

Section Eight

ADMINISTRATIVE POLICIES AND PROCEDURES

I. PREAMBLE

Liberty University School of Law (“Liberty Law”) is comprised of a network of students, alumni, faculty, staff, and supporters that together form a community based upon the truth of the Bible. This truth defines our view of community and what values we seek to affirm through our honor codes. At the core of these codes are two key concepts: a belief in the dignity of all persons and an insistence on the existence of objective truth. These concepts are further defined in our foundational statements, including our [Doctrinal Statement](#), our [Philosophy of Education and Mission Statement](#), the Statement of Professional Ethics for the Faculty, and our Law Student Handbook. Together, these statements situate Liberty Law within the long tradition of university culture, which in its beginnings was distinctively Christian, designed to preserve and advance truth.

Anyone, whether Christian or non-Christian, who shares our values and goals, is both welcome and valued in our community. We want all students to feel comfortable in our community of learning, and we extend to all of our students our personal and academic resources, with the goal of fostering spiritual growth, character development, and the ability to gain knowledge of the theory and practice of law.

While we understand that not everyone will agree with the statements that follow, we do expect our students to respect and uphold these standards by abiding by the Personal Honor Code and the Academic Honor Code while enrolled at Liberty University. Abiding by the principles and behaviors established in these codes contributes to the success of our students and the strengthening of the Liberty community.

II. ACADEMIC HONOR CODE

A. PREAMBLE

The Liberty University School of Law Academic Honor Code is an integral part of the law school community. This community consists of individuals of diverse backgrounds and experiences dedicated to obtaining a superior legal education in fidelity to the Christian faith expressed through the Holy Scriptures. Central to preserving this community is the personal commitment of students to conduct themselves in a manner that reflects the highest ideals of moral virtue and professionalism. To this end, the Academic Honor Code sets forth the disciplinary procedures that apply when academic misconduct by a law student is alleged to have occurred. All students are charged with notice of this Academic Honor Code and the mechanism for its enforcement.

B. ACADEMIC MISCONDUCT

Academic misconduct includes, but is not limited to, plagiarism, cheating, and falsification

1. Plagiarism

Plagiarism is the intentional or reckless failure to give sufficient attribution in traditional academically accepted form to the words, ideas, or data of others that the student has incorporated into work the student submits for academic credit, publication, qualification for a law school organization, or other benefit and that may reasonably mislead the reader as to the true source of the words, ideas, or data. To avoid the appearance of plagiarism, students must conscientiously provide sufficient attribution. Attribution is sufficient if it adequately informs the reader of the true source of the words, ideas, or data. Footnote references alone are not sufficient if material is incorporated within the text verbatim or virtually verbatim. Students who have any question whether they have provided sufficient attribution are responsible for obtaining guidance from their professor or other person to whom they are submitting their work.

2. Cheating

Cheating is a form of dishonesty in which a student attempts to give the appearance of a level of knowledge or skill that the student has not obtained, gives unauthorized aid, or wrongly takes advantage of another's work product. Examples include, but are not limited to:

- Copying from another person's work on an examination or an assignment; or
- Allowing another student to copy any portion of one's work on an examination or an assignment using unauthorized materials or giving or receiving any other unauthorized assistance on an examination or an assignment; or
- Taking an examination or completing an assignment for another, or permitting another to take an examination or to complete an assignment for the student; or
- Failing to immediately stop when the proctor of an exam being administered to the student announces the time allotted for the exam is concluded; or

3. Falsification

Falsification is a form of dishonesty in which a student misrepresents the truth, invents facts, or distorts the origin or content of information used as authority. Examples include, but are not limited to:

- Dishonestly answering or providing information in the law school application process; or
- Citing a source that is known not to exist; or

- Attributing to a source ideas and information that are not included in the source; or
- Citing a source in support of a proposition that is known not to support such proposition; or
- Citing a source in a bibliography when the source was neither cited in the body of the paper nor consulted; or
- Intentionally distorting the meaning or applicability of data; or
- Inventing data or statistical results to support conclusions.

C. AFFIRMATIVE DUTIES

As future lawyers with the duty under the appropriate state standards governing professional conduct to report ethical violations, Liberty law students have the affirmative duty to report promptly to a member of the faculty or administration all circumstances they have reason to believe constitute a violation of the Academic Honor Code. Breach of this duty shall itself constitute a violation of the Academic Honor Code.

If requested by any party to a proceeding referenced in § 8, it is the duty of every law student to give testimony or evidence relevant to any alleged violation of the Academic Honor Code, and breach of this duty shall itself constitute a breach of the Academic Honor Code.

D. PROCEDURE FOR INVESTIGATION, ADJUDICATION, AND SANCTION OF ACADEMIC HONOR CODE VIOLATIONS

1. Processing Allegations

When an alleged violation of the Academic Honor Code has been reported to the faculty or administration, the Associate Dean for Academic Affairs (Academic Dean) shall be informed of the allegation. Any member of the administration, faculty, or staff having knowledge of a violation of the Academic Honor Code shall likewise communicate the violation to the Academic Dean.

2. Admission of Violation of Academic Honor Code by Student

Where an alleged violation of the Academic Honor Code arises and the student admits the infraction, the Academic Dean may address the allegation in the first instance and may refer the matter to the Dean of the law school with his findings and recommendations without referring the matter to the Conduct Review Committee (CRC). The Dean of the Law School may resolve the matter in the same manner as if the CRC had found by clear and convincing evidence that the student had violated the Academic Honor Code and submitted to the Dean of the Law School its finding.

3. Referral to Conduct Review Committee

Where the student alleged to have violated the Academic Honor Code does not admit the allegation and the Academic Dean believes probable cause exists to support the allegation, the Academic Dean shall timely refer the matter to the Conduct Review Committee (CRC) in the manner provided herein.

E. DEAN OF LAW SCHOOL NOT DISQUALIFIED FOR CONSULTATION

The Academic Dean may discuss with the Dean of the law school an alleged student violation of the Academic Honor Code for advice, counseling, or other intervention even if a student has not admitted guilt to an allegation. Neither referral of the alleged misconduct of a student to the Academic Dean nor action by the Dean of the law school pursuant to the provisions of § 8. III. disqualifies the Dean of the law school from future action in the matter should it proceed through the CRC.

III. PERSONAL CODE OF HONOR

A. PREFACE

A chaste, honorable, and virtuous life encompasses many principles, including, but not limited to, respect for authority, respect for the human dignity of others, respect for all institutional policies, avoidance of physically threatening or violent acts towards others, and personal self-control. A violation of these or similar principles may result in serious disciplinary action or, where appropriate, may prompt pastoral counseling. The Personal Code of Honor sets forth the disciplinary procedures that apply when non-academic misconduct by a law student is alleged to have occurred. Students are charged with notice of this Personal Code of Honor. New students shall be required to sign a statement indicating that they have received and read the Personal Code of Honor.

B. CONDUCT THAT UNDERMINES THE SAFETY, MISSION, OR REPUTATION OF THE SCHOOL

Acts that may reasonably undermine the safety, mission, or reputation of the law school or university are violations of the Personal Code of Honor. Examples of such acts include, but are not limited to:

- Commission of a crime or an intentional tort; or
- Violations of institutional policies, including standards of dress; or
- Conduct that may reasonably tend to cause public embarrassment to the law school, the university, or their representatives, students, or employees; or
- Knowingly filing false reports of violations of law school rules, except that no sanction shall follow from reports made in good faith.

C. SEXUAL, PHYSICAL, OR VERBAL MISCONDUCT

Respect for the dignity of each individual as a person created in God's image is fundamental to the institutional culture desired at Liberty University School of Law. Misconduct that is contrary to the teachings of the Christian faith and constitutes a violation of the law school's Personal Code of Honor includes, but is not limited to:

- Sexually-oriented joking or comments; or
- Unwelcome touching or any touching of a sexual nature; or
- Sexually-oriented comments about an individual's body; or
- Offensive or crude language directed at individuals or a group of individuals; or
- Display of objects or pictures that depict nudity or are otherwise sexual in nature; or
- Persistent, unwanted attempts to change a casual or friendly relationship into a romantic or more intimate one; or
- Verbal or physical abuse; or
- Non-marital sexual relations or the encouragement or advocacy of any form of sexual behavior that would undermine the Christian identity or faith mission of the University constitute morally inappropriate sexual misconduct and constitute violations of this Personal Code of Honor.
- Cohabiting with a member of the opposite gender, who is not the law student's spouse or family member, either for the purpose of engaging in a sexual relationship, or in a manner which gives the appearance that the law student is engaging in a sexual relationship. Law students are encouraged to know and abide by common-sense guidelines to avoid the appearance of impropriety.

Violations of the racial or sexual harassment policies within this Student Handbook shall constitute *prima facie* violations of this Personal Code of Honor. Further, sexual discrimination is covered under Title IX, which is also a violation of this Personal Code of Honor as well as the Liberty Way. Section X of this document outlines Law School procedures relating to Title IX misconduct. The Liberty University Title IX Office is responsible for developing and administering the University's [Title IX Policy](#). That policy may be found at: <http://www.liberty.edu/studentaffairs/titleix/>.

D. ABUSIVE OR THREATENING CONDUCT

Liberty University School of Law is committed to providing students and employees a safe environment. Therefore, any words, actions, or behavior intended to cause physical injury (to

others or self), threaten any individual, or cause an individual to have reasonable fear for his or her safety will not be tolerated.

E. PORNOGRAPHY

Involvement with pornographic, erotic, obscene, indecent, or other similarly offensive materials, expressions, or conduct is inconsistent with the Personal Code of Honor and the Christian faith. Use of the university's computing network to obtain or distribute pornographic material constitutes a violation of the Personal Code of Honor.

F. PROHIBITED SUBSTANCES

The law school seeks to provide a contraband-free, healthy, and safe learning environment. To this end, no student may misuse legal drugs or other legal medications; or use, possess, distribute, or sell alcohol, illegal drugs or other legally defined contraband, or tobacco products.

G. PROCEDURE FOR INVESTIGATION AND DISPOSITION OF VIOLATIONS OF THE PERSONAL HONOR CODE

1. Evaluation of Allegation

Students may report observed incidents they believe demonstrate violations of this policy to the Associate Dean for Internal Affairs (Internal Affairs Dean) or to the Director of Student Affairs. When an alleged violation of the Personal Code of Honor has come to the attention of the faculty, staff, or administration, that allegation shall be referred to the Internal Affairs Dean, who will compile and review relevant information pertaining to the situation and report to the Dean, Campus Police, or other LU authorities if deemed necessary. If the Associate Dean for Internal Affairs, in consultation with the Law School Title IX Deputy, determines that the matter falls under the purview of Title IX, the matter shall be referred to the LU Title IX Director and investigated/disposed according to the policies and procedures stipulated in § 8.X of this Handbook. Otherwise, the Associate Dean for Internal Affairs shall determine whether the case would best be resolved by counseling or is sufficiently serious to merit formal disciplinary procedures.

2. Admission of Personal Code of Honor Violation by Student

Where an allegation of the breach of the Personal Code of Honor is serious enough that the Internal Affairs Dean believes counseling alone is insufficient to resolve the matter and the student admits the alleged violation, the Internal Affairs Dean shall refer the matter to the Dean of the law school without referring the matter to the CRC. The Dean of the Law School may resolve the matter in the same manner as if the CRC had found by clear and convincing evidence that the student had violated the Personal Code of Honor and submitted to the Dean of the Law School its finding.

3. Referral to Conduct Review Committee

Where the student does not admit violating the Personal Honor Code and the Internal Affairs Dean believes probable cause exists that the student has violated the Code, which, if true, merits discipline, the Internal Affairs Dean shall timely refer the matter to the Conduct Review Committee (CRC).

4. Dean of Law School Not Disqualified for Consultation

The Internal Affairs Dean may discuss with the Dean of the law school an alleged student violation of the Personal Code of Honor for advice, counseling, or other intervention even if a student has not admitted guilt to an allegation. Neither referral of the alleged misconduct of a student to the Internal Affairs Dean nor action by the Dean of the law school pursuant to the provisions of § 8.II disqualifies the Dean of the law school from future action in the matter should it proceed through the CRC.

H. DISCIPLESHIP CONTRACT

The Dean or his designee shall have the authority to issue a Discipleship Contract requiring specific actions be taken by the student. These steps may include but are not limited to:

- Meeting with a counselor in the Student Care Office to receive an evaluation and recommended plan of care that will be submitted to the Dean or his designee for review; or
- Receiving a psychological evaluation from a licensed counselor at the student's expense, when required by extraordinary circumstances; or
- Meeting with a mentor for a designated length of time.

A student that does not comply with the requirements as outlined in the Discipleship Contract will be in violation of the Personal Honor Code.

I. INTERIM SUSPENSION

The Dean shall retain the authority to impose an Interim (immediate) Suspension if such action is necessary to preserve the safety of persons or property. In this instance, the student will be afforded an Interim Suspension Review and the opportunity to show why the student's continued presence on campus does not constitute a threat to the student, others, or property.

1. Procedures

a. Notification. The Dean or his designee will immediately send an Interim Suspension Letter that states that the student is suspended from the law school and/or banned from entering the law school. If deemed necessary, the Campus Police will be contacted to determine if a ban from campus is needed. The Ban from Campus notice will be included with the Interim Suspension Letter if this is the case. Any bans from the law school and/or the campus will be in effect immediately upon issuance of the notice. The

law school will work with the student to provide an alternative means of instruction and no absences accrued during this period will count against the student.

b. Request for Review. Upon receipt of the Interim Suspension Letter, the student may request a review of the suspension by submitting a request to the Dean. The student will be given the opportunity to demonstrate why his/her continued presence on campus does not constitute a threat to themselves, others, or property. As part of the review, the student may be required to submit to an immediate medical/psychological evaluation at his/her expense.

2. Review

During the time of any class activities (including examination periods), the Interim Suspension shall remain in effect for up to five days until the CRC shall meet and determine whether the Interim Suspension shall remain in effect. Outside of the time of any class activities (including examination periods), the Interim Suspension shall remain in effect for up to 30 days or five days from the first day of classes of the next semester, whichever is sooner until the CRC shall meet and determine whether the Interim Suspension shall remain in effect. The CRC shall act on an expedited basis and the CRC shall have discretion to order the parties to appear by electronic means. The Dean or his designee shall have the burden of demonstrating that the Interim Suspension shall remain in effect.

IV. CONDUCT REVIEW COMMITTEE

A. COMPOSITION

1. Not Less Than Three Members; Special Appointments

The Conduct Review Committee (CRC) shall consist of not less than three faculty members appointed by the Academic Dean. Members of the CRC shall serve until replaced. In the event that a member recuses himself, identifies a conflict of interest, or is otherwise unable or unwilling to serve regarding a specific referral/case to the CRC, the member may be replaced for that referral by the Academic Dean's special appointment of another faculty member, or if none are available, by any member of the faculty or staff of Liberty University, or any licensed attorney of any state, or a state or federal judge.

2. Two Members Can Fulfill Duties

Although normally the CRC will commence its duties in every case with not less than three members, the CRC may fulfill its duties with two members, provided that both members agree on the CRC's findings.

B. FINDINGS, RECOMMENDATIONS, SANCTIONS, RECORDS

1. CRC Findings and Recommendations

In each case, the CRC shall make a single finding for each alleged violation contained in the Complaint as defined in § 8.V.E. – the student committed the alleged violation or insufficient evidence was presented to permit a finding that the student committed the alleged offense by clear and convincing evidence. Where the CRC finds that the student committed one or more of the alleged violations, the CRC may prepare written recommended sanctions. Members of the CRC are encouraged to agree on the recommended sanctions, but each member may recommend different sanctions. The CRC shall provide its written findings and any recommendations to the Dean of the law school, the Associate Dean who made the referral, and the student.

2. Recommended Sanctions

a. Recommendations Unlimited

Where the CRC finds a violation, the CRC may recommend to the Dean of the law school any action that its members determine appropriate, including, but not limited to, an academic penalty where a breach of the Academic Honor code has occurred (such as a failing grade); written reprimand; probation, with or without specified conditions, which may include denying participation in co-curricular or extra-curricular activities; suspension from academic participation for a specific period of time or until the occurrence of specified conditions; dismissal from the School of Law; or other sanctions.

b. Sanction Considerations When Plagiarism Found

When determining what sanctions to recommend when plagiarism has been proved, the following factors, among others, shall be relevant: the student's intent to mislead the reader; the degree of recklessness; the quantity of the plagiarized material relative to the author's entire work; and the relative materiality of the plagiarized material.

3. Findings by Majority Vote

The CRC shall timely make its findings by majority vote.

V. CONDUCT REVIEW COMMITTEE PROCEDURES

A. PROCEDURE APPLICABILITY

The same procedures that apply regarding an alleged violation of the Academic Honor Code apply to an alleged violation of the Personal Code of Honor.

B. RIGHT TO PARTICIPATE

The student charged with a violation; any professor or instructor in whose course,

seminar, or activity any of the alleged misconduct occurred; and the Associate Dean who referred the matter to the CRC shall have the right to testify, call witnesses, and present any other relevant evidence to the CRC before it deliberates to make its findings and recommendations. The CRC members who participate in the proceedings shall deliberate in the absence of all non members.

C. PRELIMINARY REFERRAL SUMMARY BY ASSOCIATE DEAN

Prior to filing a charge with the CRC that alleges a violation by a student, the Internal Affairs Dean, in a matter under the Personal Honor Code, or the Academic Dean, in a matter under the Academic Honor Code, shall provide a summary of the alleged facts, relevant issues, and alleged violations of the applicable code. Ordinarily, student names will not be disclosed to the CRC at this stage of the proceedings. However, students do not have a right to anonymity, and knowledge of a student's identity prior to the student's being charged does not disqualify a CRC member from participating in the CRC determination. The appropriate Associate Dean shall present this statement to the CRC for its preliminary determination of whether purported facts warrant review of the matter as a disciplinary proceeding. If the CRC declines review, the matter will be returned to the appropriate Associate Dean for such non-disciplinary action as the Associate Dean deems appropriate.

D. THE CHARGING COMPLAINT

If the CRC determines that it will review the matter as a disciplinary proceeding, the CRC will inform the appropriate Associate Dean who shall prepare a complaint (the "Complaint"), which shall contain (i) a statement that the student is alleged to have violated the Academic Honor Code, the Personal Honor Code, or both, (ii) a summary statement of the alleged facts, (iii) specification of the violation(s) suggested by the alleged facts, (iv) notice of the relevant code sections, (v) notice of these and any other applicable procedures, and (vi) the names of the CRC members.

E. FILING THE COMPLAINT, SERVICE ON THE STUDENT, AMENDED COMPLAINTS

1. Filing the Complaint

The Complaint shall be provided to the Chairperson or Acting Chairperson of the CRC. In the absence or unavailability of the Chairperson, the Academic Dean shall designate a member of the CRC Acting Chairperson for the purpose of receiving the Complaint. The recipient shall write on the Complaint the date and time the Complaint was received, and this shall constitute filing the Complaint with the CRC.

2. Service of the Complaint on the Student

An exact copy of the filed Complaint reflecting the filing date shall be provided to the student by any means. If the Postal Service is the only method of service used to convey a copy of the Complaint to the student, the time provisions of the disciplinary review

process shall commence no sooner than the fifth day after the Complaint was mailed unless the student waives this provision. If electronic, hand, or overnight delivery is used to provide a copy of the Complaint to the student, the instance of initiating the delivery of the copy to the student shall commence the time provisions within this section.

3. Amended Complaints

The CRC may authorize the filing of Amended Complaints. An Amended Complaint shall replace the prior Complaint or prior Amended Complaint, and the Amended Complaint shall be provided to the student charged. The CRC shall determine whether an Amended Complaint contains a substantive change for which due process requires invocation of the response times contained within this section, and should the CRC determine that an Amended Complaint contains a substantive change that requires invocation of the response times, it will notify both the appropriate Associate Dean and the student, thereby commencing the response provisions contained herein.

4. Student Response to Complaint/Amended Complaint

When an Amended Complaint asserts a substantive change from the previously filed Complaint or Amended Complaint, the student shall respond to the Amended Complaint in the same manner as is required for the initial Complaint, and the time for the student's response shall be the same as provided for the initial Complaint in paragraph § 8.V.H. unless waived by the student. The student's failure to file a timely Response to the Complaint or an Amended Complaint that the CRC has determined contains an additional substantive change constitutes an admission of the allegations asserted in the document.

F. CRC RECOMMENDATION OF DISMISSAL

The CRC may, at any time after the Complaint is filed, recommend to the Dean of the law school that the Complaint be dismissed without further consideration. The recommendation to dismiss the Complaint shall not toll the disciplinary process. The process shall continue until the Dean of the law school accepts the recommendation.

G. COMPUTING TIME

The day of the event or act prompting a filing with the CRC or other person or entity provided for within § 8 shall be excluded from computation of time limits for filing responses, motions, exceptions, documents, findings, recommendations, or any other filings contemplated by this section. The last day of a period for filing shall be included except that where the last day falls on a Saturday, Sunday, or holiday recognized by Liberty University, it shall not be included. For example, if the final date for filing a document falls on a Saturday, Sunday, or holiday recognized by Liberty University, the final date for filing such document shall be the next university business day. If the final date for filing a response or document does not fall on a Saturday, Sunday, or holiday recognized by Liberty University, Saturdays, Sundays, and holidays shall not be excluded in determining the final date for filing.

H. STUDENT'S RESPONSE TO THE COMPLAINT/AMENDED COMPLAINT

1. Student Response to Complaint

The student may respond to the Complaint within five days of the applicable provisions of service as provided in paragraph E by filing a Response. The Response shall be submitted to the Chairperson or acting Chairperson (selected in the same manner as provided in § 8.V.E.1.) of the CRC, and a copy of the Response shall be provided to the Associate Dean who filed the Complaint or to the person designated by the Dean of the law school, if any, in the event that the Associate Dean is unavailable.

2. Content of Response

The Response, or amended Response, may deny the alleged violations, assert facts that rebut the summary of facts contained in the Complaint, assert facts relevant to the charge, assert mitigating factors, or disclose other information that may relate to sanctions.

3. Request for Additional Time to File Response

The Chairperson or acting Chairperson (selected in the same manner as provided in § 8.V.E.1.) shall have sole discretion to grant the student's initial request for additional time to file a Response, but the extension of time shall not be greater than seven days unless the majority of the members of the CRC approve the extension. Additionally, the CRC may permit the filing of amended Responses at such time as the CRC shall determine.

4. Student Request for Evidentiary Hearing

The student charged may request in written form provided to the Chairperson or Acting Chairperson (selected in the same manner as provided in § 8.V.E.1.) of the CRC an evidentiary hearing pursuant to Paragraph I below, which shall be made on or before the date for submission of the Response. The request for a hearing may be stated in the Response.

I. MOTION TO STRIKE A CRC MEMBER

The student charged may move to strike for cause any member of the CRC by filing a written motion to strike with the Associate Dean who filed the complaint. The motion shall be filed on or before the date that the Response to the initial Complaint is due. The motion shall state the exact reasons that support striking a CRC member for cause. The appropriate Associate Dean shall determine whether to grant or deny the motion. Should the appropriate Associate Dean grant the motion, the appropriate Associate Dean may appoint a replacement for the member struck. Any person appointed as a replacement to the CRC may also be challenged for cause within two days of the appointment, and such motion shall be considered in the same manner. In the unlikely event that all faculty members are stricken for cause, the appropriate Academic Dean may appoint any member of the law school staff, any member of the University faculty or staff, any attorney licensed in any state, or any state or federal judge who is willing to serve.

J. CRC MAY CONDUCT HEARING ON OWN MOTION

If the student charged does not request a hearing, the CRC may, on its own motion, conduct a hearing, to include testimony and such other relevant information that it deems appropriate; or, without testimony, consider the Complaint, any Response submitted thereto, and any other relevant information, determine whether a violation of the Code has occurred, and make findings and recommendations, which shall be provided in writing to the Dean of the law school, the appropriate Associate Dean, and the student.

K. NOTICE OF HEARING

Should the CRC conduct a hearing as requested by the student charged, or on its own motion, notice of the date, time, and location of the hearing shall be provided to the student and the appropriate Associate Dean sufficiently in advance to permit them time to prepare.

L. LIST OF WITNESSES, ROLES OF PARTICIPANTS AND CONDUCT OF HEARING, AND EXCLUSION OF NON-TESTIFYING WITNESSES AND NON-PARTICIPANTS

1. List of Witnesses

Two days before the scheduled hearing, the Associate Dean and the student shall file the names of all witnesses they desire to appear at the CRC hearing. The CRC has authority to waive this provision for good cause shown. The list of witnesses shall be made available to the Associate Dean and the student upon request. The person desiring a witness at the hearing is responsible for the witness' timely appearance.

2. Roles of Participants and Conduct of Hearing

The CRC Chairperson, or acting Chairperson, shall preside at the hearing, subject to the direction of a majority of the CRC. The CRC has the primary role of calling and questioning witnesses and determining whether other evidence will be received. The CRC shall determine what questions are relevant, and each member of the CRC is entitled to question all witnesses. The appropriate Associate Dean may question all witnesses called by the CRC or the student, call additional witnesses, and offer other relevant evidence. The student is entitled to be present during the hearing with or without an advisor, and the student may question all witnesses called by the CRC or the Associate Dean, call additional witnesses, and may present other relevant evidence.

3. Exclusion of Witnesses and Non Participants

Upon request of the student or the Associate Dean who filed the Complaint, or on its own motion, the CRC may exclude witnesses from the hearing when the witness is not testifying. The CRC may exclude all other persons not involved in the proceedings at its discretion.

M. DUTY TO COOPERATE

The student charged has a duty to cooperate in the disciplinary process. The student's failure to cooperate may result in the CRC concluding inappropriate motive and may affect the CRC's decisions regarding the truth of the allegations. Additionally, the student's failure to cooperate with the process may result in the CRC reporting the misconduct to the Dean of the law school for summary disposition, which may result in the imposition of sanctions as the Dean of the law school shall determine appropriate. The student's duty to cooperate includes, but is not limited to, answering relevant questions truthfully and not disrupting or interfering with the process.

N. A DUTY OF ALL STUDENTS

In addition to all other duties articulated or implied, students who are not charged by Complaint with a breach of either the Academic Honor Code or the Personal Code of Honor have a duty to respond truthfully and provide all relevant information to the Associate Dean or his designee who inquires about allegations that, if true, would constitute a violation of either Code. Additionally, students who are called to testify at any hearing have a duty to testify fully and truthfully. Breach of these provisions constitutes a violation of the Personal Code of Honor.

O. CONDUCT AND ORDER OF PROCEEDINGS

Formal evidentiary rules are not applicable, and the CRC shall determine the introduction of evidence and the conduct of hearings. The hearing shall generally proceed in the following order, although the CRC has authority to modify the order of the proceedings as it may determine:

1. Opening statements
2. Evidence supporting the allegation
3. Evidence opposing the allegation
4. Rebuttal evidence (if any)
5. Argument
6. Deliberation and findings by the CRC as to whether the accused student has committed the alleged misconduct
7. If appropriate, additional evidence in aggravation, mitigation, or extenuation
8. Arguments regarding appropriate sanctions
9. Deliberation and decision by the CRC regarding recommended sanctions

P. STANDARD OF PROOF AND CONSIDERATION OF STUDENT'S PRIOR RELEVANT BEHAVIOR

The CRC shall find by majority vote whether each charge of a Code violation has been proven by clear and convincing evidence. The CRC may consider the student's past behavior when determining the truth of the allegations at the hearing and its recommendations for sanctions.

Q. CRC'S FINDINGS AND RECOMMENDATIONS

The CRC shall provide the Dean of the law school its findings and recommendations and shall provide a copy of both to the student and to the Associate Dean who filed the Complaint. If the CRC finds that the student committed the offense as charged, within two days after the findings and recommendations have been provided to the student, the student may file with the Dean of the law school written exceptions contesting the CRC's findings, recommendations, or both. Regardless whether the student has filed exceptions to the CRC's recommendations, the Associate Dean who filed the charges may file with the Dean of the law school exceptions to the CRC's recommendations.

VI. DEAN OF THE LAW SCHOOL

A. FINAL RESOLUTION

1. Discretion

Upon receipt of the CRC's findings and recommendations and exceptions filed by the student and the Associate Dean, if any, the Dean of the law school shall determine the final disposition of the matter. The Dean of the law school has discretion to accept or reject the CRC's findings of violations or the CRC's recommendations, or both. If the Dean of the law school accepts the CRC's finding of a violation, the Dean may assess such penalty that he shall determine appropriate. The Dean shall not have authority to reject the finding of the CRC that a violation of the Academic Code or the Personal Honor Code did not occur.

2. Record of Misconduct

The Dean of the law school, in addition to any other penalty assessed, may direct that records of the imposed discipline be retained in a student's file either temporarily or permanently, noted on transcripts, or be disclosed to the appropriate state bar entity responsible for assessing the character and fitness of applicants to the state bar. The Dean of the law school may make known the CRC's findings and recommendations and other relevant information that does not violate state or federal law to any other entity, internal or external to the law school, in response to public assertions by the student or any other person.

3. Dean of Law School Fulfilling Role of Professor

Where the Dean of the law school, in the role of professor, perceives a conflict of interest, he shall recuse himself and not finally decide the matter. The Dean of the law school may recuse himself for such other reasons as he shall determine. Where the Dean

of the law school has recused himself or for any other reason cannot perform the duties of Dean of the law school, the findings and recommendations of the CRC shall be referred to the faculty for its decision, which shall act in the capacity of and with the authority of the Dean of the law school regarding the matter.

4. Final Decision

The Dean of the law school shall make a final determination in the matter within ten days following receipt of any exceptions to the CRC's findings and recommendations, and if no exceptions are filed, within ten days from the deadline for filing student exceptions as provided in paragraph § 8.IV.Q. A copy of the Dean of the law school's decision shall be provided to the charged student, the Associate Dean who filed the Complaint, and the CRC. Should the Dean of the law school fail, or refuse, or be unable to decide and articulate a final decision in writing within the ten days following receipt of the CRC's findings and recommendations, the matter shall be referred to the faculty for its decision.

VII. REINSTATEMENT

A student who is dismissed or suspended from the law school for violation of either the Academic Honor Code or the Personal Code of Honor may not return to the law school unless reinstatement is granted. If the opportunity to return was not forbidden in the dismissal/suspension letter, the student must submit a written request to the Dean of the Law School. The student is to provide a thorough account of the actions that led to the dismissal or suspension, what actions have been taken to rectify the behavior, and a proposed strategy for successfully continuing studies at Liberty University School of Law. This request should also address all stipulations, if any, made by the Dean in the dismissal/suspension letter that was not addressed by the other requirements of the written request.

Additionally, the student will be required to submit a current:

- Letter of recommendation from a counselor or civic leader; and
- Letter of recommendation from a pastor.

The Dean will consider reinstatement only after the aforementioned information is received. Reinstatement will be subject to all stipulations made by the Dean.

This process does not guarantee reinstatement. The decision by the Dean will be final and will not be subject to appeal.

VIII. NON-DISCRIMINATION STATEMENT

View the university's non-discrimination statement and the School of Law non-discrimination policy [online](#).

IX. RACIAL HARASSMENT

A. PURPOSE

The purpose of this policy is to ensure that all members of the Liberty University School of Law community understand the prohibition against racial discrimination or harassment. All members of the law school community are encouraged to reflect upon the issue of discrimination and harassment as it might affect the lives and conduct of others. Further, anyone who may be the victim of racial discrimination or harassment should be aware of the procedure for reporting such incidents.

B. PHILOSOPHY

Liberty University School of Law asserts that all members of the university community are entitled to and shall be afforded an environment devoid of overt or subtle racism. Therefore, members of the Liberty University community will not tolerate racial discrimination or harassment in any form. The increased incidents of racial discrimination or harassment on college and university campuses nationwide suggest that information alone has not abolished this behavior. Consequently, a more aggressive stance must be assumed. To this end, Liberty University School of Law has adopted a policy governing racial discrimination or harassment, which applies to all members of the university community.

C. POLICY

Behavior that constitutes racial discrimination or harassment is prohibited by Title VII of the 1964 Civil Rights Act, includes but is not limited to, racial/ethnic slurs, coarse jesting with racial/ethnic overtones, and other forms of communication resulting in disparagement or intimidation.

D. REPORTING PROCEDURE

1. Students may report any incident they believe demonstrates a violation of this policy to the Internal Affairs Dean or to the Director of Student Affairs.
2. The Internal Affairs Dean and the Director of Student Affairs will review the Racial Discrimination/Harassment policy with the complainant.
3. A Racial Discrimination/Harassment Grievance Form will be filed.
4. Complainant must decide if he or she wants to pursue a formal complaint possibly resulting in disciplinary action.
5. An investigation will take place following the procedures outlined in § 8.III.G. and § 8.V (if needed) of the Personal Honor Code.
6. The Dean or his designee will conduct an interview with the complainant at any time deemed necessary during the investigation process.

E. PENALTY

Any Liberty University student who commits racial discrimination or harassment is subject to disciplinary action, along with possible fines, scholarship reduction, community service, and/or possible dismissal. Conversely, since the university takes such charges seriously, where the results of an investigation reveal a complaint of racial discrimination or harassment to be frivolous or groundless, the individual having made such a complaint may be subject to the same disciplinary action.

X. SEXUAL HARASSMENT, DISCRIMINATION, AND ASSAULT

A. POLICY

Liberty University is committed to providing students and employees with an environment free from all forms of sex-based discrimination, which can include acts of sexual violence, sexual misconduct and disrespect for one another. Non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, sexual harassment, dating violence, domestic violence, and stalking are all prohibited at Liberty University. All members of the Liberty University community are expected to treat everyone with a spirit of Christian love, mutual respect, and individual dignity. Liberty University provides educational and spiritual programming to promote our commitment to Biblical principles of abstinence and purity. Our programming also promotes the awareness of any type of sexual discrimination prohibited by Title IX of the Education Amendments of 1972 and Title VII of the 1964 Civil Rights Act.

B. REPORTING AND ADMINISTRATIVE PROCEDURES

1. The School of Law will follow Liberty University's reporting and administrative procedures for Sexual Harassment, Discrimination and Assault. Those procedures may be found [here](#).
2. The Law School Dean, the LU Title IX Director, and/or their designee(s) may conduct interviews with the complainant and respondent at any time deemed necessary during the investigation process.
3. All formal investigations will go to a Liberty University Community Life Conduct Review Committee (CRC) for a decision on the outcome of the reported misconduct based on the investigation and recommendation of two or more Title IX Investigators assigned to the case. The evidentiary standard for a finding of responsibility is "preponderance of the evidence" (more likely than not). Both the reporting party and the accused will be notified of the commencement of a formal investigation, referral to the LU Community Life CRC, the outcome of the investigation and LU Community Life CRC, the procedures for appealing the outcome, any changes to the outcome, and when that outcome will become final. Per LU Title IX procedures, the final authority rests with the SoL Dean / appropriate LU Vice President.

C. SELF-REPORTING

Liberty University strongly encourages students to report instances of sex-based discrimination, sexual harassment or any sexual misconduct involving students. Therefore, students who provide information about sex-based discrimination, sexual harassment, sexual misconduct, dating violence, domestic violence or stalking involving students will be treated as a self-report for disciplinary purposes for any violation of the School of Law Personal Honor Code in connection with the reported incident. (Self-reporting means that students will not be held responsible under the Personal Honor Code for their own conduct violations, to which they admit to committing when reporting an alleged Title IX incident.)

Cooperating witnesses will be subject to Restorative Practices with the Law School and/or LU Office of Community Life for student development purposes. Accused parties (respondents) that are not found responsible for the alleged conduct, may also be subject to Restorative Practices for violations of the School of Law Personal Honor Code for student development purposes. Additionally, reporting parties (complainants) can work with the LU Title IX office and School of Law Title IX Deputy to participate in the most appropriate restorative measures based on the circumstances of the reported information.

D. INTERIM MEASURES AND REASONABLE ACCOMODATIONS

Liberty University reserves the right to take necessary measures to respond to an allegation of harassment, discrimination, or assault in order to protect students' rights and personal safety. Such measures include, but are not limited to, the issuance of a No Contact Agreement, class or employment schedules, or interim suspension or restrictions on campus pending a Liberty University Conduct Review Committee (CRC). Failure to adhere to these parameters or any protective order will be investigated as a School of Law Personal Honor Code violation, and will be referred to School of Law Dean. The LU office of Community Life will advise the complainants of the availability of protective orders, and of LUPD's authority to investigate violations of protective orders. Complainants will also be advised of LU's authority to investigate protective order violations as violations of the School of Law Personal Honor Code.

E. SANCTIONS

Any student of Liberty University School of Law, who engages in sex-based discriminatory behavior is subject to disciplinary action which will depend upon the facts and circumstances of each particular situation, which could result in dismissal from Liberty University. Since Liberty University takes such reports seriously, where the results of an investigation reveal a complaint of sex-based discrimination or sexual misconduct to be frivolous or groundless, the individual having made such a complaint may be subject to disciplinary action. The sanctions include: community service, discipleship agreements, behavioral counseling, possible fines ranging up to \$500, or administrative withdrawal—minimum two semesters out, and Transcript Notation as required by Virginia law.

With the exception of cases involving sexual violence, a student can be subject to participation in Restorative Practices with a willing reporting party or a surrogate victim when appropriate.

XI. POLICY ON STUDENTS WITH DISABILITIES

A. POLICY

Liberty University School of Law is committed to providing reasonable accommodations to students with disabilities in order to facilitate equal access for students with disabilities to university and law school programs, events, and services. The School of Law complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, which prohibit organizations from preventing an otherwise qualified individual with a disability access to or participation in their services, programs, and activities. The School of Law recognizes physical and mental disabilities that include mobility, sensory, health, psychological, and learning disabilities.

B. DEFINITIONS

According to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, a disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual, a record of such impairment, or being regarded as having such an impairment.

C. PROCEDURES

1. Request and Application Period:

A student at Liberty University School of Law seeking accommodation for a disability must file all necessary paperwork with the law school's Office of Academic Support before 5 PM on the Monday of the fifth week of law school classes. The student must submit an application form to the Director of Academic Support, detailing the nature of the disability and accommodations requested. These application forms are available on the School of Law [Disability Accommodations](#) webpage. Although a student's failure to contact the Office of Academic Support on a timely basis may result in the denial of accommodation requests, the Dean of Liberty University School of Law has the authority to waive this deadline upon provision of adequate documentation and on a case by case basis. A student that misses the deadline and believes he or she has a disability is encouraged to meet with the Director of Academic Support to submit an application for a disability accommodation and to request a waiver of the deadline.

2L and 3L students requesting accommodation are required to register their disability with the Office of Academic Support each school semester, unless otherwise noted. 1L students requesting accommodation are required to register their disability with the Office of Academic Support only during the fall semester.

2. Documentation:

A student applying for a disability accommodation is required to meet with the Director of Academic Support for further instructions concerning the necessary documentation that the student must submit to receive a disability accommodation.

D. EVALUATION

Once the student has submitted the appropriate documentation to the Director of Academic Support, the Director of Academic Support will contact the Coordinator of the Liberty University Office of Disability Academic Support, and the Coordinator will analyze the documentation to determine if the student meets the definition of a disability, as determined by Section 504 of the Rehabilitation Act of 1973 and the ADA. If the student meets the definition, the Coordinator of Disability Academic Support and the Director of Academic Support will make a recommendation as to the type of reasonable accommodation(s) that may be offered. A student may not receive each and every accommodation recommended by a professional submitting documentation. If the documentation submitted for a disability is deemed incomplete or inadequate to determine the existence of a disability or the extent to which a student is affected by a documented disability, the law school may require a supplemental assessment of the disability by a medical practitioner. The cost of supplemental assessment will be borne by the student.

E. ACCOMMODATIONS

1. The need for and selection of a reasonable accommodation will be determined on an individual basis, taking into account the nature and extent of the student's disability or disabilities, the fundamental nature of the academic program or activity, and whether the accommodation would impose an undue burden, financially or administratively, on the School of Law. The School of Law will make a good faith effort to provide reasonable accommodation to the student with a disability; however, it is not required to provide the most comprehensive accommodation(s) requested by the student. A student may not receive every accommodation recommended by a medical practitioner.
2. The Director of Academic Support and Coordinator of Liberty University Office of Disability Academic Support will review all documentation provided by a student and reach a consensus as to what constitutes reasonable accommodations for a given student with a disability. Student needs will vary according to the individual course requirements and the nature of the disability. The student's professor may be consulted before any proposed accommodation is finalized. However, the actual disability will not be disclosed to any professor unless the student agrees in writing to waive the right to have his or her disability kept private.
3. Accommodations will not be made that would reduce academic expectations or standards or eliminate essential components of any course.
4. After appropriate and reasonable accommodations have been determined, a written plan of accommodation will be prepared and signed by the Internal Affairs Dean. A copy will be placed in the student's file.
5. Where appropriate, a Faculty Contact Sheet will be completed and given to a student's professors to inform them that a given accommodation must be made in the classroom. A copy will be placed in the student's file.

6. Students with a documented disability may contact the Director of Academic Support in the School of Law who works with the university's Office of Disability Academic Support (ODAS) for arrangements for academic accommodations. For all disability testing accommodation requests (i.e., quieter environment, extended time, oral testing, etc.), the Testing Center (Religion Hall 119) is the officially designated place for all tests administered outside of the regular classroom. However, Liberty University School of Law normally offers Law Students the opportunity for disability testing accommodation at various locations on site within the School of Law. The student's testing location will be assigned by the Registrar after consultation with the Director of Academic Support at the School of Law.

7. The Registrar's Office will maintain for its own lawful purposes confidential records of accommodations provided to students, including documentation submitted to verify student disabilities. When any student graduates or otherwise ceases to be enrolled, the student shall have the right to have returned to him or her by first class mail any original medical document that he or she submitted to the law school in support of his or her request for accommodation. The student's request shall be submitted in writing and shall be made within ninety (90) days after the student graduates or otherwise ceases to be enrolled. The Registrar's Office assumes no responsibility to maintain any document after the said ninety (90) days have passed and assumes no responsibility for the loss of any document. The Registrar's Officer reserves the right to keep a copy of any document returned to the student and to use such copy for any lawful purpose.

F. APPEALING A DECISION

A student who has been denied any accommodation may appeal the decision within 30 calendar days of the date the denial is issued. First, the student must file with the Director of Academic Support a written response to the denial of accommodation and may file additional medical or diagnostic documentation with the written response. The student will then meet with the Director of Academic Support and the Coordinator of Liberty University Office of Disability Academic Support for reconsideration of the application. Within seven days of this meeting, the Director of Academic Support and the Coordinator of Liberty University Office of Disability Academic Support will issue a joint opinion on the appeal. If the request for accommodation is again denied, the student may request a final appeal, by written letter to the Director of Academic Support, within seven days of the date the original appeal is decided. This final appeal will be made to the Dean of the law school and scheduled at the Dean's earliest convenience.

XII. NONDISCRIMINATION POLICIES

Liberty University is a Christian academic community in the tradition of evangelical institutions of higher education. It is controlled by an all evangelical Christian Board of Trustees, has a Statement of Doctrine that, among other things, affirms the authority of the Holy Scriptures, has a published Statement of Purpose, and has a published Statement of Professional Ethics, each of which is distinctly Christian. Its admissions and employment policies directly relate to its purposes and its identity as a Christian institution and are protected by the United States Constitution.

Admission of Students

Consistent with Liberty University's nondiscrimination policy with respect to admission of students, the School of Law does not discriminate on the basis of race, religion, color, national origin, sex, age, disability, sexual orientation, or status as a veteran. The School of Law does not discriminate on the basis of sexual orientation but does discriminate on the basis of sexual misconduct, including, but not limited to, non-marital sexual relations or the encouragement or advocacy of any form of sexual behavior that would undermine the Christian identity or faith mission of the University.

Employment of Faculty and Staff

With respect to employment of staff, consistent with Liberty University's non-discrimination employment policy, the School of Law does not discriminate on the basis of race, religion, color, national origin, sex, age, disability, or status as a veteran.

With respect to appointment to the faculty, the School of Law does not discriminate on the basis of race, color, national origin, sex, age, disability, or status as a veteran. Because it is the School's mission "to equip future leaders in law with a superior legal education in fidelity to the Christian faith expressed through the Holy Scriptures," and the applicability of the University's distinctly Christian Statement of Professional Ethics, the School does not discriminate on the basis of religion in faculty appointments except to the extent that applicable law respects its right to act in furtherance of its religious objective.

In its employment practices, the School of Law does not discriminate on the basis of sexual orientation, but does discriminate on the basis of sexual misconduct, including, but not limited to, non-marital sexual misconduct, homosexual conduct, or the encouragement or advocacy of any form of sexual behavior that would undermine the Christian identity or faith mission of the University. This policy statement is neither intended to discourage, nor is it in fact applicable to, any analytical discussion of law and policy issues involved in the regulation of sexual behavior, or to discussions of any recommendations for changes in existing law. Discussions of these matters are both practiced and are welcomed within our curriculum.

Career Services Nondiscrimination Policy

Liberty University School of Law affirms equal opportunity employment and requires all organizations and individuals seeking to recruit its students to comply with applicable state and federal laws relating to unlawful discrimination and discriminatory practices.

XIII. STUDENT FEEDBACK AND COMPLAINTS

A. GENERAL

At Liberty University School of Law, we value the feedback of students to help improve the quality of our Program of Legal Education. Through class representatives, students are able to bring matters to the attention of the faculty and administration through the Student-Faculty Relations Committee.

The Student Handbook also provides specific procedures to report certain actions or appeal specific decisions. These procedures can be found in the following places in the Student Handbook:

Section Four of the Student Handbook contains Academic Policies and Procedures from the Law Faculty Handbook:

1. Section 7.4: Appeal a decision that withdraws a student from class due to excessive absences.
2. Section 7.7: Appeal a final grade.

Section Eight of the Student Handbook:

1. Parts I-VIII contain the Academic Honor Code, Personal Honor Code, procedures for the investigation of those alleged violations, and appeals from any decision of the Conduct Review Committee in academic and personal honor code matters.
2. Part IX contains procedures to report racial harassment.
3. Part X contains procedures to report sexual harassment, discrimination, or assault.
4. Part XI contains procedures to appeal decisions concerning disability accommodations.

B. ABA STANDARDS

For all other matters that relate to a significant problem that directly implicates the school's program of legal education and its compliance with the American Bar Association Standards and Rules of Procedure for Approval of Law Schools, a written document containing the following information should be submitted to either the Associate Dean for Internal Affairs or the Dean:

1. The student shall submit a written complaint containing the following information to either the Dean or the Associate Dean for Internal Affairs:
 - a. Student name, postal address, and telephone number.
 - b. Student email address.
 - c. Specific ABA standard to which the student's complaint relates. The ABA Standards and Rules of Procedure for Approval of Law Schools can be found here:
http://www.americanbar.org/groups/legal_education/resources/standards.html
 - d. A recitation of the facts supporting the complaint stated with specificity as to dates, times, people involved, and any other relevant information, including details regarding the behavior, program, or process that is the subject of the complaint.

e. A statement of reasons supporting any assertion that the facts stated in the complaint implicate the law school's compliance with the ABA standards specified in the complaint.

2. Procedure

a. Within 10 days of receiving the complaint, the Dean or Associate Dean for Internal Affairs shall inform the faculty of the complaint and refer it to the appropriate faculty committee. In the event the complaint does not fall within the purview of any standing committee, the Dean or Associate Dean for Internal Affairs shall appoint an ad hoc ABA Compliance Committee to consider the complaint.

b. The committee shall investigate the complaint and report its written findings and recommendations to the faculty within 30 days of receipt of the complaint by the committee.

c. The faculty shall then decide what, if any, action should be taken and what communication shall be made to the student.

d. If the committee finds the school is not in compliance as alleged in the complaint, the Dean or the Associate Dean for Internal Affairs shall notify the Provost of the noncompliance and the faculty's recommended action.

3. All complaints shall be kept for seven (7) years or until the next review by the Accreditation Committee.

C. NO PRIVATE RIGHT OF ACTION

Nothing contained in this Section or any other Section of the handbook shall be interpreted to create or entitle any student to a private right of action or a private remedy.