



RESIDENTIAL GRADUATE PROGRAM HANDBOOK¹

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Who to Contact for Further Information

Admissions	Michelle Allison-Slaughter, Assistant Dean of Enrollment Management Extension: 4300 Email: mallison@tjssl.edu
Academic Affairs	Taylor Israel, Associate Dean Extension: 4285 Email: tisrael@tjssl.edu
Academic Success & Bar Prep (ASP)	Elizabeth Reilly, Assistant Director Extension: 1046 Email: ereilly@tjssl.edu Netta Burke, Assistant Director Extension: 4230 Email: nburke@tjssl.edu
Academics & Exams	Kaleena Karl, Director of Academic Administration Extension: 4256 Email: kkarl@tjssl.edu
Business Office	Carrie Kazyaka, Business Office Director Extension: 1045 Email: studentbusinessoffice@tjssl.edu
Career Services & Externship Programs	Judybeth Tropp, Director of Career Services & Externship Programs Extension: 4319 Email: jtropp@tjssl.edu
Financial Aid	Marc Berman, Director of Financial Aid Extension: 4271 Email: financialaid@tjssl.edu
Information Technology	Glen Galarpe, Director of Information Technology Extension: 4357 (HELP) Email: help@tjssl.edu
Legal Writing	Netta Burke, Interim Director of Legal Writing & Research Extension: 4230 Email: nburke@tjssl.edu
Library	Chelsea Grant, Librarian Extension: 4214 Email: cgrant@tjssl.edu
Registrar	Jessica Johnson, Registrar Extension: 4291 Email: jjohnson@tjssl.edu
Students with Disabilities	Aparajita Bandyopadhyay, Director of Student Affairs
Student Affairs	Aparajita Bandyopadhyay, Title IX Coordinator
Title IX Office	Extension: 4202 Email: abandyopadhyay@tjssl.edu

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I. SCOPE OF HANDBOOK

This Handbook applies to all Residential Graduate Programs, including students enrolled in the LL.M. for American Legal Studies or Practice Skills. Non-degree students taking residential LL.M. courses will also be governed by this Handbook to the extent applicable.

Thomas Jefferson School of Law also has a “J.D. Student Handbook” and a “J.D. Student Handbook (CALS)” that apply to its J.D. students and an Online Graduate Program Handbook that applies to the students in the online graduate programs. This Residential Graduate Program Handbook does not apply to the J.D. students or the online graduate students.

This Handbook contains information that is current as of the date of publication. However, this information is not intended to be, and should not be regarded as, contractual in nature, and may be changed at any time in the sole discretion of Thomas Jefferson School of Law.

II. DEFINITIONS

“The School” means Thomas Jefferson School of Law.

“Director of Financial Aid” means the Director of the Financial Aid Office at the School.

“Residential Graduate Programs” means the School’s residential LL.M. programs in American Legal Studies and Practice Skills and any other residential LL.M. programs, collectively.

“Term” means a semester, in the case of the residential LL.M. programs.

“Master’s Degrees” refers to the A.L.S. and LL.M. degrees collectively.

III. REQUIREMENTS FOR GRADUATE DEGREES

A. Eligibility

Applicants to the Residential Graduate Programs will be eligible for admission if they meet the criteria set forth in this subsection.

Candidates for the degree of Master of Laws (LL.M.) must hold a first law degree from an accredited law school or faculty of law to be eligible for admission to the LL.M program.

B. Academic Requirements for a Master's Degree

To qualify for a Master's Degree, all candidates must satisfactorily complete a course of study consisting of a minimum of 24 credits with a cumulative grade point average (GPA) of 2.000 or better. Students must complete all degree requirements (see Section IX below) in no more than a maximum of 36 credits during their course of study. All requirements must be completed within a maximum period of three years.

C. Transfer Credits

See Appendix B.

IV. LAW SCHOOL RULES AND REGULATIONS

The Law School adheres to the same rules and regulations for its Residential Graduate students as it does for its J.D. students in many areas. The policies and expectations for the Law School's Residential Graduate students in the areas of Attendance/Preparedness, Electronic Devices, Recording Classes, Internet and Digital Content, and Character and Fitness are detailed in the J.D. Student Handbook (CALs) at sections I.D-I.H., and are incorporated herein by reference.

V. GOOD STANDING, PROBATION AND DISMISSAL

A. Good Academic Standing

1. A Residential Graduate student is in good standing when the student's cumulative GPA is 2.000 or better.
2. Students who need a letter of good standing must contact the Registrar's Office.

B. Academic Probation

A Residential Graduate student is on academic probation in any of the following circumstances:

1. the student was admitted on probation;
2. the student has a cumulative GPA of less than 2.000;
3. the student had a term GPA below 2.000 in the immediately preceding term; or
4. the student is permitted to continue the program after being subject to academic dismissal.

C. Probation Requirements

A Residential Graduate student on academic probation must satisfy the following criteria:

1. A student admitted on probation must satisfy any criteria specified at the time of admission or initiation of probationary period.
2. Students on academic probation must have a term GPA above 2.000 in the probationary term.

A student who satisfies these criteria during the time specified will be removed from academic probation.

D. Satisfactory Academic Progress (SAP) & Academic Dismissals

1. Academic Eligibility for Financial Aid
Academic progress is measured qualitatively, quantitatively and incrementally.
 - a. Qualitative Standards
A Residential Graduate student will be notified in writing that he or she is subject to academic dismissal when the student is on probation and fails to satisfy the probation requirements during the time specified.

A student's progress will be evaluated at the end of each term. A student not in good academic standing will be placed on academic

probation.

b. Quantitative Standards

The maximum time allowed for each Master's degree program at the School is three calendar years from commencement of classes.

Students who do not complete their degrees within this time limit may request permission from the Director of the program and the Associate Dean for Academic Affairs to continue to take courses in order to complete their degree.

2. Students Not Meeting SAP Standards

Any student who fails to maintain satisfactory academic progress will not be allowed to receive financial aid. Students on academic probation are allowed to receive financial aid during the probationary term. Students who return to SAP status will regain the ability to receive financial aid at the time when grades are entered for the credits that bring them back into good academic standing. Students may appeal their denial of financial aid eligibility in writing to the Director of Financial Aid, who will evaluate such appeals on a case-by-case basis.

E. Special Circumstances Petition

1. Any Residential Graduate student who is subject to academic dismissal may submit a Special Circumstances Petition within the time period specified in the letter notifying the student that he or she is subject to dismissal.
2. A Special Circumstances Petition must:
 - a. be in writing and submitted to the Director of the program and the Associate Dean for Academic Affairs; and
 - b. explain why the student's poor performance is attributable to unusual circumstances not likely to recur, such as an illness, family emergency or other temporary situation, and demonstrate that these circumstances no longer exist and that the student therefore will achieve good standing at the end of the upcoming term, if permitted to continue.
3. No special form is required for the Special Circumstances Petition and the student is free to include any supporting documentation.

4. The Dismissal Review Committee will review the student's academic performance; input from faculty and staff; and any supporting documentation that the student may file, in determining whether the student may continue in the Program.
5. The dismissal decision is mailed to the student over the signature of the Associate Dean of Academic Affairs to preserve the anonymity of the decision-makers. The granting of a "Special Circumstances" petition generally allows the student to continue in school without any interruption attributable to the dismissal. In most cases, however, the student will be placed on continuing probation, subject to conditions that must be met in order for the student to return to Good Academic Standing. For example, the student may be required to re-take certain classes and maintain a certain minimum GPA.
6. There is no appeal of a dismissal decision following review of a Special Circumstances Petition. A student whose petition is denied shall be dismissed from the School and must stop attending classes.

The School reserves the right to dismiss a student at any time in its sole discretion for academic reasons. In the exercise of this prerogative, the School attempts to analyze the totality of the circumstances in light of its ethical obligation not to continue the student beyond the point where it becomes clear that, for whatever reason(s), the student is not succeeding in his or her studies. In this regard, it should be remembered that the longer the period of study involved, the more conclusive the student's record becomes. Consequently, academic dismissal is not a matter open to debate or negotiation by the student involved. The School can and must exercise its sole discretion in this matter. Continuation in school is not and cannot be "a matter of right" to the student involved.

VI. LEAVES OF ABSENCE, WITHDRAWALS & READMISSION

A. Leaves of Absence

1. A Residential Graduate student in good standing may request a leave of

absence for one semester by submitting a written petition with supporting documentation to the Assistant Dean for Student Affairs. A petition will be granted only for good cause. Students requesting additional leave after the initial period granted must petition for an extension with continued demonstration of good cause. Petitions for extensions must be filed three weeks prior to the start of the relevant semester.

2. If a student is unable to remain enrolled in school due to pregnancy, she may be able to satisfy alternate requirements. In such cases, the student should contact the Assistant Dean for Student Affairs to determine eligibility for a leave of absence.
3. A Residential Graduate student who has not completed one semester of the program is not eligible for a leave of absence.
4. The School's leave of absence policy does not reflect an "approved leave of absence" as determined by the Department of Education for financial assistance purposes, and therefore does not exempt students from Federal Return of Title IV Funds requirements.

B. Voluntary Withdrawal

A Residential Graduate student may withdraw from the program by submitting a written petition to the Assistant Dean for Student Affairs. A first-semester Residential Graduate student who voluntarily withdraws from all courses prior to the Add/Drop deadline may defer admission to the following semester, but thereafter must reapply for admission.

C. Readmission

Individuals who are readmitted after withdrawal or dismissal re-start the Residential Graduate Program; however, a student's prior transcript will remain part of that student's record.

1. **Readmission After Withdrawal**
Prior to a voluntary withdrawal from the Residential Graduate Program, students should review the above provisions on leaves of absence and consult with the Director of the program and the Assistant Dean for Student Affairs. An individual who has voluntarily withdrawn from the Residential Graduate Program and seeks to return should submit a request in writing to the Director of the program and the Assistant Dean for Student Affairs.

2. **Readmission After Academic Dismissal**

An individual who wishes to be readmitted after academic dismissal must submit a formal application through the School's website. The application should demonstrate that the student possesses the requisite ability to complete the Residential Graduate Program and that the prior dismissal was the result of circumstances other than lack of ability.

VII. EXAMINATION POLICIES

The Examination Policies described in Section III of the J.D. Student Handbook (CALS) apply equally to the Residential Graduate students and are incorporated herein by reference.

VIII. GRADING AND SEMESTER HONORS

A. Grading

The policies and expectations for the School's Residential Graduate students in the areas of Numerical Course Grades, Non-Numerical Course Grades, Grading Curve, Change in Grades and Grade Point Average are detailed in the J.D. Student Handbook (CALS) at Sections IV.A-IV.-C, and are incorporated herein by reference. A student who receives a grade below 0.8 will not receive units for the course.

B. Semester Honors

1. **Distinguished Honor Roll**

Residential Graduate Program students who achieve a GPA of 3.500 or higher for a fall or spring semester or summer session and who have completed a minimum of six numerically graded units during that semester or session are placed on the Distinguished Honor Roll.

2. **Honor Roll**

Residential Graduate Program students who achieve a GPA between 3.000 and 3.499 for a fall or spring semester or summer session and who have completed a minimum of six numerically graded units during that semester or session are placed on the Honor Roll.

IX. GRADUATION

A. Degrees Conferred

1. **LL.M. in Practice Skills**

The professional degree of Masters of Law in Practice Skills involves a core of required courses in addition to a variety of electives. The degree is awarded to those students who have fulfilled all of the following requirements:

- a. Completion of a minimum of 24 units in qualifying skills courses and achievement of a cumulative GPA of 2.000 or better at the time of graduation.
- b. Completed the following required courses (18+ units):
 - Client Interviewing & Counseling (2 units)
 - Negotiation Theory & Skills (3 units)
 - Law Practice Management or Solo Practice (2 units)
 - Contracts Drafting (2 units)
 - Civil Motion Practice (3 units)*
 - Criminal Motion Practice (3 units)*
 - Trial Practice (3 units) or Advanced Trial Advocacy (3 units)**

*A qualifying externship or clinical experience may be approved in lieu of one of these classes.

**Students who have not already completed Trial Practice (e.g., via transfer units from JD Program) may earn units in both Trial Practice and Advanced Trial Advocacy.

- c. Students must earn the remaining units to reach a total of 24 units in qualifying Practice Skills Electives. Qualifying electives, which may be offered during fall, spring, spring intersession, or summer, include:

- Advanced Civil Discovery Practice in California
- California Pre-Trial Preparation
- Intro to Mediation
- Advanced Mediation
- Arbitration
- Clinic—Small Business Clinic (may include Nonprofit & Small Business, Trademark, and Patent)
- Clinic—Veteran's Legal Assistance
- Deposition Practice
- Externship
- Litigation & Technology

d. Concentrations

There are three concentrations available:

- i. Criminal Practice
- ii. Civil Litigation
- iii. Transactional

e. Directed Study Units

For a description of directed study, see the J.D. Student Handbook (CALS) section VI.A.6.a. Students in the LL.M. in Practice Skills may enroll in Directed Study units only for practice skills-focused work. Express permission of the Director of the Program is required. No more than a total of four units of Directed Study may be earned toward the degree.

2. LL.M. in American Legal Studies

The professional degree of Masters of Law in American Legal Studies is awarded to those students who have fulfilled all of the following requirements:

a. Completion of a minimum of 24 units and achievement of a cumulative GPA of 2.000 or better at the time of graduation

b. Completed the following courses:

- i. Introduction to American Law
- ii. Legal Writing I
- iii. Professional Responsibility

c. Directed Study Units

For a description of directed study, see the J.D. Student Handbook (CALS) section VI.A.6.a. Express permission of the Director of the Program is required to enroll in Directed Study units. No more than a total of four units of Directed Study may be earned toward the degree.

B. Eligibility for Bar Exam

1. California Bar Exam

In order to sit for the California Bar Exam, if the student's first degree in law is from a law school located in a foreign state or country, the student must:

- a. Obtain from a credential evaluation service approved by the State Bar a certificate that the applicant's first degree in law is substantially equivalent to a Juris Doctor degree awarded by a law school approved by the American Bar Association or accredited by the Committee of Bar Examiners (CBE); or
- b. Obtain from a credential evaluation service approved by the State Bar a certificate that the applicant's first degree in law meets the educational requirements for admission to practice law in the foreign state or country in which it was obtained.
- c. Obtain from the Law School Admission Council's Credential Assembly Service International Credential Evaluation for LLM applicants, affirmation that the applicant's first degree in law is substantially equivalent to a JD awarded by a law school approved by the ABA or accredited by the CBE or that the applicant's first degree in law meets the educational requirements for admission to practice law in the foreign state or country in which it was obtained.

Applicants must submit these certificates to the State Bar Office of Admissions.

Students must also submit a certificate certifying they (1) have been awarded a Master of Law degree (LL.M) within 36 months from the first day of the first semester of qualifying study at any school, and (2) successfully completed with a minimum grade of 2.0 of a course in Professional Responsibility, covering the ABA Model Rules of Professional Conduct and leading federal and state case law on professional responsibility.

2. Other States' Bar Exams

Persons who have not obtained a J.D. from an ABA-approved law school may wish to contact the bar admission authorities in the state(s) in which persons intend to practice for more information on whether graduation from a post-J.D. program will qualify a person to take the bar examination in that state. Students are responsible for determining the requirements for bar eligibility in the relevant jurisdiction. It is the student's responsibility to understand and enroll in the classes required for the bar exam in their chosen state.

C. Ceremony Participation

Students who have been approved for graduation may participate in the May graduation ceremony.

D. Graduation Honors

Residential Graduate students are eligible for graduation honors and will graduate “With Distinction” if at the completion of the program: (a) the student takes at least 12 units of numerically graded classes and attains a minimum cumulative GPA of 3.300 or (b) the student takes fewer than 12 units of numerically graded classes and attains a minimum cumulative GPA of 3.300 plus earns “Honors” in at least two non-numerically graded classes.

E. Graduation Procedures

Degree candidates will fill out the “Graduation Request form” online. The link will be provided by the Registrar.

Completed forms should be submitted to the Director of the program.

All students must submit the Graduation Request form whether or not the student intends to participate in the graduation ceremony.

The Director of the program will review the student’s Graduation Request form and inform the student as to whether the degree requirements have been met and whether any honors will be awarded.

X. GRADUATE TUITION PAYMENT, REFUNDS, AND FINANCIAL ASSISTANCE

The Tuition and Fee Payments, Refunds, and Scholarships policies described in Section VII of the J.D. Student Handbook (CALS) apply equally to the Residential Graduate students and are incorporated herein by reference. This includes Financial Appendices I-III contained therein.

XI. LIBRARY AND OTHER INFORMATION SERVICES

Section VIII of the J.D. Student Handbook (CALS) detailing information about the Library and its policies apply equally to the Residential Graduate students and is incorporated herein by reference.

XII. GENERAL ADMINISTRATIVE POLICIES AND INFORMATION

The policies and information contained in the J.D. Student Handbook (CALS) at Sections IX and X apply to all Residential Graduate students and are incorporated herein by reference. All Residential Graduate students should read and become familiar with the policies and information contained in those sections.

A. Directory Information

The School, in compliance with the Family Educational Rights and Privacy Act of 1974, has designated the following items as Directory Information:

Student or Alumnus name, address, telephone number, undergraduate degree, law school degree, date degree awarded, honors earned at the School, business address, business phone and business email.

The School may disclose any of the above listed items without the student's or alumnus' prior written consent, unless the Registrar's Office is notified in writing to the contrary. All other student academic information is considered confidential and will not be released without the student's or alumnus' written permission.

B. Notification of Rights under FERPA

Under the Family Educational and Privacy Act of 1974 (FERPA), students have a right to inspect their education records; request the amendment of their education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights; consent to disclosures of personally identifiable information contained in their education records, except to the extent that FERPA authorizes disclosure without consent including disclosure to School officials with legitimate educational interests who need the information in order to fulfill their professional responsibilities and, upon request, to officials of another school in which a student intends to enroll or is enrolled; and file with the U.S. Department of Education a complaint concerning alleged failures by the school to comply with the requirements of FERPA.

Students may send complaints to:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave., SW
Washington, D.C. 20202

Students who wish to view their official records at the School may submit written petitions to the Registrar's Office that identify the record(s) they wish to inspect. If a student seeks to amend a record they believe is inaccurate, they should

identify in writing to the Registrar what part of the record they believe should be amended and the rationale for that belief. The School will notify the student of the decision and whether he or she has a right to a hearing regarding the requested amendment.

C. Notice of Information

Important information, including new or revised rules and regulations, generally will be e-mailed to the student's School e-mail account. All students are held responsible for noting information and following instructions, and for regularly checking their School e-mail account. All official communications will be sent to the student's School e-mail account. Students can contact the IT Department for setting up email-forwarding at help@tjisl.edu.

D. Notice re: Copyright Infringement

Students are expected to avoid copyright infringement at all times. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at www.copyright.gov.

XIII. RESERVATION OF RIGHTS

- A.** The School reserves the right to refuse admission to any applicant.
- B.** The School reserves the right to disqualify, discontinue or exclude any student for nonacademic reasons either by means of appropriate disciplinary action or by action of the Dean or Associate Dean for Academic Affairs. In addition, the Dean retains jurisdiction, which may be concurrent with that of the Ethics Committee, over all matters relating to students' continuous enrollment at the School, including but not limited to, violations of trust, certain delinquencies in financial obligations, or any other matter pertaining to an applicant's reputation for honesty, trustworthiness, character, integrity or citizenship.
- C.** The School reserves the right to disqualify or discontinue for academic reasons any student who in the sole judgment of the School should not continue the study of law.
- D.** This Handbook does not constitute a contract or an offer of a contract between the School and any student or a prospective student. The School reserves the right to change the policies stated in this Handbook at any time. This Handbook and each subsequent handbook supersedes all previous handbooks and statements of law school policy with respect to the School's Residential Graduate Program, and the policies expressed in this Handbook and each subsequent handbook will be binding on the student, regardless of any policies stated in any previous handbook or other material received by the student. This handbook and each subsequent handbook are supplemented by the rules and regulations otherwise communicated to the student. Where conflicts exist between any of these sources, the rule, regulation or policy most recent in time will prevail.

APPENDIX A – Residential Graduate Student Code of Conduct

The School’s Residential Graduate Student Code of Conduct (“Code”) will govern the conduct of all students in its Residential Graduate Programs. It is established to preserve the academic integrity of the school and facilitate an enriched learning environment. Accordingly, the Code presupposes the cooperation and vigilance of all members of the law school community. The following acts are prohibited by students:

I. Cheating

Students will not cheat on law school examinations, other forms of testing, or any graded or ungraded assignments. Cheating on an examination or a test includes, but is not limited to:

- A. Assisting or receiving the assistance of others while taking a school test;
- B. Consulting outside materials or other people while taking a law school test unless authorized by the professor;
- C. Leaving the examination area with any test materials, including scratch paper or test questions during or upon completion of a law school test;
- D. Disrupting another student who is taking a law school test; and
- E. Acting in a manner inconsistent with the test instructions or the instructions of the administering proctor.

II. Unauthorized Assistance

Except upon prior approval from the professor or an appropriate academic committee, students will not seek, provide, or receive assistance from others while preparing written materials or completing class assignments to be submitted for academic credit. Participating in student study groups, discussing practice tests, and obtaining assistance of library personnel are not of themselves prohibited under this rule, unless explicitly prohibited by the professor.

III. Policy on Using Generative Artificial Intelligence

A. Overview

Generative Artificial Intelligence (AI) is an important software tool for legal professionals. Generative AI chatbots, such as ChatGPT, can produce seemingly well written legal analysis that sounds as if it were written by a human author. Using generative AI, however, also presents legal and ethical risks. Generative AI tools have been known to create text with inaccurate legal information and cite fictional cases as authority.

A principal goal of a law school education is to develop written critical thinking skills. Legal professionals must be able to write on their own unassisted by

generative AI. The struggle of writing unassisted builds the critical thinking needed to pass the bar exam and for the practice of law. While students must learn how to use AI effectively, relying on AI to draft legal analysis hampers the development of the critical thinking skills students need to become attorneys.

For these reasons, the following governs the use of generative AI for School related work, including but not limited to academic work submitted for credit (whether graded or not), and anything school related, such as clinics, internships and externships. This Policy, as with any policy in the Student Handbook, may change with notice.

B. Acceptable Uses

Research: AI can be used to generate ideas or topics for research in the same way that a search engine (e.g., Google) might be used. Any information that is generated by AI must be independently verified through human-generated sources, such as statutes, cases, or treatises. Such human-generated sources must be cited.

Citation: Any approved use of AI generated content must be in “quotation marks” and cited using the proper citation format.

C. Prohibited Uses

Exams: The use of generative AI is prohibited for any exam, including but not limited to take home exams.

Composing Assignments: Generative AI may not be used to compose or edit all or part of any assignment. It is a violation of the plagiarism policy to pass off AI generated or edited content as one’s own writing.

Plagiarism: AI is prohibited for any use that would be considered plagiarism if the AI source was a human or organizational author. See Part III, Section I of the JD Student Handbook for the School’s Plagiarism policy.

Clinical/Internships/Externships: AI tools often retain information that is input as data that could be used and possibly shared with others. **To comport with California Bar guidance, you cannot enter any personal, confidential, or sensitive information into an AI system that you learned from working in a clinic, internship, externship, or another school related context.**

D. Exceptions

With the Associate Dean for Academic Affairs’ approval, Professors may modify this Policy to (1) Prohibit any use of generative AI or (2) Allow use of generative AI that differs from the Policy above for specific assignments. Any modified policy must be in writing and provided to all students enrolled in the course.

IV. Compromising Anonymous Work and Grading

Students will not intentionally reveal their examination numbers or identities to a professor when submitting anonymous course work. Also, students will not intentionally reveal the examination number or identity of another student. This rule may be modified for specific classes by individual classroom professors who will announce any modification at the beginning of the semester.

V. Plagiarism

Students will not engage in plagiarism, as defined in the Student Handbook, Part III Examination Policies, Section I. Plagiarism, above.

VI. Dual Submission Prohibited

Students will not submit the same or substantially the same work for credit in more than one course.

VII. Providing False Information

A. No student will knowingly misstate a fact to the School or any authorized representative thereof in connection with any matter in which the School has an interest. Examples of acts constituting misstating a fact include, but are not limited to:

1. Misstating a fact in connection with the law school admission, dismissal, or readmission process;
2. Misstating a fact in connection with any request or petition submitted to any law school employee;
3. Misstating a fact in connection with reporting any alleged violation of this Code;
4. Misstating a fact to an individual or entity investigating any alleged violation of this Code; and
5. Signing in for another student or otherwise misstating a fact in connection with a class attendance roster.

B. No student will intentionally make a misstatement (i) regarding grades received, academic honors, academic standing or progress, or competitively selected extracurricular activities at the Law School, (ii) to an employer, potential employer, academic program, or other similar entity in a competitive selection or promotion process, or for a background check in conjunction with such a process, or in conjunction with an application for financial aid or reimbursement for their attendance at the Law School.

VIII. Disruption of the Educational Process

Students will not wrongfully interfere with the educational process. Disruptions that wrongfully interfere with the educational process may include, but are not limited to:

- A. Harassment, threats, intimidation, bullying, or any other action, whether on or off campus, in person or online, that hinders a student from pursuing the student's education at the School, or that hinders any School faculty or staff member from performing that faculty or staff member's functions at the School;
- B. Destruction or misappropriation of school facilities, materials or equipment;
- C. Carrying a weapon, including a firearm, on campus, unless the student is a peace officer and is required to carry the firearm and has received written permission from the President of the School to carry the firearm on campus (see Part IX.C); and
- D. Disrupting or impairing the classroom or education environment in person or online, including conduct in violation of policies regarding electronic devices, recording classes, or access of internet and digital content.

VIII. Code of Conduct Enforcement

Ethics violations and Disruption of the Educational Process

Jurisdiction: All alleged violations of Sections I-VII of the Student Code of Conduct relating to ethics violations shall come within the jurisdiction of the Ethics Committee. All alleged violations of Section VIII relating to disruption of the educational process shall be addressed by the Associate Dean for Academic Affairs via the process laid out below. The Associate Dean for Academic Affairs shall have sole discretion to determine whether an alleged violation comes within Sections I-VII or Section VIII and shall refer any matters within Sections I-VII to the Ethics Committee.

A. Ethics Violations

1. **Notification:** Allegations of ethics violations shall be reported to the Director of Academic Administration or any faculty member. The recipient of the allegation shall refer the matter to the Associate Dean for Academic Affairs, who, upon confirmation that the allegation relates to an ethics violation, will forward to the Committee Chairperson.
2. **Investigation.** Upon receiving notification of a possible ethics violation within Sections I-VII, the Committee Chairperson may, if appropriate, appoint from the committee membership an investigator or investigators whose duty will be to gather relevant information concerning the alleged violation. If no investigators are appointed, the Chairperson will conduct the investigation.
3. **Findings and Informal Resolution.** After completion of the investigation, the investigator(s) will make their findings. If the investigator(s) find that no substantial evidence of an ethics violation exists, they shall close the matter. If the investigator(s) find that substantial evidence of an ethics violation exists, the investigator(s) may, in their discretion, attempt to resolve the matter informally. The investigator(s) shall provide written notice of the Code provision alleged to have been violated and their finding of facts and proposed resolution as part of the informal resolution process.
4. **Hearing.** If the investigator(s) decline to attempt to resolve the matter informally, or if the matter is not resolved informally to the mutual agreement of the investigator(s) and the student, either the investigator(s), the student, or both, may request a hearing before a hearing panel. The hearing panel will consist of at least three people appointed by the Associate Dean for Academic Affairs. In the event a hearing is so requested, the student accused of the violation will be informed in writing of the allegations and the hearing date.

The hearing will be set no earlier than five (5) business days after the date written notice of allegations is given to the accused student, unless the student waives in writing such notice. The student may be represented by a person of the student's choosing. The hearing panel may consider such evidence as it deems relevant and

credible and will not be bound by the rules of evidence. The student shall have the opportunity to question witnesses and all such questions will be addressed to the chair of the hearing panel. The hearing panel may record the proceedings. At the student's election, the student may be heard, and the hearing may proceed, in writing before the hearing panel rather than in person or via remote participation.

The hearing panel shall determine whether a violation has occurred by a preponderance of the evidence. If the student declines to participate, the hearing panel may confer and base its decision on the materials gathered in the investigation and need not conduct a formal hearing including the taking of testimony.

5. **Decision of Hearing Panel.** After the hearing, the hearing panel shall issue a written final decision that includes a statement of facts, conclusions, and, what action, if any, should be taken in connection with the matter. Such actions may include, but are not limited to:
 - a. A written reprimand and/or warning, one copy to be sent to the student and one copy to be made a permanent part of the student's file, available for inspection only by request from an admitting authority, e.g. the California Committee of Bar Examiners, or by lawful court process.
 - b. Cancellation of an examination or denial of course credit.
 - c. Formal administrative probation which will include, in addition to "a" above, a permanent notation on the student's transcript of an "administrative probation."
 - d. Suspension from classes and other TJS� privileges for one or more semesters.
 - e. Administrative dismissal.

The decision shall be reported to the Dean and the Parties.

6. **Review of Hearing Panel Decision.** Students may seek the Dean's review of the hearing panel's decision based on allegations of bias or clear procedural error. Within five business days of receiving the panel decision, students alleging bias or prejudice regarding the hearing and/or the hearing panel's decision must provide clear and convincing evidence that the decision was a result of bias or prejudice, or of such clear procedural error that it affected the outcome. In such cases, the Dean, in the Dean's sole discretion, may impanel a new hearing panel to conduct a new hearing on the alleged ethics violation.

7. The Ethics Committee, in its sole discretion, in appropriate circumstances, may publish a record of proceedings and/or advisory opinions.

B. Disruptions of the Educational Process

1. **Notification:** Allegations of disruptions of the educational process shall be reported to the Director of Academic Administration or any faculty member. The recipient of the allegation shall refer the matter to the Associate Dean for Academic Affairs.
2. **Investigation.** Upon receiving notification of an allegation of a disruption of the educational process, the Associate Dean for Academic Affairs may refer the matter to the Director of Student Affairs or another member of the administration for investigation and informal resolution.
3. **Findings and Informal Resolution.** If the investigator finds that no substantial evidence of a violation exists, the investigator shall close the matter and so report to the Associate Dean for Academic Affairs. If the investigator finds that substantial evidence of a violation exists, the investigator may, in their discretion, attempt to resolve the matter informally. The investigator shall provide written notice of the Code provision alleged to have been violated and their finding of facts and proposed resolution as part of the informal resolution process.
4. **Hearing.** If the matter is not resolved informally to the mutual agreement of all relevant parties, either the Associate Dean, their designee, or other relevant party may request a hearing. In the event a hearing is so requested, the student accused of the violation will be informed in writing of the allegations and the hearing date.

The hearing will be set no earlier than five (5) business days after the date written notice of allegations is given to the accused student, unless the student waives in writing such notice. The student may be represented by a person of the student's choosing.

A hearing panel will be designated by the Associate Dean for Academic Affairs. The hearing panel may consider such evidence as it deems relevant and credible and will not be bound by the rules of evidence. The student shall have the opportunity to question witnesses and all such questions will be addressed to the Chairperson of the panel. The panel may record the proceedings. At the student's election, the student may be heard, and the hearing may proceed, in writing before the hearing panel rather than in person or via remote participation.

The panel shall determine whether a violation has occurred by a preponderance of the evidence. If the student declines to participate, the panel may confer and base its decision on the materials gathered in the investigation and need not conduct a formal hearing including the taking of testimony.

5. **Decision of Hearing Panel.** The hearing panel shall issue a written final decision that includes a statement of facts, conclusions, and, what action, if any, should be taken in connection with the matter. Such actions may include, but are not limited to:
- a. A written reprimand and/or warning, one copy to be sent to the student and one copy to be made a permanent part of the student's file, available for inspection only by request from an admitting authority, e.g. the California Committee of Bar Examiners, or by lawful court process.
 - b. Cancellation of an examination or denial of course credit.
 - c. Formal administrative probation which will include, in addition to "a" above, a permanent notation on the student's transcript of an "administrative probation."
 - d. Suspension from classes and other TJSL privileges for one or more semesters.
 - e. Administrative dismissal.

The panel's decision shall be reported to the Dean and the parties.

6. **Review of Hearing Panel Decision.** Students may seek the Dean's review of the panel decision based on allegations of bias or clear procedural error. Within five business days of receiving the hearing panel decision, students alleging bias or prejudice regarding the hearing and/or final decision must provide clear and convincing evidence that the decision was a result of bias or prejudice, or of such clear procedural error that it affected the outcome. In such cases, the Dean, in the Dean's sole discretion, may impanel a new hearing panel to conduct a new hearing on the alleged violation.

APPENDIX B – Transfer of Credit Policy for Residential LL.M. Programs

A. Residential LL.M. students who have previously earned credits at an Eligible Institution, as defined in this section, may receive an evaluation of their transcripts to determine the number of credit hours (typically up to 8 credits) and required courses for which they will receive transfer credit by submitting a transfer credit request form, with all required supporting documentation, to the Director of the program. No transfer credit request will be processed without submittal of a written transfer request form and all other required documentation. In certain cases, students may be required to fulfill specified conditions before credit hours and required courses will be awarded.

B. “Eligible Institutions” include: (a) schools of law that are accredited by the Committee of Bar Examiners for the State Bar of California (CBE) or the American Bar Association (ABA), and (b) foreign universities with accreditation under a system considered, in the Director’s sole discretion, to be equivalent to a system of accreditation recognized by the U.S. Department of Education. Except in unusual circumstances, foreign law study serves as a prerequisite for the LL.M. in American Legal Studies for foreign lawyers and thus units earned at foreign institutions are not eligible for transfer units in that program.

C. A course taken at an Eligible Institution will be eligible for transfer credit and, as applicable, to satisfy a graduation requirement, if, in the Director’s sole discretion, it is deemed functionally equivalent to a course offered within the Program. The Director’s decision to grant or deny transfer credit will be final. In all cases, the burden lies with the student to provide appropriate documentation supporting the request for transfer credit.

D. A transfer credit request may be submitted upon enrollment in a student’s first term, but the actual transfer of credit will not occur until the student has earned at least sixteen credits at Thomas Jefferson School of Law.

APPENDIX C –Procedures for Student Complaints

An individual may contact the Bureau for Private Postsecondary Education for review of a complaint regarding violation of laws governing the institution's operation. The bureau may be contacted at:

Address:

P.O. Box 980818
West Sacramento, CA 95798-0818
Phone: 916- 574-8900
Fax: 916- 263-1897

Website: <http://www.bppe.ca.govP.O./enforcement/complaint.shtml>

An individual may also contact the U.S. Department of Education for complaints related to Federal Student Loans. The Federal Student Aid Ombudsman Group of the U.S. Department of Education is dedicated to helping resolve disputes related to Direct Loans, Federal Family Education Loan (FFEL) Program loans, Guaranteed Student Loans, and Perkins Loans. The Ombudsman Group is a neutral, informal, and confidential resource to help resolve disputes about your federal student loans.

The Ombudsman Group needs your name and Social Security number to locate your student loan account information. Information or materials you share with the Ombudsman Group are disclosed only to parties to the dispute, unless there appears to be imminent risk of serious harm or other criminal activity. You may contact the Ombudsman Group through one of these other methods.

Address:

U.S. Department of Education
FSA Ombudsman Group
P.O. Box 1843
Monticello, KY 42633
Phone: 1-877-557-2575
Fax: 606-396-4821

<https://studentaid.gov/feedback-ombudsman/disputes/prepare>

APPENDIX D – Accommodations for Students with Disabilities

It is the policy of the Law School to provide reasonable accommodations to qualified students with documented disabilities. Students whose disabilities may require accommodation must contact the Assistant Dean for Student Affairs as early as possible. Appropriate accommodations and modifications will be worked out on a case-by-case basis with the student and the Associate Director for Student Affairs.

It is the policy of the Law School to require appropriate documentation of disabilities supplied by a licensed professional or health care provider. The cost of obtaining a professional evaluation and documentation will be borne by the student. Diagnosis of a documented disability by family members will not be accepted due to professional and ethical considerations even when the family members are otherwise qualified by virtue of training and licensure/certification. It should be noted that all approved accommodations are prospective and no retroactive accommodations are provided. All requests for accommodations must be submitted no later than one month prior to the date the accommodation is requested.

For students with physical disabilities, documentation must:

1. be prepared by a licensed professional or health care provider;
2. state the nature of the disability;
3. describe how the disability affects the student in an academic setting;
4. state the current level of functioning; and
5. supply evidence of a limitation to learning or another major life activity.

For students with learning disabilities, documentation must:

1. be prepared by a licensed professional qualified to diagnose a learning disability, including but not limited to a licensed physician, learning disability specialist, or psychologist;
2. include the testing procedures followed, the instruments used to assess the disability, all test results, and a written interpretation of all test results by the professional (conclusions regarding the disability are not sufficient without the basic testing or diagnostic data);
3. assessment, and any resulting diagnosis, must consist of and be based on a comprehensive assessment battery that does not rely on any one test or subtest;

4. reflect the individual's present level of functioning in the achievement areas of (where relevant): reading comprehension, reading rate, written expression, writing mechanics and vocabulary, writing, grammar, and spelling;
5. reflect the individual's present level of functioning in the areas of intelligence and processing skills; and
6. reflect the evidence of a substantial limitation to learning or another major life activity.

For students with psychiatric disabilities, documentation must:

1. be diagnosed by a qualified professional with comprehensive training and relevant expertise in differential diagnosis of psychiatric disorders;
2. have appropriate licensure/certification;
3. address the current level of functioning and the need for accommodations;
4. contain historical information based on a diagnostic interview and/or psychological assessment;
5. rule out alternative diagnosis; and
6. reflect the evidence of a substantial limitation to learning or another major life activity.

Grievance Procedure

If the student disagrees with the decision concerning the accommodations to be provided, the student must notify the Associate Dean for Academic Affairs, in writing, no later than ten days after the receipt of the decision. The Associate Dean for Academic Affairs will review the accommodation request and reason for the decision. If circumstances warrant, the Associate Dean for Academic Affairs may do further investigation into the decision, including but not limited to, speaking with the student or asking for additional documentation. Any investigation will be conducted in a manner that is adequate, reliable, and impartial. The Associate Dean for Academic Affairs will provide a written decision to the student regarding the request for accommodation. If the student remains unsatisfied as to the outcome of the request, the student may appeal the decision of the Associate Dean for Academic Affairs to the Dean of the Law School. The appeal will be conducted on the basis of the documentation which the student has submitted, and the student's written argument in support of his or her appeal. The Dean will review the student's appeal as soon as reasonably possible and provide the student with written notification of the decision.

APPENDIX E – Anti-Discrimination Policy

It is the policy of Thomas Jefferson School of Law to afford equal opportunity to all individuals regardless of race (including hair texture and protective hairstyles), creed, color, religion, sex (including transgender, gender, gender identity and expression), national origin, ancestry, age, marital status, military or veteran status, physical and mental disability, medical condition, genetic information, sexual orientation, or other characteristic protected by law. Our students, as well as our applicants, employees, and others with whom we do business, will not be subjected to sexual, racial, religious, ethnic, or any other form of unlawful discrimination or harassment. The law school will not condone such conduct, whether committed by an administrator, faculty member, staff person, agent, contractor or student. Nor will it permit discrimination to affect any employment or academic decision.

An exception to our policy of non-discrimination is granted to representatives of the U.S. Department of Defense who may discriminate on a basis not permitted by our policy. This exception is made in order to avoid the loss of federal funds that would otherwise be imposed by the 1996 Solomon Amendment.

Thomas Jefferson will not tolerate statements or actions that create a discriminatory, harassing, or bullying educational environment. Nor will the School tolerate any harassment, discrimination, bullying, coercion, threat, intimidation, interference, or other retaliation against students or applicants for making a good faith complaint or assisting in good faith with any investigation.

If a student believes that the School's policies prohibiting discrimination, harassment, or retaliation have been violated, the student is expected to immediately bring the matter to the attention of the Associate Dean for Academic Affairs or the Human Resources Department. The School will investigate and take appropriate action in response to such complaints. Anyone who violates the policies prohibiting discrimination, harassment, bullying, or retaliation will be subject to appropriate disciplinary action, which may include immediate dismissal.

Anyone who feels they have been harassed, retaliated against, pressured, or otherwise dealt with inappropriately because of their knowledge of, or refusal to commit, an unlawful act, must promptly report the behavior to the Associate Dean for Academic Affairs in writing. The School will conduct a prompt, fair, and complete investigation.

If the School determines that a violation of this policy has occurred, appropriate remedial action will be taken. Any employee determined by the School to have violated this policy will be disciplined, up to and including termination. Any student determined by the School to have violated this policy will be disciplined, up to and including dismissal from the School. The School will not tolerate or permit retaliation against anyone for filing a complaint. No employee or student of the School is exempt from this policy.

APPENDIX F – Policy Against Harassment

Thomas Jefferson School of Law is committed to maintaining an academic environment that is free of harassment. The School's policy prohibits not only actions which are severe enough to be unlawful but also conduct and comments which are not severe enough to violate state or federal law, but which are still inappropriate in the educational environment. The School does not tolerate sexual harassment, or harassment based on pregnancy, childbirth or related medical conditions, race (including hair texture and protective hairstyles), religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, transgender, gender, gender identity or expression, military or veteran status, genetic characteristics, or any other basis protected by federal, state or local law or ordinance or regulation. The School's policy applies to all persons involved in the School community. Harassment of any student or School employee or any employee of any of its contractors by any student, School employee, or non-employee will not be tolerated.

Conduct prohibited by this policy includes, but is not limited to, the following behavior:

- Verbal conduct, such as bullying, epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or innuendos;
- Visual conduct, such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings, gestures, emails and internet-accessed images;
- Physical conduct, such as assault, unwanted touching or blocking normal movement because of sex, race or any other protected basis; and
- Threats and demands to submit to sexual requests as a condition of academic benefit, or to avoid some other loss, and offers of academic benefits in return for sexual favors.

If anyone believes they have been harassed in violation of this policy, or witness such conduct, they must notify the Associate Dean for Academic Affairs or the Human Resources Department as soon as possible after the incident. The School will conduct a prompt, fair, and complete investigation.

If the School determines that a violation of this policy has occurred, appropriate remedial action will be taken. Any employee determined by the School to have violated this policy will be disciplined, up to and including termination. Any student determined by the School to have violated this policy will be disciplined, up to and including dismissal from the School. The School will not tolerate or permit retaliation against anyone for filing a complaint. No employee or student of the School is exempt from this policy.

APPENDIX G – Substance Abuse Policy

I. Statement of Purpose

Thomas Jefferson School of Law is committed to maintaining the best possible educational and work environment. In order for the Law School to maintain its high quality education, research and community service, it is essential that each member of the law school community be able to perform to the best of his or her ability. Alcohol and drug abuse in the academic community is detrimental to the maintenance of an effective academic program. Such abuse is also detrimental to the health and safety of our students, faculty, staff and visitors to our campus.

The Law School is committed to preventing any illegal activity from occurring on its premises. Additionally, the Law School is a recipient of federal funds and subject to the Drug-free Schools and Communities Act Amendments of 1989 (Public Law 101-26), which requires the school to certify to the Department of Education that it has adopted and implemented a program to prevent the abuse of alcohol and the illicit use of drugs by students and employees.

The abuse of alcohol and drugs is not consistent with the educational aims and goals of the Law School, and in addition, offers substantial health risks, leading at times to long-term physical and psychological damage, birth defects, and reduction of the ability to perform tasks requiring coordination and concentration. Substance abuse may also lead to criminal sanctions including driver's license revocation, fines, forfeiture of property, imprisonment and suspension from eligibility for federal benefits, including student loans. Law students may be denied admission to practice because of a history of drug or alcohol abuse, or conviction of a crime. For specific information, see Article 2, Offenses Involving Alcohol and Drugs in the California Vehicle Code, the California Uniform Controlled Substance Act, and the Controlled Substances Act and the Anti-Drug Abuse Amendments of 1988 in Title 21 of the United States Code.

II. Policy

It is the policy of the Law School to maintain a drug-free workplace and educational environment. The use of alcohol on campus is prohibited unless an exception has been granted for a school-sponsored event. The unlawful manufacture, distribution, dispensation, possession, sale, offer to sell, purchase and/or use of controlled substances on campus or at school-sponsored functions is prohibited. In addition, the use of controlled substances or the abuse of alcohol off-campus is prohibited if such use and/or abuse adversely affects the user's ability to perform safely and efficiently while on campus. No member of the law school community is permitted to be on campus while under the influence of alcohol or any controlled substance, nor abuse alcohol at any law

school sponsored function. A school- sponsored function includes all student organization activities.

III. Sanctions

Infractions of this policy will be regarded as a basis for disciplinary action, up to and including exclusion from the Law School, whether the offender be a student or an employee. However, the Law School recognizes that alcoholism and other substance dependencies are highly complex illnesses, which under many circumstances can be successfully treated. If said infraction of the policy is the result of a substance dependency, the Law School may require the offender to seek treatment and rehabilitation as a condition of retention in the Law School community. The Law School's emphasis is on rehabilitation, if possible, as a preferable alternative to exclusion.

IV. Inspections

The Law School retains the right to search and inspect all school-owned property and premises, including common areas used by students, to detect the presence of drugs, controlled substances or alcohol. Law School-owned property includes, but is not limited to machinery, equipment, furniture, lockers, buildings and vehicles. Additionally, if there is any reasonable cause or suspicion to believe that a member of the Law School community has illegal or prohibited substances in his/her possession, they may be asked to empty the contents of clothing, pockets, purses, desks, lockers or other containers. As a term and condition of continued enrollment, every student is expected and required to fully cooperate with any search being conducted to detect the presence of drugs or alcohol on Law School property. Refusal to allow such a search or to relinquish suspected material will be taken into account in making any disciplinary decision.

V. Rehabilitation

The Law School encourages persons who recognize that they have a substance or chemical dependency problem to seek appropriate professional help. While the Law School does not maintain a program for the treatment and rehabilitation of persons suffering from substance dependence, it can and may refer persons suffering from substance dependency to local programs for treatment and rehabilitation. Some programs are free and some charge for their services. Students may be able to obtain treatment under their medical insurance. The Law School will attempt to reasonably accommodate members of the Law School community who seek treatment and rehabilitation. In some instances, the Law School may require a person to seek treatment and rehabilitation as a condition of retention or re-admittance to the Law School community.

APPENDIX H – Title IX Non-Discrimination Policy

Thomas Jefferson School of Law is committed to providing an educational and work environment that is free of discrimination, retaliation and harassment including sexual violence. Title IX of the Education Amendments of 1972 (Title IX), prohibits sex discrimination in educational programs and activities (including discrimination against pregnant and parenting students) and includes acts of sexual violence. This prohibition against sex discrimination extends to admission and employment, and applies to all education programs or activities in the United States, whether such programs or activities occur on-campus or off-campus.

Any of the following conduct on the basis of sex constitutes sexual harassment and is a violation of this policy:

- A school employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct (often called *quid pro quo* harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined below).

Definition of Key Terms

For the purpose of this Policy, the School utilizes the following definitions:

Actual knowledge- notice of sexual harassment or allegations of sexual harassment to the School's Title IX Coordinator

Complainant- an individual who is alleged to be the victim of conduct that could constitute sexual harassment

Consent- the affirmative, continuous, voluntary agreement by both partners engaged in sexual activity. Consent may be revoked at any time. It is each person's responsibility to ensure affirmative, conscious consent is given while engaged in sexual activity. Consent cannot be inferred. An absence of resistance or silence is not the same as affirmative consent.

Dating violence- controlling, abusive, and aggressive behavior in a romantic relationship

Domestic violence- crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by any other person who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

Respondent- an individual who has been reported to be the perpetrator of conduct that could

constitute sexual harassment

Sexual Assault- any sexual conduct with another person that occurs without the consent of the victim or is offensive to the victim

Stalking- engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress

Reporting Title IX Violations

Individuals who believe they have been victims of sexual harassment, sex discrimination, assault, violence, or other sexual misconduct are encouraged to contact the local authorities and should notify the School's Title IX Coordinator:

Aparajita Bandyopadhyay
Director of Student Affairs & Title IX Coordinator
701 B Street, #110
San Diego, CA 92101
abandyopadhyay@tjssl.edu
619-961-4202

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail using the contact information above, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such report may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator, above.

A report may also be made to the proper authorities in conjunction or separately from the complaint made to the Coordinator.

Supportive Measures

After the Title IX Coordinator receives a report of an alleged violation of this policy, the Title IX Coordinator will promptly contact the alleged victim confidentially to discuss the availability of supportive measures. Supportive measures are non-disciplinary, non-punitive individualized services that are reasonably available to restore or preserve equal access to education, protect student and employee safety, or deter sexual harassment. The range of supportive measures available to complainants and respondents may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between parties, and leaves of absence. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Supportive measures will be made available to a complainant regardless of whether a formal complaint is filed.

Filing a Formal Complaint

A formal complaint is a document filed by an alleged victim or signed by the Title IX Coordinator alleging sexual harassment and requesting the School to investigate the allegation. At the time of the filing the formal complaint, the alleged victim must be participating in or attempting to participate in the education program or activity of the School, and the formal complaint must be filed with the Title IX Coordinator in person, by mail, or by e-mail.

Grievance Procedure

The School is committed to providing prompt and equitable resolution of student and employee complaints alleging a violation of this policy. The School's Grievance Procedure includes: (1) the Investigation; (2) Informal Resolution, when appropriate; (3) a Live Hearing; (4) a Written Determination; and in some circumstances (5) an Appeal.

In order to ensure a fair and equitable process, the School will:

- Treat Complainants and Respondents equitably by not imposing disciplinary sanctions against Respondent without first following the School's grievance procedure, and by providing remedies to a Complainant where a determination of responsibility for sexual harassment has been made against the Respondent.
- Presume the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made by preponderance of the evidence at the conclusion of the grievance process.
- Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- Ensure any individual who is designated by the School as a Title IX Coordinator, investigator, decision-maker, or facilitator of informal resolution is adequately trained and free from bias and conflict of interest for or against complainants or respondents.
- Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- Not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School obtains that party's voluntary, written consent.

Investigation Process

Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice to both the Complainant and Respondent of:

- The allegations of sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. This includes the

identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident.

- The presumption that that Respondent is not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Their right to have an advisor of their choice, who may be, but is not required to be, an attorney, accompany them to any meeting and participate in the grievance process.
- Their right to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the School does not intend to rely in reaching a determination so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.
- The School's Grievance Procedure and informal resolution options.
- The School's Student Code of Conduct prohibiting knowingly making false statements or knowingly submitting false information during the grievance process.

The Title IX Coordinator will then either personally investigate or oversee the investigative process of the formal complaint. The investigative process will be conducted in an adequate, reliable, impartial, and prompt manner, and will provide an equal opportunity to the Complainant and Respondent to present witnesses and evidence to the Investigator.

The Investigator will provide to any party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate.

Prior to the completion of the investigation, the Investigator will send to each party and their advisors, the evidence subject to inspection and review in an electronic format or in hard copy, and the parties will be given at least 10 days to submit a written response, which will be considered by the Investigator.

The investigative process shall be completed within 90 days of notice to the Title IX Coordinator and will result in an investigative report that fairly summarizes relevant evidence. The investigative report will be sent in electronic format or hard copy to each party and their advisors for review and written response at least 10 days prior to any scheduled hearing.

Although the School is committed to resolving the allegations promptly, it understands that a temporary delay of the Grievance Procedure or limited extension of time frames for good cause may be necessary. Good cause may include considerations such as the absence of a party or a party's advisor, a witness, concurrent law enforcement activity or accommodation of disabilities. In such circumstances, the party requesting the delay or extension should provide written notice to the Title IX Coordinator detailing the reasons for their request.

Informal Resolution

Unless the allegation concerns conduct by an employee of the School, the parties may be permitted the option to participate in an informal resolution process. Details of this process will be provided to the parties if the Title IX Coordinator believes an informal resolution would

address the reported behavior, prevent recurrence, and remedy effects without completing the investigation process. Informal resolution will only be considered in cases where the School receives the parties' voluntary, informed consent in writing. This consent may be withdrawn at any time in favor of a return to the Grievance Procedure.

Dismissal of Formal Complaint

A formal complaint may be dismissed by the School in its sole discretion if:

- The conduct alleged, even if proved, would not constitute sexual harassment as defined above.
- The conduct alleged did not occur in the School's education program or activity, or against a person in the United States.
- Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the complaint or any allegations therein.
- Respondent is no longer enrolled or employed by the School.
- Specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Live Hearing

If an informal resolution is not reached or is not warranted by the circumstances, within 45 days after receiving the investigative report, the School will schedule a live hearing before a decision-maker chosen by the School. At the live hearing, the decision-maker will:

- Permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- Require questioning and cross-examination to be conducted directly, orally, and in real time by the party's advisor and never by a party personally.
- Evaluate each question asked to determine its relevance before it is answered by a party or witness. If a question is deemed irrelevant and is excluded, the decision-maker will explain why.
- Prohibit as irrelevant, questions and evidence about Complainant's prior sexual behavior unless offered to prove that someone other than Respondent committed the alleged misconduct or offered to prove consent based on prior sexual behavior with Respondent.
- Not rely on any statement of a party or witness who does not submit to cross-examination at the live hearing in reaching a determination regarding responsibility.
- Not draw an inference about the determination regarding responsibility based solely on a party's or witness' absence from the live hearing or refusal to answer questions.
- Ensure that an audio, audiovisual, or transcript of the live hearing is created, which will be made available to the parties for inspection and review.

If a party does not have an advisor present at the live hearing, the School will provide, without fee or charge to that party, an advisor of the School's choice who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

At the request of either party, the School will provide for the entire live hearing (including cross-examination) to occur with the parties located in separate rooms with technology enabling the parties to see and hear each other. This may be on campus or off-campus at the School's sole discretion. Additionally, at the School's discretion, the live hearing may be conducted with all parties physically present in the same geographic location or any or all parties, witnesses, and other participants appearing virtually.

Any decisions to suspend or to continue the live hearing once it has begun shall be made at the sole discretion of the School in consultation between the decision-maker and the Title IX Coordinator.

Written Determination

Within 30 days after the conclusion of the live hearing, the decision-maker will issue a written determination regarding responsibility including:

- Identification of the allegations potentially constituting sexual harassment.
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews, site visits, methods used to gather other evidence and hearings held.
- Findings of fact supporting the determination.
- Conclusions regarding the application of the School's Student Code of Conduct to the facts.
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility.
- A statement of any disciplinary sanctions imposed on Respondent and any remedies designed to restore or preserve equal access to the School's education program or activity for Complainant.
- The School's procedures and permissible basis for filing an appeal.

Remedies and Disciplinary Sanctions

If Respondent is found responsible for the alleged conduct violation, possible remedies the School may provide Complainant include:

- Permanent no contact order while both students are enrolled.
- Continuing supportive measures as deemed necessary to ensure equal access to education.

Possible disciplinary sanctions the School may impose on Respondent include:

- A written reprimand and/or warning, one copy to be sent to the student and one copy to be made a permanent part of the student's file, available for inspection only by request from an admitting authority, e.g., the California Committee of Bar Examiners, or by a lawful court process.
- Formal administrative probation and permanent notation on the student's transcript of an "administrative probation."
- Suspension from classes and other Thomas Jefferson School of Law privileges for one or more semesters.

- Administrative dismissal.

Appeal Process

Within 30 days of receiving the written determination of responsibility, or within 30 days of the School dismissing a formal complaint or any allegations therein, either party may file an appeal with the Dean of the School. The Appeal must be in writing and must include a detailed explanation of one of the following bases for the appeal:

- Procedural irregularity that affected the outcome of the matter.
- New evidence that was not reasonably available at the time the determination or dismissal was made that could affect the outcome of the matter.
- The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual parties in the matter that affected the outcome.

Once an appeal is received, the other party will be notified in writing. Both parties will have the opportunity to submit a written statement in support of, or challenging, the written determination or dismissal.

All such appeals will be resolved within 60 days of the filing in a written decision provided simultaneously to both parties.

Protection Against Retaliation

The School prohibits retaliation against anyone for making a report of sexual harassment or filing a formal complaint. This includes acts of intimidation, threats, coercion or discrimination against an individual for the purpose of interfering with their Title IX rights or because the individual filed a complaint, testified, participated, or refused to participate in a Title IX proceeding. No employee or student is exempt from this policy.

The School will do its best to keep the identity of complainants, respondents, and witnesses confidential except as permitted by FERPA, as required by law, or as necessary to carry out the Title IX proceeding. Any complaints alleging retaliation may be filed with the Title IX Coordinator and will be promptly addressed.

Amnesty

Because Thomas Jefferson School of Law strongly encourages the reporting of any sexual misconduct, a Complainant or witness will not be held accountable for violations of any law school alcohol or drug policies that may have occurred at the time of, or as a result of the incident, provided that these violations did not endanger others or violate the Student Code of Conduct.

Questions regarding Title IX can be addressed to the Title IX Coordinator or the Office of Civil Rights at 1-800-421-3481 or OCR@ed.gov.

APPENDIX I – Emergency Procedures

I. Building Fire Evacuation Procedures

Know your escape routes in case of fire. Escape routes are posted between elevators in the stairwells and at numerous locations throughout the building.

Do not in any way impede the work of the firemen. Traffic lanes and sidewalks should be kept free for the fire-fighting equipment. A law school Emergency Response Team (ERT) member will be available in case of any difficulties in keeping these areas free of debris and/or persons.

Note: It must be emphasized that, in all cases pertaining to fire evacuations, the designated Emergency Response Team (ERT) members for each floor are *in charge* and any orders or decisions they issue must be adhered to. Conflicting instructions may result in unnecessary injuries and/or damage to the premises. Do not use the elevators to evacuate.

For emergencies, *e.g.*, an unplanned fire alarm goes off or there is a fire within the building:

- a. The Facilities staff will contact all pertinent agencies. All students, faculty and staff should make a note of the location of each fire alarm and fire extinguisher on campus.
- b. Once the alarm has sounded, all students, faculty and staff should proceed as per fire drill instructions.
- c. In the event of major injuries, first-aid is of primary importance and must be attended to immediately. First-aid and disaster kits are located throughout campus.

The campus is not fire proof. It is essentially concrete and steel; however, drywall, ceiling tiles, carpeting, furniture, etc. all burn.

APPENDIX J – Safety at Thomas Jefferson School of Law

The campus is not immune to crime. Becoming aware of potential dangers and taking preventative measures will protect you and assist us in keeping the law school a safe and pleasant environment to pursue an education.

The administration makes continual efforts to prevent crime on campus yet your help is needed as well. We firmly believe that a well-informed community is better served and, thus, safer. Please take the time to read this information.

Crime Prevention

It is well recognized that the prevention of crime provides the best measure of protection. Therefore, the School supports an active crime prevention program that works closely with the community to make a safer place to work, live and learn.

All incidents of criminal activity which pose a potential threat to the campus are immediately brought to the attention of the community via email.

The Security Officers' assignment is to function in an "Observe and Report" position. They are unarmed and are *not* law enforcement officers. They will report all irregularities, violations of rules, safety violations and hazards to the administration. They assist in the prevention of crime by patrolling the campus areas as a deterrent to crime.

Campus Safeguards

Campus security and personal safety are central issues at the School. Providing security to the campus community is a continuous process of reevaluating existing policies and practices so that they conform to the changing needs of the community.

The administration strives to make the School a safe place to work and learn.

Campus Facilities Access

The nature of the studies and research being done at the School requires that the campus be open numerous hours each day. Regardless of the time of day or night, no matter where you are on campus, be alert and aware of your surroundings and exercise good common sense safety precautions as you would elsewhere.

All students, staff and faculty members should display on their person identification cards and may be asked to produce the ID card if there is a question about their authorization to be on campus or in a specific area.

Keys and Access Codes

Keys and access codes are provided to individual staff and faculty members on a need-to-enter basis as determined by the appropriate supervisor. Lost keys or compromised access codes must be reported immediately to the employee's supervisor and to the Facilities Department.

Keys and access codes should never be loaned to other staff members or students. Any keys which have not been specifically issued to a particular individual will be confiscated. Duplication of the School's keys or release of access codes to an unauthorized person without proper authorization is prohibited and is a misdemeanor.

Law School Property

No property may be removed from the campus without express written permission from the department supervisor. Unauthorized removal of School property from the campus is a violation of the law and violators may be prosecuted.

Incident Reporting

The San Diego Police Department has the primary jurisdiction and responsibility to investigate crimes and provide police services on campus. It is important that all crimes occurring on campus be immediately reported to the Police Department to ensure that appropriate action can be taken.

The School endorses a reporting policy that strongly encourages victims to report all incidents regardless of their nature. Crimes occurring on campus should be reported to security. Any member of the School's staff or faculty is available to assist crime victims, including victims of sexual assault, in notifying law enforcement authorities. Crimes occurring off campus should be immediately reported to the law enforcement agency having proper jurisdiction.

Emergencies requiring police, fire or medical aid can be reported in person or by dialing 911. All calls to 911 that are made from a pay telephone are free. Incidents should then be reported to Security for proper follow-up.

Campus Security Report

By October 1, of each year, the School will make its annual campus security report available to all enrolled students and current employees through an e-mail to your School e-mail account. The crime report will also be available on the School's website at www.tjssl.edu. Upon written request, a paper copy of the report will be provided. Students who want this report should ask for it in the Business Office.

APPENDIX K – Extraordinary Circumstances Petition

1. A student who believes that an academic policy should not apply because of an extraordinary circumstance may file an Extraordinary Circumstances Petition (a “Petition”) with the Academic Policy Committee.
2. Any such Petition must:
 - a. be made in writing and submitted to the Director of Academic Administration; and
 - b. explain why extraordinary circumstances exist such that the student should not be required to comply with the academic policy in question.
3. No special form is required for the Petition, but petitioners will carry the burden of submitting complete supporting documentation.
4. Students may not use this Petition process to request a change in grades or an exemption from the attendance policy. Grade change and attendance policies are addressed in Part IV, Section F and Part I, Section D, respectively, of the Student Handbook.
5. Petitions will be considered by the Faculty Academic Policy Committee (the “APC”) at its next available opportunity. In rendering a decision on a Petition, the APC will review the Petition, the petitioner’s academic performance to date, supporting documentation provided by the petitioner, and any relevant information provided by faculty or staff. Petitioners will not appear before the APC other than through written petitions.
6. Petitions for exceptions to faculty adopted academic policies are rarely granted. An exception to an academic policy will be granted by the APC only when it is clear from the Petition and other information available to the APC that enforcing the policy would not substantially advance the purpose for which the policy was adopted.
7. The APC’s decision on a Petition will be communicated to the student by the Director of Academic Administration in order to preserve the anonymity of the APC.
8. With respect to the petitioner, the APC’s decision will be final. A student whose petition is denied must comply with the academic policy in question.

APPENDIX L – Information Technology Resources

Thomas Jefferson provides various Technology Resources to students to assist them in their educational progress. Each student has a responsibility to use the School's Technology Resources in a manner that increases productivity, is consistent with the School's policies, and is respectful of other students. Failure to follow the School's policies regarding its Technology Resources may lead to disciplinary measures, up to and including dismissal from law school.

Technology Resources Definition: "Technology Resources" consist of all electronic devices, software, file servers, and means of electronic communication owned or controlled by Thomas Jefferson School of Law including, but not limited to, the following: computers; computer hardware such as disk drives and tape drives; peripheral equipment such as printers, modems, fax machines, and copiers; computer software applications and associated files and data, including software that grants access to external services, such as the internet and local area network (LAN); electronic mail accounts provided by the School; and voicemail systems.

Authorization: Access to the School's Technology Resources is within the sole discretion of the School. Generally, students are given access to the School's various Technology Resources located throughout the campus such as on the second and third floors and in the Library, to enhance their learning, as well as an email address that ends in tjsl.edu.

Prohibition Against Violating Copyright Laws: Students must not use the School's Technology Resources to copy, retrieve, forward or send copyrighted materials unless the student has the author's permission.

Prohibition Against Harassing, Discriminatory, and Defamatory Use: The School is aware that students use electronic mail for correspondence that is less formal than written memoranda. Students must take care, however, not to let informality degenerate into improper use. As set forth more fully in the School's "Policy Against Harassment" and "Anti-Discrimination Policy," the School does not tolerate discrimination or harassment. Under no circumstances may students use the School's Technology Resources to transmit, receive, or store any information that is discriminatory, harassing, or defamatory in any way (e.g., sexually-explicit or racial messages, jokes, or cartoons).

The Internet and On-Line Services: The School provides students access to on-line services such as the Internet. The School expects that students will use these services in a responsible way, principally for education-related purposes. Under no circumstances are students permitted to use the School's Technology Resources to access, download, contribute, or participate in peer to peer file sharing. All file sharing programs must be disabled before coming to campus. If you need assistance disabling file sharing programs, please stop by the IT Help Desk on the 3rd floor.

Privacy: Although the School does not wish to examine personal information of its students, on occasion the School may need to access its Technology Resources, including computer files, electronic-mail messages, and voicemail messages. Students should understand, therefore, that they have no right of privacy with respect to any messages or information created or maintained

on the School's Technology Resources, including what might have been thought to be personal information or messages. The School may, at its discretion, inspect all files or messages on its Technology Resources at any time for any reason. In particular, the School may monitor its Technology Resources at any time in order to determine compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information, or for any other business purpose.

Software Use; License Restrictions: All software in use on the School's Technology Resources is officially licensed software. No software is to be installed or used that has not been duly paid for and licensed appropriately for the use to which it is being put. No student may load any software on the School's computers, by any means of transmission, unless authorized in writing in advance by the School's Director of Information Technology, and thoroughly scanned for viruses.

APPENDIX M – Diversity & Inclusion Policy

Thomas Jefferson School of Law is strongly committed to fostering a diverse and inclusive environment where everyone is valued and supported so that everyone has the opportunity to thrive. The Law School respects all types of diversity and also recognizes the particular history of traditionally marginalized groups.

The School has a dynamic and vibrant law school community in part due to its tremendous diversity. Community members come from many different cultures and regions, and identify with many different races, ethnicities, sexual orientations, gender identities, and religions. Typically, our student body is over half students of color and over half women. Students bring a wide range of life experiences. The discussions and relationships that spring from bringing such diverse perspectives together in one place, where important issues in law and society are discussed every day, enrich the community in lasting ways. Learning from and working with others from a rich array of different backgrounds is critical to becoming an effective lawyer in an increasingly globalized society.

In support of this mission, all community members are expected to embrace inclusion and help to promote an environment of mutual respect. The study of law, particularly in a time of division across the country, benefits from a truly collegial and supportive environment, where all types of diversity are embraced and welcomed. Diversity, of course, includes many dimensions: race, ethnicity, gender, gender identity and expression, national origin, religion, ancestry, age, marital status, veteran status, disability and more. The School strives to be a place where all types of diversity are respected, and discrimination on these bases is not tolerated. Diversity is only the first step: to truly create a community, we must be inclusive as well.

The School's policies against discrimination and harassment play important roles, but nothing is as important as the effort of all members of the community to cultivate an inclusive mindset and to be accepting of all backgrounds and life experiences. The School invites all community members with concerns or ideas for fostering a more diverse and inclusive environment to contact the Dean, Associate Dean for Academic Affairs or Director of Student Affairs.