6.1 REPORTING A VIOLATION

Any person may report a possible violation to the Associate Dean. Such report must be presented to the Associate Dean in person, by signed writing, or by e-mail and should provide factual information sufficient to allow a preliminary determination as to whether there may have been a Code violation. The report should, whenever possible, identify the student(s) involved.

### 6.2 INFORMAL DISPOSITION

Upon receipt the Associate Dean shall review the report. If he/she determines that a possible Code violation has occurred, he/she may attempt to resolve the matter informally. He/she shall notify the student of the alleged violation and give the student an opportunity to meet and respond. The Associate Dean may require any student, faculty member, and/or staff member of the Law School to provide information relevant to the allegations made. After consideration of all information informally obtained, the Associate Dean may determine whether the violation has been established and, if so, what sanctions, if any, shall be imposed. If the accused student is not satisfied with the informal disposition proposed by the Associate Dean, he/she may invoke the formal procedures of the Code. If the Associate Dean determines that a possible violation has occurred he/she may choose not to attempt an informal disposition of the matter and instead, after notifying the accused student, may in his/her sole discretion invoke the formal procedure by appointing Investigators pursuant to Section 6.3.

#### (b) Sanctions

Any sanction set forth in Section 9 of this Code or other appropriate sanction may be imposed as a result of an informal disposition under this subsection.

#### (c) Report of Informal Disposition

If an informal disposition is reached by the Associate Dean, he/she shall prepare a document reporting the basic facts regarding the violation and the agreed disposition. The report shall be maintained with the records of actions taken by the Honor Committee.

### 6.3 APPOINTMENT OF INVESTIGATORS

If the Associate Dean determines that a possible violation has occurred and an informal disposition under Section 6.2 is either not attempted or is unsuccessful, he/she shall appoint a Faculty Investigator and, unless waived by the student to be investigated, a Student Investigator. The Faculty Investigator shall be a member of the tenure track faculty. The Student Investigator shall be selected by the Associate Dean from a list of five students submitted to the Associate Dean by the SBA President,

provided, however, that if the SBA President is unable or unwilling to submit the list in a timely manner the Associate Dean may appoint the Student Investigator without waiting for the list.

#### 6.4 INVESTIGATION

The Investigators shall investigate a suspected violation of the Code in whatever way they consider appropriate. The investigation may include, but is not limited to, gathering relevant documentary evidence, and speaking to the person(s) who reported the matter, the student whose conduct is under investigation, and any person who may have relevant information. Before referring a matter to the Honor Committee, the Investigators shall notify the student suspected of a violation that he/she is under investigation and shall give that student an opportunity to discuss the matter. The student whose conduct is under investigation need not speak with the Investigators, and no inference as to the truth of the allegation shall be made at the investigatory stage from a student's refusal to speak. The Investigators shall make an appropriate summary of the conversations with persons who provide information and of other information gathered.

#### 6.5 REFERRAL TO HONOR COMMITTEE

After conducting the investigation, the Investigators shall decide whether to prepare a complaint for consideration by the Honor Committee. The Investigators may elect not to prepare a complaint if they believe the allegation is without merit, that the conduct involved does not constitute a violation of the code, that insufficient evidence exists, or that sufficient evidence cannot be obtained to support a complaint. If the Investigators decide not to file a complaint, they shall prepare a report describing the allegation, the available evidence and the reason(s) for the decision. The report shall be maintained with the records of actions taken by the Honor Committee. If the two Investigators disagree as to whether a complaint should be filed, each shall submit to the Associate Dean a report setting forth his/her description of the allegation, the available evidence, and the basis for his/her decision. After reviewing the report(s) and conferring with the Investigators, the Associate Dean may direct the Investigators to prepare a complaint. (If the Investigators each filed a report, the complaint shall be prepared by the Investigator who favored filing a complaint. In this event the Investigator not favoring filing a complaint may, at the discretion of the Associate Dean, be excused.) Once determined, the Investigators shall notify the student whose conduct was under investigation whether a complaint will be submitted to the Honor Committee.

#### 6.6 SCHEDULING HEARING

On filing a complaint with the Honor Committee, the Chair of the Committee shall set the date for the hearing as promptly as circumstances permit, but not less than ten days from the time the charges are filed.

#### 6.7 NOTICE TO CHARGED STUDENT

If a complaint is filed, the Investigators shall give notice promptly, by certified or registered letter or in person, or if requested in writing by the charged student by e-mail, to the charged student and provide the following:

- (a) A copy of the complaint and of this Code;
- (b) A specification of the factual allegations giving rise to the complaint;
- (c) A list of the expected witnesses and evidence;
- (d) The date, time, and place of the hearing and a list of the members of the Honor Committee;
- (e) Notice of the possibility of a negotiated disposition as set forth in Section 6.8.

## 6.8 NEGOTIATED DISPOSITION

The Investigators may negotiate a proposed disposition with the student whose conduct is under investigation, or who has been charged, as to the merits of the allegation and/or as to the sanction. If the Investigators and the student agree upon a proposed disposition, the Investigators shall prepare a report explaining the nature of the negotiations and the reasons for the proffered disposition. If the negotiated disposition is reached prior to commencement of the Honor Committee hearings, the report shall be given to the Associate Dean who may accept or reject any or all aspects of the proposed disposition. If the Associate Dean rejects the disposition in any respect, the hearing shall proceed, unless the charged student accepts the disposition as amended. If the negotiated disposition is reached after the Honor Committee hearings have commenced, the report shall be given to the Honor Committee which may accept or reject any or all aspects of the proposed disposition. If the Honor Committee rejects the disposition in any respect, the hearings shall continue unless the charged student accepts the disposition as amended. If a negotiated disposition is proffered to and rejected by the Honor Committee it shall not consider as evidence the offer to dispose of the matter or any statements in connection with such an offer.

## **7. THE HONOR COMMITTEE**

### 7.1 DUTIES

An Honor Committee shall adjudicate formal charges under this Code. If necessary, there may be more than one Honor Committee functioning at the same time.

### 7.2 COMPOSITION

An Honor Committee shall be composed of five members – one student and four faculty members. The student member shall be a third year full-time or fourth year part-time student.

### 7.3 SELECTION OF STUDENT MEMBER

The student member shall be selected by the Associate Dean from a list of five students submitted to the Associate Dean by the SBA President, provided, however, that if the SBA President is unable or unwilling to submit the list in a timely manner the Associate Dean may appoint the student member without waiting for the list.

### 7.4 SELECTION OF FACULTY MEMBERS

The faculty members of an Honor Committee shall be appointed by the Associate Dean. The appointments shall be made as soon as practicable after commencement of the investigation of an alleged violation of the Honor Code.

#### 7.5 COMMITTEE OFFICERS

At the time of appointment the Associate Dean shall designate a Chair of the Honor Committee from among the faculty members. The Chair shall have general responsibility for overseeing the adjudication process under this Code and shall have specific duties as set forth in Section 8.2.

#### 7.6 EXCUSAL OF COMMITTEE MEMBERS

A member of the Honor Committee shall be excused from hearing a charge if (a) that member believes he/she is biased; or (b) the charged student files Notice of Excusal with the Associate Dean and the Associate Dean finds such a request is founded on valid objections. A Notice of Excusal shall state the name of the member the charged student believes is biased and the reasons for this belief. The Notice of Excusal must be submitted promptly after the student receives notice of the composition of the Honor Committee.

#### 7.7 REPLACEMENT OF COMMITTEE MEMBERS

If a faculty member is excused for any of the above reasons, is unable to participate in a particular hearing, or is unable to complete his or her term, the Associate Dean shall choose a replacement. If the student member is excused or is unable to complete his or her term, the replacement shall, if possible, be selected from the list previously provided by the SBA President.

### **8. THE HEARING**

#### 8.1 RIGHTS OF CHARGED STUDENT

A student charged under this Code has a right to the following:

- (a) The information set forth in Section 6.7.
- (b) Assistance of retained counsel at the hearing or for the appeal.
- (c) To be present at the hearing. If the student decides not to appear, he/she shall notify the Honor Committee of that decision, and the hearing may be held in his/her absence. If the student fails to appear at the time and place set for the hearing and fails to notify the Committee that he/she will not be present, the hearing may nonetheless be held in his/her absence.
- (d) To present any relevant evidence and to question any witness.
- (e) To make a statement before the Honor Committee.
- (f) To forego a hearing by admitting the merit of the charge.
- (g) To waive any right or process otherwise provided by this Code.

- (h) To a presumption of his/her innocence until a violation is established by a preponderance of the evidence.
- (i) To record, at his/her expense, the testimony given at the hearing, either by stenographic or digital audio recording.

## 8.2 DUTIES OF CHAIR

The Chair shall preside over the hearing, including ruling on all procedural matters raised prior to or during the hearing, assigning the duty of preparing the report of the Committee, and notifying the proper persons, including the Dean and the Associate Dean, of the decisions and sanctions imposed by the Committee and insuring the execution thereof when final. This latter duty includes, but is not limited to, directing the entry into the student's official file where such action is required by the decision of the Committee. (See Section 8.4(k).)

## 8.3 COMPELLING ATTENDANCE OF WITNESSES

The Honor Committee shall have the power to compel student witnesses to appear before the Committee and give evidence. If the charged student wishes to have student witnesses compelled to appear and give testimony, he/she shall file a request for such an order not later than seven days prior to the hearing date. When properly requested, the Chair shall compel the student witness to appear.

## 8.4 GENERAL PROCEDURES

- (a) No hearing shall be held unless four members, including the student member, are present.
- (b) The hearing shall be closed.
- (c) Witnesses, other than the charged student, shall not be present during the testimony of other witnesses unless the Committee Chair decides otherwise.
- (d) The charged student is presumed innocent until proven to have committed the charged violation by a preponderance of the evidence.
- (e) All evidence shall be admitted without regard to the legal rules of evidence, except that the Committee Chair shall exclude irrelevant evidence and unduly repetitious evidence, and shall give effect to the rules of privilege recognized by law except as otherwise provided.
- (f) The Faculty Investigator, with the assistance of the Student Investigator, shall present the evidence that supports the charge and that is relevant to sanction. The charged student may also offer evidence relevant to the merits or to sanction. The Committee and the charged student may question any witness.
- (g) The Faculty Investigator may ask the Committee to amend the complaint to conform to the evidence presented. If the Investigator so moves, the charged student shall be notified of that

motion and given an opportunity to object before the Committee rules on the motion. If the complaint is amended, the charged student shall have the opportunity to present any relevant evidence to the complaint as amended.

- (h) The Committee shall decide by a majority vote (1) the merit of the charge, (2) any sanction, and (3) whether the charged student's conduct raises a serious question about his/her honesty, character, or fitness to practice law.
- (i) The Committee shall prepare a written report, detailing the evidence considered, the reasons for its decision as to the merits and, when appropriate, as to (1) the sanction and (2) ) whether the charged student's conduct raises a serious question about his/her honesty, character, or fitness to practice law. A concurring or dissenting member may prepare a report explaining his/her position with respect to (1) the merit of the charge, (2) the sanction, and/or (3) whether the charged student's conduct raises a serious question about his/her honesty, character, or fitness to practice law. A copy of the report shall be given to the student, to the Dean, and to the Associate Dean.
- (j) Upon a finding that the charged violation has merit, the Committee's report shall be placed in the student's permanent record and shall be included with the Certificate of the Dean submitted to the Committee of Bar Examiners of the State of California or any other state bar to which the student applies, unless the Committee finds that the conduct does not raise a serious question about the student's honesty, character, or fitness for the practice of law.
- (k) Regardless of the decision by the Committee on the merits, the Committee shall keep a permanent record of all the tangible evidence presented at the hearing, the Committee's report(s), and any other information it decides should be retained. That record may be referred to later by the Committee for whatever purpose it considers relevant. At any time after five years from the conclusion of an appeal or if no appeal is made after the deadline to appeal, the Associate Dean may decide to destroy any record of the matter other than the Committee's written report(s). If no complaint is filed because the allegation is without merit, the conduct does not constitute a substantial violation of the code or the evidence is insufficient, the Committee shall keep a record of the allegation, the reason(s) for nonaction and the name of the student whose conduct was under investigation and the witness(es). Neither the content nor existence of any record may be disclosed except (1) when required by law, (2) when required by the Dean, Associate Dean, Registrar, or the Committee, or (3) when the student whose conduct was involved has signed a written waiver of confidentiality.
- (l) The student whose conduct was investigated may place in his or her permanent record and in the record maintained pursuant to Section 8.4(k) a statement commenting on the action of the Committee. If any of the Committee's record is disclosed as provided in this Section, the student's statement, together with the Committee's action, shall also be disclosed.

## **9. SANCTIONS**

- 9.1 One or more of the following sanctions may be imposed by the Honor Committee:

- (a) Informal private reprimand. The student may be given a private letter from the Committee stating that he/she has violated the Code, and that, if he/she has a subsequent violation, a more severe penalty may be imposed for this violation. This reprimand does not become part of the student's permanent record. This sanction requires a finding by the Committee that there is a substantial reason why the conduct does not raise a serious question about the student's honesty, character, or fitness for the practice of law.
- (b) Formal reprimand. A formal reprimand is identical to a private reprimand except that a copy of the formal reprimand will be placed in the student's permanent record.
- (c) Disciplinary probation. Disciplinary probation is a formal reprimand which imposes disabilities on the student for a specified period of time. The terms of the probation may impose any reasonable condition deemed appropriate by the Committee. A copy of the reprimand, containing the terms of the probation, shall be included in the student's permanent record, and at the discretion of the Committee may be entered on the student's transcript.
- (d) Suspension. The student may be suspended for up to two semesters, commencing immediately or in the following semester. The effect of immediate suspension is to prevent the student from receiving any course or residence credit for that semester. Suspension excludes the student from all classes, exams, the use of the library, and all other law school activities, and from being present on the law school campus. The suspension will be entered on the student's transcript.
- (e) Expulsion. The student may be expelled permanently. The expulsion will be entered on the student's transcript.
- (f) Removal of degree awarded. If the charged student has already received his/her degree, the degree may be withdrawn. This sanction will be entered on the student's transcript.
- (g) Grade change or withholding of credit. Where the misconduct is committed in connection with a specific course:
  - (1) the Committee may recommend to the Instructor that the grade for the course be reduced. The Committee shall not have the power to lower a grade.
  - (2) The Committee may order that no credit be given for the course. In such a case the Committee may, in its discretion, order that the fact that credit was denied for violation of this Code be noted on the student's transcript.

If the Committee finds insufficient proof of a violation, the grade assigned in the course must reflect that finding. The Committee shall have authority to ensure fair procedures for determining the grade.

- (h) Restitution. Upon a finding of a violation of the Code involving property, the student may be ordered to repair or replace the property or reimburse the University or the party whose property was damaged.

## **10. APPELLATE REVIEW**

Within one month after the conclusion of the proceedings the charged student may appeal to the Dean the decision of the Committee finding a violation of the Code or the sanction imposed. Such appeal shall not be granted unless the Dean finds that the decision of the Committee was clearly erroneous.

## **11. MISCELLANEOUS**

### **11.1 PUBLICATION OF THE HONOR CODE**

Each student shall be notified about the Honor Code upon enrollment at the Law School.

### **11.2 AMENDMENT**

This Code may from time to time be amended by a majority vote of a five member committee appointed for the express purpose of considering amendments. The committee shall be composed of four tenure track faculty members and one third year full-time or fourth year part-time student. The members shall be appointed by the Associate Dean.