

TULANE LAW SCHOOL STUDENT HANDBOOK 2024-25

INTRODUCTION

Welcome to Tulane Law School. The Student Handbook contains rules and policies that apply to Tulane Law students, including information regarding graduation requirements, classes and registration, examinations and grades, academic standards, grievance procedures, and other important matters.

The primary source for information for enrolled students at Tulane Law School is our password-protected TLS Portal. The Student Handbook is located on the TLS Portal under Student Resources and available on the Law School's public website at <https://law.tulane.edu/policies>

All Tulane Law School students are subject to the Law School Honor Code, which is attached as Appendix A of the Handbook and available on the Law School's public website at <https://law.tulane.edu/policies>.

In addition to the academic rules and policies in this Handbook, all members of the Tulane Law School community must comply with [Tulane Law School's Operating Policies](#), which include policies and procedures regarding access, use and care of John Giffen Weinmann Hall and its facilities and policies regarding the use of computers and networks. Employer-interviewers are subject to the Law School Career Development Office Statement of Appropriate Conduct for Employer-Interviewers.

All Tulane students, staff, and faculty are subject to University-wide policies and procedures, including the Tulane University Equal Opportunity/Anti-Discrimination Policy, the Tulane University Alcohol & Other Drugs Policy, Tulane Tobacco Free Campus Policy, the Consensual Relationships Policy, and the Tulane University Policy on Disclosure of Directory Information. Tulane students also are subject to the Tulane University Code of Student Conduct. These and other policies and procedures can be found at <https://law.tulane.edu/policies>.

We urge you to become familiar with all of these sources. The information they contain may answer many of your questions and help you avert problems in your law school career. If you have questions about a policy or procedure, consult the Vice Dean, Dean of Students, or Dean of Academic Services.

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APPENDIX A: LAW SCHOOL HONOR CODE

I. ADMINISTRATION

Dean	Marcilynn A. Burke, JD
Vice Dean for Academic Affairs	Stacy Seicshnaydre, JD
Associate Dean for Faculty Research	Ann M. Lipton, JD
Associate Dean for Experiential Learning and Public Interest Programs	Tonya Rhodes Jupiter, JD
Faculty Chair of Clinics	Katherine Maris Mattes, JD
Assistant Dean of Students	Emily Wojna-Hodnett, JD
Assistant Dean for Admission	David T. Weinberg, JD
Assistant Dean of Academic Services	Del K. Murray, BS, MS
Assistant Dean for Equity, Diversity, and Inclusion	Tracie N. Ransom, JD
Assistant Dean for Career Development	Vanessa Beary, JD
Assistant Dean of Compliance & Senior Director of Career Development	Sarka Cerna-Fagan, JD, MCJ
Assistant Dean for Finance and Administration	Tim Peterson, BA, MBA
Law Library Director	James E. Duggan, JD, MLIS
Executive Director for International Legal Programs	Herbert V. Larson, JD, MPhil

II. CLASSES AND REGISTRATION

A. Course Load and Enrollment Status

The JD program at Tulane is offered only on a fulltime basis. Although students generally register for 15 credits per semester, they can take a minimum of 10 and a maximum of 17 credits. Ten hours is the minimum required to reach fulltime status, and 17 credits is the absolute maximum allowable per semester. The 17-credit maximum includes course work in other departments of the University, if any, and applies to all JD students, including joint degree students while primarily registered with a different unit. Intersession courses are included in the spring transcript, but credits received for completing an Intersession course are not included for purposes of the 17-credit maximum.

Except as provided in Part II.B, a JD student must spend 6 full-time, non-summer semesters in residence at the law school in order to receive a degree from Tulane Law School (4 semesters for transfer students). A full-time semester is defined as a semester in which a student registers for at least 10 law credits and satisfactorily completes at least 9 credits. (See also V. D and VII.) Except as provided in Part II.B, a JD student must earn 88 credit hours to graduate; transfer students must earn at least 59 of their credit hours at Tulane. An LLM student must earn 24 credits to graduate.

JD candidates must earn all of the credits they apply toward their degree no later than 84 months after the candidate has commenced law study at Tulane Law School or a law school from which Tulane has accepted transfer credit. For example, a JD student enrolling in August 2021 must receive the degree no later than August 2028.

A student cannot receive any academic credit toward the JD or a graduate degree for courses taken at Tulane Law School or elsewhere until he or she has become a matriculating full-time law student at Tulane or at another law school.

Most graduate students pursue their graduate degrees on a full-time basis. However, local practicing attorneys may be admitted to certain graduate programs on a part-time basis. Part-time graduate students are expected to enroll each semester for between 4 and 7 credits and must complete their degree requirements in two years.

B. Joint Degree Programs

The Law School participates in joint degree programs with Tulane's Freeman School of Business (MBA and MACCT); School of Social Work (MSW); Center for Latin American Studies (MA in Latin American Studies); and Department of Global Health Systems and Development of the School of Public Health & Tropical Medicine (MHA). Other joint degree programs may be proposed by students and considered by the Law School on an ad hoc basis. Joint degree programs enable students to complete two degrees in less time than it would take to complete them sequentially, because each school accepts some work completed at the other toward degree requirements.

Students must apply to and be admitted to each program separately and must inform each program of the application to the other. Once admitted to both programs, students must petition the Joint Degree Programs Committee of the Law School, through the Assistant Dean for Admission, in order to be admitted to the joint degree program. Only after the joint program petition has been approved are students considered to be enrolled in a joint degree program. Transfer students are not eligible to participate in joint degree programs.

A JD candidate enrolled in an approved joint degree program must spend 5 full-time, nonsummer semesters primarily in residence at the law school. A JD student enrolled in an approved joint degree program must earn between 76 and 82 hours at the Law School in order to graduate, depending upon the program. In the case of all joint degree programs other than the JD/MACCT, the Law School agrees to count 9 semester hours of courses from the core curriculum of the other degree-granting division towards its requirements. In the case of the JD/MACCT, the Law School counts 6 hours of accounting curriculum towards the law degree.

Information about specific credit-hour and sequence requirements can be obtained from the Assistant Dean for Admission.

C. Summer School and Summer Externships

JD students may apply only a maximum of 12 credits earned during summer schools and summer externships toward their JD degree, of which a maximum of 6 credits may be earned in non-Tulane ABA-approved summer school programs or externships. A maximum of 9 credits may be earned in a single summer semester, including courses offered in New Orleans, abroad or elsewhere. Any credits earned in summer externships count towards the non-classroom credit hour limit (see Section V.F.). Credit for courses taken in a non-Tulane summer school will be noted on the

student's transcript if the student earns a grade of "C" or higher (a "C-" does not qualify), but the grades earned in a non-Tulane summer school will not be listed on the student's transcript, and those grades will not be averaged into the student's GPA. The titles of all courses taken in any Tulane summer school program and being applied toward the JD degree, as well as the grades earned in those courses, will be listed on the student's transcript, and those grades will be averaged into the student's GPA.

A student who enrolls in any summer school program or externship having already earned 12 summer credits: (a) will not be allowed to apply credit from any of the courses or externships taken in that program toward his/her JD degree; and (b) the grades earned (even in a Tulane program) will not be averaged into the student's GPA. A student who enrolls in any Tulane summer school program or externship session at a time when he/she has not yet earned 12 summer credits may enroll in up to the maximum number of courses allowed for that session, even if the credits for the courses would result in the student having taken a total of more than 12 summer program credits; in such case, the student still may not apply more than 12 summer credits toward the JD degree, but the titles of all of the courses taken during that session will be listed on the student's transcript and the grades from all of the courses taken during that session will be averaged into the student's GPA.

Credits earned in summer externships count toward satisfaction of the experiential learning requirement (see Section V.D.3, *infra*).

Some courses taught in Tulane or non-Tulane summer school programs abroad may overlap in content with courses taught in the regular curriculum or in other summer programs abroad. In such cases, students may not receive full credit for both courses. Students wishing to enroll in foreign summer school courses with titles and/or descriptions similar to another course they have taken or intend to take, particularly courses in the general areas of Admiralty, Environmental Law, Comparative Law, etc. should consult with the Assistant Dean of Students before enrolling to ascertain what credits they will receive and whether these courses overlap with Tulane Law School courses.

Students considering enrollment in summer school programs that do not overlap in content with courses taught in the regular curriculum must consult the Assistant Dean of Students before enrolling to ascertain what credits they will receive.

D. Certificate of Concentration Programs

There are currently five areas in which Tulane JD students can earn a certificate of concentration upon graduation if they complete a prescribed curriculum of upper-class courses. These areas are Civil Law, Environmental Law, International & Comparative Law, Maritime Law, and Sports Law. To avoid having students overspecialize in their JD studies, **no student will be awarded more than one certificate of concentration**. Students may register for a certificate program by submitting the JD Certificate Selection Form before their last semester (the form is located under the *Forms* link of the Academic Services page on the TLS Portal or may be picked up from the Academic Services Office). The specific requirements for each certificate are listed in the registration materials.

E. Class Size Limitations

All courses are limited in the number of students who may enroll. In most courses, this limit is determined by the seating capacity of the classroom. In seminars, experiential courses, or other courses where a small class size is appropriate, the limit will be determined administratively. Registration through the GIBSON system is on a first come first served basis for most classes subject only to the relevant limit. In some courses with administratively imposed limits, the professor will select the students allowed to enroll from among those who have applied for a place in the class. Students generally apply for a seminar or Directed Research by submitting a statement of interest to the Academic Services Office by a date specified in the registration materials. With respect to externships, clinics, and simulation courses, students apply for these offerings during the Experiential Learning Application Period (ELAP), which includes ClinicApp, LagniApp, simulation applications, and SummerApp. Please refer to the Office of Experiential Learning's page on the Portal for more information.

F. Multiple Sections of Courses

All first-year courses are taught in multiple sections. First year students are assigned to their sections by the Assistant Dean of Academic Services, and they are not allowed to change to a different section of any course for any reason. Likewise, some upper-class courses may have more than one section. Upper-class students are generally allowed to select which section of a sectioned course they will take. Also, if and only if two sections of the same course are taught at exactly the same time, students may be assigned to one or the other section to balance the enrollments.

G. Prerequisites

Some upper-class courses have prerequisites, which must be met before students are eligible to enroll. The prerequisite list in the Law School registration materials prepared each semester states which courses have prerequisites. The advanced admiralty courses illustrate this registration restriction: JD students are not allowed to enroll in any advanced admiralty courses until they have completed both Admiralty I and Admiralty II.

Conversely, a small number of courses are limited to students who have not completed certain courses. These courses generally involve the survey of a discipline other than law and students who have been previously exposed to that area of study are ineligible.

Additionally, a very few upper-class courses have significant overlap such that a student may be precluded from taking both. For example, students who have taken Civil Litigation: Strategy & Practical Skills cannot take the Civil Litigation Intersession and vice versa. All of these restrictions are listed in the registration materials.

H. Course Conflicts

In making course selections, students should consider, among other things, the times at which a course regularly meets and the scheduling of its final examination. Students are permitted to enroll

in courses that have their exams scheduled on the same day (See Section III.A.6). However, students are not allowed to register for courses whose meeting times overlap in any way.

I. Course Books and Photocopied Class Materials

All textbooks and course packet materials are sold through the University Bookstore located in the Lavin-Bernick Center. In addition, a faculty member may arrange to have handouts copied and distributed prior to a class meeting. Shorter handouts distributed in class are free of charge; lengthier materials will be sold to students through the University Bookstore.

J. Records and Transcripts

All official records of registration and grades are kept by the University Registrar's Office located at 110 Gibson Hall. Each student is responsible for ensuring that he or she is properly registered and for complying with deadlines for adding and dropping courses. A student will receive credit only for courses for which he or she is officially registered. Conversely, a grade of "F" will be assigned to any student who has not officially dropped a course, even though the student has not attended class and has not taken the exam. In general, most registration matters can be handled through the Law School Academic Services Office. However, all transcript requests must be directed to the University Registrar. For information on transcript requests, see the website <https://registrar.tulane.edu/transcript>.

K. Registration

Currently enrolled law students can register for the next academic semester or the New Orleans summer session at a designated time during the immediately preceding semester if their financial obligations to the University have been met. Third year students registering for their final spring semester also must have completed and submitted electronic time records for mandatory pro bono service. Except for application-based courses, all registration by upperclass students (and first year students registering for courses in summer or second year fall) is done by the student through GIBSON (web system). Instructions for using GIBSON are enclosed with the registration materials each semester. Students use their assigned Tulane username and password to access GIBSON. First year students are registered for both semesters in the first year by the Assistant Dean of Academic Services.

If a student attempts to register and is blocked, the student is responsible for correcting the cause of the block. If it is a financial block, the student should contact the Accounts Receivable Office to resolve the difficulty and have the block removed. If it is a pro bono block, the student should contact the Office of Experiential Learning and Public Interest Programs to complete the steps necessary to have the block removed. If it is a Health Center block, the student must provide the proper immunization records to The Health Center to have the block removed. If it is a Student Affairs' block, the student should contact the Assistant Dean of Students.

L. Adding and Dropping Courses

Subject to the general rules regarding registration, upper-class students may add or drop a course without permission during the first two weeks of the fall and spring semesters (one week in the summer). During the third and fourth weeks of the fall and spring semesters, students must obtain permission from the Assistant Dean of Students to drop a course. After that, students will be permitted to drop only in exceptional and compelling circumstances, in which case they will receive a “W” on their transcript indicating that they withdrew. The compelling circumstances exception does not apply to classes taken in the first year. First year students cannot drop any courses while classes are in session and remain in school. Students must drop mini-courses before the 4th class meeting. A course that is dropped in the first two weeks of classes, or before the 4th class meeting for mini-courses, will be removed from the student’s transcript.

Students in simulation courses (Trial Advocacy, Negotiation and Mediation, etc.) or seminars may only drop those courses after the first two weeks of the semester if extraordinary circumstances exist.

Students who accept a clinic, externship, or senior fellow position cannot drop those courses after acceptance.

Students who accept clinic (with the exception of the Environmental Law Clinic) or senior fellow positions or year-long externships must complete the entire year to earn any credit.

Courses may be added after the initial two week add period only in extraordinary circumstances and with the permission of the professor who is teaching the course.

Rules and procedures regarding adding and dropping courses will be enforced strictly. The deadlines for making changes may vary slightly from year to year, but the exact dates always will be published in the registration materials and in the Student Handbook (see Appendix B: Academic Calendar).

M. Directed Research

Students wishing to do independent research may sign up for “Directed Research.” Directed Research is intended for students who have a strong research interest in a topic and wish to write an original research paper under the guidance and supervision of a faculty member. Directed Research receives a letter grade and is not eligible for the Pass/D/Fail Election described in IV. J.

A student may not earn additional credit for directed research in connection with any paper, comment, note or other written work submitted for academic credit (See Section V.D.: Double Credit).

The standards are as follows. Please note that the following rules apply whether the Directed Research is completed during a regular term or for a summer internship as described in Section VII.D:

- (1) The student must locate a full-time faculty member who will agree to supervise the research. Directed research papers may be supervised by a member of the tenured or tenured-track faculty, a clinical professor of law, a faculty member visiting for at least one semester, or (after consultation with the Vice Dean) a Professor of the Practice. Legal research and writing instructors or fellows, clinical instructors or fellows, and adjunct faculty members are not eligible to supervise directed research, except in exceptional circumstances and with the approval of the Vice Dean.
- (2) A maximum of 3 credits will be granted for Directed Research. Students may do more than one research project (e.g., 3 one-credit projects; 1 one-credit and 1 two-credit project) but the maximum credit available for the entire law program is 3.
- (3) Directed Research credit may be awarded and received only for production of a written substantive research paper. Although the scope and length of the paper will be determined by the supervising professor, the following are minimum requirements to receive credit for Directed Research:
 - (a) A student must submit a written proposal and a plan of research that provides sufficient justification for the number of credits to be awarded under Section V.G of the Handbook;
 - (b) A student must submit at least one draft of the paper to the supervising professor for the professor's critique. The final paper must take into account the comments and critique provided by the professor on the earlier draft; and
 - (c) 1-credit projects should consist of no fewer than 15 double-spaced pages; 2-credit projects should consist of no fewer than 25 double-spaced pages; and 3-credit projects should consist of no fewer than 35 double-spaced pages.
- (4) The Directed Research must be completed in the term for which it is registered. However, an extension may be granted for one additional semester by the supervising professor.
- (5) A copy of the written proposal, plan of research, and final draft shall be submitted to the Academic Services Office.

Students wishing to register for Directed Research should pick up the application form in the Academic Services Office. The form must be completed by the student; the form is located online on the Academic Services page on the TLS Portal . The application will be reviewed by the professor who will notify Academic Services of those students approved for Directed Research. Those selected for Directed Research will be registered by Academic Services. Students cannot use GIBSON to register for Directed Research. Students must complete the application by the deadline as indicated in the registration materials.

N. Auditing Classes

Any full-time upper-class law student may audit up to one law school course per semester with permission of the instructor and the Vice Dean for Academic Affairs. Credit is not granted for audited courses, but such courses are recorded on the student's permanent record as an audited course. Because audited courses do not count for credit, audited courses do not count toward the maximum number of credits allowed per semester as stated in Part II.A. of this Handbook. No grade is granted for audited courses.

Audited courses do not satisfy graduation requirements, requirements necessary to earn a certificate of concentration, the upper-level writing requirement, or the experiential learning requirement. Courses that have reached enrollment capacity with non-auditing students and experiential courses may not be audited. In any event, auditing students may comprise no more than 10 percent of the total enrollment of a course.

Faculty who consent to a student auditing a course may set expectations with regards to class attendance and participation. Regardless of any expectations set by the faculty, an auditor who is absent excessively will be dropped without record.

Students may register to audit a course no earlier than two weeks prior to the start date of the semester. Students may add or drop an audited course following the procedures in Part II.L. of this Handbook.

Once a student has audited a course, the student may not take the course for a grade.

O. Leave of Absence/Withdrawal

Any student considering a leave of absence from the Law School for one semester or longer should submit a written petition to the Assistant Dean of Students. Generally a student who leaves the school in good standing without any conditions placed on the student's return to school is likely to be granted automatic readmission within a period of one year. To reenter, the student should notify the Assistant Dean of Students at least one month prior to the start of the semester in which the student wishes to return of the intent to re-enroll and should complete an informational form. After one year but before the expiration of two years, a student seeking to return to school will be required to go through a readmission process through the Assistant Dean of Students' Office. Students returning from a leave of absence should be mindful that all of the coursework for a JD degree must be earned within eighty-four consecutive months of the student's initial enrollment at Tulane Law School or a law school from which Tulane has accepted transfer credit.

Students wishing to withdraw from school after the start of a semester must notify the Assistant Dean of Students and complete the necessary withdrawal and/or drop forms at the Academic Services Office. Tuition will be refunded only in accordance with the refund schedule listed in the academic calendar. If a student withdraws from school for medical reasons or otherwise immediately before or during the exam period, the student must remain on leave for one semester (summer or regular) before returning to school. Students withdrawing for medical reasons at any point during the semester may also be subject to Tulane University's Medical Withdrawal Policy.

Students who take a leave of absence after completion of the fall semester and before the completion of the spring semester of their first year will be required to return in a spring semester. They may be allowed to complete the second half of the Legal Research & Writing course in the spring semester in which they return, depending on the circumstances of their particular situation.

Students will not be granted credit for courses taken during a period of leave unless they satisfy the requirements set forth in Section VII (Credits Accumulated Away from Tulane).

P. Course Work in Other Departments Not Associated with Joint Degree Program Requirements

Fulltime law students may register in other schools or colleges of the University for one course per semester (summers excluded) without paying additional tuition. The Law School tuition payment will not cover any courses in any department outside of the law school that are audited, rather than taken for a regular letter grade. If a student withdraws from a course, the cost of which would normally be covered by the Law School tuition, the student will be obligated to reimburse the Law School for any tuition the Law School is charged by the other school or college. All courses taken in any school or college of the University and the grades received will appear on the student's official transcript but neither the courses nor the grades will be counted in the student's law school GPA or toward law school graduation requirements unless the courses fulfill requirements of the student's approved joint degree program.

Courses taken in another school or college of the University as requirements of a joint-degree program count toward law school graduation but are not averaged into the student's law school GPA.

Credit hours of courses taken in other departments of the University are included in and apply toward the 17-credit maximum per semester rule. See II.A. herein.

Q. Student Evaluations of Faculty

Each course at the Law School is evaluated by students at the end of the semester (at the end of the year for year-long courses) through the distribution of a form to their email accounts. Faculty may set aside class time for students to complete their evaluations. Student evaluations are anonymous. Course evaluations from previous terms are available through the link for Course Evaluations via Gibson online.

R. Employment While a Full-time Law Student

A full-time law student may not be employed during the academic year for more than twenty (20) hours per week. Students who work in the Law School as research assistants or in other capacities are limited to twenty (20) hours per week during the academic year. The Law School will not offer paid employment to first-year law students and strongly discourages first-year law students from seeking outside paid employment during the academic year in light of the rigorous challenge of the first-year curriculum.

Before a student may begin to work in the Law School on a per hour basis, the student must go to the Administrative Services Office to be added to the payroll, have time reporting procedures explained, and satisfy immigration law requirements (including presentation of original I-9 documents in person and, for international students, completion of tax forms). The student must also be registered for classes to be eligible for student employment.

Students are not permitted to work, and will not be paid for hours worked, before the University completes the hiring process. Students should allow a couple of days for the hiring process to be completed before billing hours.

S. Non-law Students Taking Law School Courses

Undergraduate students at Tulane or any other university are not allowed to enroll in law school courses. Graduate students in other divisions of the university may be allowed to enroll in a law school course if the student's division of matriculation certifies that the credits will be accepted by that division and the Professor determines that the student has an adequate background to take the course(s) desired.

T. Services for Students with Disabilities

Tulane University is committed to providing equal access to all members of the Tulane community. Students with questions about the accommodations process at Tulane Law School may consult with the Law School's Assistant Dean of Students, the Law School's Director of Academic Success, or the Goldman Office for Student Accessibility. See also Examinations, Procedures herein at III.A.2.

U. Use of Personal Electronic Resources in Classrooms

The use of personal computers, tablets, cellular phones, smart watches, and similar personal electronic resources in classrooms should be limited to activity directly related to course content and note-taking as directed or permitted by the professor. Use of electronic resources for other purposes (e.g., browsing the Internet, playing games, using e-mail services, watching or listening to videos, etc.) is inappropriate to the classroom and may provide a significant and unwanted distraction to those near the student using these devices. Individual faculty members also may adopt policies limiting access to electronic resources. If violation of the policy carries a penalty, such policy must be approved by the Vice Dean for Academic Affairs. If a faculty member plans to have a policy, students must be notified in writing by the first day of classes, and, in any event, no later than the first two weeks of class. If a student's grade is to be affected by the policy, the student must be notified in writing with a copy to the Office of Academic Services. Students who receive accommodations allowing the use of personal electronic resources in the classroom should consult with the Assistant Dean of Students to discuss the implementation of this accommodation in classes with policies limiting electronic resources.

If a student wishes to record classes, he or she must ask permission of the professor first unless the student has received accommodations for a disability from the Goldman Center for Student

Accessibility allowing for the recording of classes. Students who have received such an accommodation should consult with the Assistant Dean of Students or the Goldman Center for Student Accessibility regarding the implementation of this accommodation.

III. EXAMINATIONS

A. Procedures

1. Anonymity

All examinations shall be given and graded anonymously. Every student and faculty member has a duty to ensure that the anonymity of the examination grading process is not breached. Faculty members are not allowed to see student exam numbers until after they have submitted their final grades to Gibson online. Students with exam scheduling problems must discuss them with the Assistant Dean of Students, not with their professors. Prior to the posting of grades, no student shall disclose to any instructor information about himself or herself or about any other student which might compromise anonymity.

2. Services for Students with Disabilities

Tulane recognizes that a growing number of individuals with disabilities are joining the University community as students, faculty, and staff. The University welcomes these individuals and seeks to support their needs, advocate for their rights, and ensure that they have an equal opportunity to participate in all academic and co-curricular programming. To accomplish these objectives, the University makes available reasonable accommodations in accordance with Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA) of 1990, as amended.

The Goldman Center for Student Accessibility serves as the central campus resource for Tulane students with documented disabilities or with disability-related concerns. Students who believe that they require reasonable course or examination accommodations should connect with the Goldman Center for Student Accessibility as early as possible, as the review process can take 2-3 weeks to complete. During the disability registration process, Goldman Center staff members can help students articulate their support needs, engage with students in an interactive discussion about possible accommodations, and assist students in communicating any approved accommodations to the appropriate administrators at the Law School--the Assistant Dean of Students and/or the Director of Academic Success. Faculty will not be informed that a student receives accommodations by the Goldman Center or Tulane Law School staff unless the nature of the accommodation requires the faculty member to receive notice for its implementation; in such cases, the student will be consulted before the faculty member is notified by these offices. Accommodations approved within 14 days of the final exam period may not be implemented until the next semester. Accommodations do not apply retroactively.

Students with specific questions about the Goldman Center for Student Accessibility policies and procedures may contact the Center by telephone at (504) 862-8433, or request to schedule an

appointment with a staff member. Additional information can be found at the Goldman Center website: <https://accessibility.tulane.edu/>.

3. Exam Numbers

Each semester, Academic Services shall compile for each student an exam number for the term. To access the exam number students will select the Blind Grading ID option under the Law School Services heading on GIBSON, then choose the appropriate semester when prompted for the term. Students will have only one anonymous number to use for all exams. This number will change each semester. The student must retain this number in order to enter the appropriate exam number for each course in the exam software, honor code page, any scratch paper, on the cover of the bluebook (if applicable), and on the instructor's printed exam. **Students should keep their exam number after the exam period in order to check grades that are posted at the Law School or to review their graded exam papers.** The registry of exam numbers will be maintained by Academic Services. The instructors will not have access to it until after their grades have been submitted to the Assistant Dean of Academic Services.

4. Exam Protocol

Prior to the start of the exam period, schedules are posted listing the room assignments for all exams. Students report to the exam room where they present their Tulane Splash Card and receive a copy of the examination and scratch paper. All exams are administered using an exam software. Students are not allowed to take their examination in a place other than the designated exam room. Students who receive exam accommodations pursuant to the American with Disabilities Act report for exams as instructed by the Assistant Dean of Students and/or the Director of Academic Success.

Students taking examinations on laptops must begin their exam electronically using the designated exam software at the time designated by the proctor. The exam software will conclude the examination when the time allotted for the examination has expired, which will coincide with an instruction from the proctor that the examination has concluded.

When the time allotted for the examination has expired, all students must turn in the instructor's printed exam and scratch paper at the completion of the exam. It is the student's responsibility to ensure their exam is uploaded to the exam software. Students taking their examinations by bluebook must turn in the bluebook(s) containing their answers with the instructor's printed exam. As students turn in their tests, they are asked their names which are then marked off the official class roster. If students finish the exam early it is their responsibility to turn in their test only to the designated proctor. This check-in/check-out process acknowledges the receipt of each student's exam.

Failure to turn in an examination on time, if detected immediately by the test collector, will result in a penalty in the course involved determined by the professor, up to and including a grade of "F" for the course. The failure to turn an examination in on time not immediately detected by the test collector will constitute an Honor Code violation and be processed in accordance with the Honor Code. (See Appendix A: Honor Code). In the case of a take home exam, failure to submit the examination by 9:00 a.m. on the date due, regardless of the total time granted to the student for

taking the exam, will result in a penalty in the course to be determined by the professor, up to and including a grade of “F” for the course.

All electronic devices and equipment, including but not limited to cell phones, smart watches, radios, iPads, tablets, and e-readers, must be turned off and inaccessible unless specifically permitted by the rules governing exams taken on computers, permitted by the professor giving the exam, or granted as a reasonable accommodation as determined by the Goldman Center for Student Accessibility.

5. Exam Practices for International Graduate and International Exchange Students Only

International graduate and international exchange students are issued exam numbers and are graded anonymously.

International graduate and international exchange students who have not previously received a degree from a U.S. institution and whose native language is not English are allowed extra time to complete their examinations because of the language difficulty. Generally, an extra twenty minutes will be granted for every one hour of the standard exam time.. This rule does not apply to JD students.

International graduate and international exchange students whose native language is not English may use a paperback or an electronic English language translation dictionary in exams. The rule permits only single-purpose, self-contained, paperback or electronic English language translation dictionaries (i.e. electronic devices that perform only the same limited function as a hard copy English language translation dictionary (e.g. English to Spanish; Spanish to English)). Permission does not extend to computer programs, cell phones, personal digital assistants, etc. Similarly, permission does not extend to electronic devices that translate legal terms or phrases or that provide legal or other definitions (e.g. a regular language dictionary or a Black’s Law dictionary). This rule does not apply to JD students. JD students are not allowed to use a dictionary.

6. Rescheduling Exam Times

Exams for all regular semester courses are scheduled Monday through Saturday during the two-week exam period and are given on the day and at the time scheduled. Deviations from the schedule are allowed only under extraordinary circumstances and then only with the approval of the Vice Dean. In the absence of such approval, no instructor is authorized to give an examination at a different time, even though all the students in the class consent to the change. Mini-course exams are announced in the registration materials. Students are presumed to know the dates of examination for their courses upon registration, including for mini-courses.

If a take-home exam is given in an upperclass course, the exam will be available at 9:00 a.m. on the day of the scheduled exam day and must be submitted no later than 9:00 a.m. on the following calendar day. Therefore, an exam conflict would be considered for the day in which the take-home exam is distributed.

Students may have exams rescheduled for these reasons only:

- (1) Two exams scheduled on the same day.
- (2) Four exams scheduled on five consecutive calendar days.
- (3) Five exams scheduled on six consecutive calendar days.

If these conditions exist, the conflicting exam can be rescheduled (within the exam period) to the first or second available date within a six-day period following the date of the original exam. Students must contact the Academic Services Office (room 204) before the examination period begins to have the exam rescheduled and complete the Exam Reschedule Form located on the Academic Service Exam page in the TLS Portal.

Students who have received permission to reschedule an exam should report to the Academic Services Office on the rescheduled exam day approximately 15 minutes prior to the arranged starting time of the test (i.e., for a 9:30 a.m. exam, students should report at 9:15 a.m.). At the Academic Services Office, students will be asked to sign a statement that they have not seen or heard any information relating to the test. They then will be given the appropriate examination and told where to take the test. Rescheduled exams are bound by the same time constraints, instructions and allowable materials as the original exam. Students must return their honor code page, scratch paper, printed copy of exam, and, when applicable, bluebook(s) to the Academic Services Office when the examination time has expired.

The completed exam will then be delivered to the appropriate instructor without revealing any particulars about the student or the reason for the rescheduling of the test.

B. Absences from Examinations; Excuses; Rescheduling

Law students must take final examinations in all courses for which they are registered at the time the exams are scheduled. Absence from an examination without a satisfactory excuse, as determined by the Assistant Dean of Students based upon independent investigation, will automatically result in a grade of “F” for the course involved.

Normally a student who cannot be present at an exam should submit his or her request for an excuse to the Assistant Dean of Students before the time the exam is scheduled to begin, unless physical disability or sudden emergency precludes such early submission. In no event should the instructor for the involved course entertain such a request, and in no event should the student discuss such a request with the instructor.

Any student who believes he or she needs to be excused from an examination because of illness should speak to the Assistant Dean of Students as soon as possible before the examination, explain the nature of the illness and its effect on the ability of the student to take the exam, and indicate what medical treatment the student has sought or will seek and from whom. The student must go to the Health Center for Student Care or see another physician on or before the scheduled exam date and provide documentation of that medical visit to the Assistant Dean of Students. Based on the information provided, the Assistant Dean of Students shall make an independent judgment as

to whether the excuse given is satisfactory. Any student excused from an exam who is believed to have requested an excuse improperly will be referred to the Honor Board.

A student who is overcome by illness in the course of an examination and is unable to complete the examination should inform the Assistant Dean of Students and the Law School Academic Services Office immediately and then promptly (on the same day) go to the University's Health Center or to a physician of the student's choice. In no event shall the student breach the anonymity of the grading process by contacting the instructor prior to the announcement of grades or indicating to the instructor that the student did not take or complete the examination. The student may elect to receive a "W" in the course in lieu of submitting a partially completed exam. Under no circumstances will the student be allowed to resume the exam on a later date. This applies to all law school exams.

If a student's request for an excuse is based upon a non-medical emergency, such as a death in the immediate family or an automobile accident on the day of the exam, the student shall submit his or her request for a non-medical excuse to the Assistant Dean of Students at least 24 hours prior to the precise time scheduled for the exam, unless the suddenness of the emergency precludes it. The student shall submit to the Assistant Dean of Students, along with the request for an excuse, appropriate supportive documentation—e.g., a copy of the death certificate, the police accident report. The Assistant Dean of Students shall assess the non-medical excuse and the supportive documentation and make an independent judgment as to whether the excuse is satisfactory. If a student proceeds to take an exam(s) despite the presence of a satisfactory medical or non-medical excuse, then the grade(s) received shall remain final. The Assistant Dean of Students shall not consider excuses presented by a student after the taking of an examination.

A student who is excused from taking an examination at the scheduled time because of illness or non-medical emergency must take the exam on the earliest possible day he or she is able to do so, but in no event later than one day after the last day of the exam period. The exact day that the student will make up the exam will be determined by the Assistant Dean of Students. A student who cannot make up an exam during this period shall receive a "W" in the course.

A professor has the right to write a new examination for a rescheduled examination but is not required to do so.

A student who arrives late for an examination will normally be required to hand in his or her paper at the same time as the rest of the class; however, the Assistant Dean of Students may allow a student additional time if the Assistant Dean of Students finds that the student's lateness is justified by extraordinary circumstances. Faculty members may not grant additional time. Neither faculty nor staff is obligated to discover the whereabouts of an absent or tardy student or to summon the student to the examination.

If a student forgets that he/she has an exam on a certain day or oversleeps and misses the exam but becomes aware of the missed exam within one day, the student is allowed to take the exam, but the student's grade is lowered by one full letter.

In all of these circumstances an Exam Reschedule Form must be submitted to Academic Services and this form is located on the Academic Service Exam page in the TLS Portal.

IV. GRADES

A. Grading Scales

The normal grading scale and quality point system is as follows¹:

A+	4.00
A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D	1.00
F	0.00

International graduate students follow the normal grading scale and quality point system.

B. Required Mean GPA

Unless excepted below, the grades to JD students in all courses shall produce a mean GPA of between 3.20 and 3.30.

(1) Exceptions

- i. All seminars
- ii. All clinic courses
- iii. Classes of 12 JD students or fewer
- iv. Directed Research
- v. Legal Research and Writing
- vi. Advanced Legal Research

(2) For the convenience of the faculty in complying with this rule, the following distribution guidelines are suggested but are not mandatory:

¹ Students in all Spring 2020 courses ending after March 13, 2020 received a grade of High Pass (“HP”), Pass (“P”), No Credit (“NC”), or Fail (“F”) for their coursework. Grades of HP, P and NC are not factored into a student’s cumulative GPA. A grade of “F” will be factored into a student’s cumulative GPA.

<u>Grade level</u>	<u>Percentage</u>
A grades	Approx. 35%
B grades	Approx. 50%
C+ grades and below	Approx. 15%

C. D and/or F grades: Incomplete Grades

In all courses subject to the required mean GPA, two grades of D or below in a class of more than 50 JD students and one grade of D or below in a class of 50 or fewer JD students may be given without these grades counting toward the class GPA required mean. For example, in a class of 60 JD students, there could be a total of two grades of D or F given which would not be used in the calculation. In that case, if two such grades are given, the mean GPA of between 3.20 and 3.30 would be calculated based on 58 JD students rather than 60. Nothing in this provision is intended to limit the number of grades of D or F given. However, any additional grades of D or below beyond the number excluded above will be part of the calculation to determine if the course has met the required mean of between 3.20 and 3.30.

A grade of “Incomplete” (“I”) may be given in a course in which an anonymous examination would not otherwise be the sole or predominant basis for a grade when, in the faculty member’s view, special circumstances prevent a student from completing work assigned during a semester. A grade of “I” shall be resolved before the last date on which grades may be submitted for the following semester, but in no event after the grading deadline for a graduating student, as any “I” automatically converts to an “F” upon graduation. The notation of “I” will remain on the student’s transcript, accompanied by the final course grade.

D. Basis of Grades

Grades for all courses in the Law School shall be based solely upon an anonymous in-class examination written by each student individually unless the faculty member has requested and the faculty or the Vice Dean has approved, for a particular course in a particular year, some other basis of grading. The Vice Dean has the authority to approve any departure from the standard grading system that has in the past been approved by the faculty (e.g., a paper in lieu of an exam) or that is substantially similar to any departure previously approved by the faculty without referring it to the faculty for approval, except as provided in Section D.1. If a requested departure does not meet these criteria, or a first-year course is in question, or if the request is denied by the Vice Dean for any other reason, the Vice Dean shall refer it to the faculty for approval.

In all classes subject to the curve, every JD student shall be graded using the same mode of evaluation. For example, a faculty member may not give individual JD students the option of writing a paper in lieu of sitting for an exam.

1. Class Participation Policies

For courses in which an anonymous examination would not otherwise be the sole or predominant basis for the grade, the faculty member may propose a mode of evaluation that takes into account class participation in determining each student’s final grade. A faculty member may, for example,

propose to count an anonymous examination grade for 50% of the final grade, count a grade from a paper, not done anonymously, for 25% of the grade, and count class participation for the balance of the final grade. Any such mode of evaluation must be approved by the faculty or the Vice Dean, as described above.

For courses (other than first-year courses) in which an anonymous examination would otherwise be the sole or predominant basis for the grade, a faculty member has discretion to adopt a reasonable policy that takes into account classroom participation in adjusting upward a student's final grade by not more than one step (e.g., from a B to a B+). Faculty who intend to adopt such a policy must clear the reasonableness of the policy with the Vice Dean before its adoption. It is not expected that more than a handful of grades in each class will be adjusted. The faculty member shall ensure that the average of the final grades, after factoring in all components of the grade, falls within the GPA range set forth in Part B of this section.

2. Procedures for Notifying Students When Grades Will Be Based upon Work Other than an Anonymous Examination

Within the first two weeks of class, each faculty member shall announce to his or her class and shall indicate on the Course Canvas page and in the written course policies or syllabus provided to students whether, and to what extent, the final grade will be based on some work other than an anonymous in-class examination. The oral and written notice shall explain how the final grade is calculated and describe how any additional work is graded (including how and to what extent class participation will be considered). After the first two weeks of class, a faculty member may not change the grading system.

3. Procedure for Modifying Grades in a Course in Which an Anonymous Examination Is Not the Sole Basis for the Grade

For courses in which an anonymous examination is administered but is not the sole basis for the grade, a faculty member shall submit preliminary grades based on the anonymously graded examination to the Assistant Dean of Academic Services before factoring in any non-anonymous component of the grade. After receiving a list of the preliminary grades by student name, the faculty member shall factor in the non-anonymous component of the grade into each student's preliminary grade in order to produce a final grade. The faculty member shall ensure that the average of the final grades, after factoring in all components of the grade, falls within the GPA range set forth in Part B of this section.

E. Penalties for Lack of Class Attendance or Preparation

1. Preamble

The faculty believes that learning requires the active engagement of our students. Thus, the faculty expects students to attend class regularly and to be prepared to participate in the class discussion when called upon to do so. Although the faculty recognizes that a majority of students are highly motivated and would prepare for and would attend class without any requirement to do so, a small

but significant number of students do not attend class with sufficient consistency and preparedness. That failure is detrimental to their education and is inconsistent with the professionalism that aspiring lawyers should exhibit. In addition, a student's failure to prepare for class often adversely affects the class discussion and thus is also detrimental to the education of his or her fellow students.

This statement of policy by the faculty is consistent with the position of the American Bar Association. As an ABA-accredited institution, Tulane Law School must require that its students attend class regularly, as well as adopt and enforce policies relating to class attendance.

2. The General Rule

Tulane Law School requires regular attendance and preparation by law students in all law school classes.

3. Announced Policies Penalizing Inadequate Attendance or Preparation

A faculty member has discretion to adopt any reasonable policy penalizing a student for inadequate attendance and preparation for her or his class. Examples of such policies include, but are not limited to, reasonable policies that provide for grade reductions, a failing grade, or involuntary withdrawal from a course in cases where the instructor deems a student's absence or lack of preparation to be excessive. The grades of D+ (1.33 quality points) and D- (0.67 quality points), although not part of the normal grading scale, may be used by faculty to assess grade-step reductions as a penalty pursuant to an announced attendance and preparation policy.

Faculty who intend to adopt a policy on class attendance and preparation must clear the reasonableness of the policy with the Vice Dean before its adoption. Once the Vice Dean approves the reasonableness of a policy, the faculty member need not seek clearance of that policy in the future.

To enforce any announced policy penalizing a student for inadequate attendance and preparation, an instructor must:

- (1) hand out or announce the terms of that policy to the class,
- (2) post the policy on the Intranet within the first two weeks of class, and
- (3) maintain a record of attendance and/or performance in class.

The relevant faculty member shall notify in writing or by an electronic record any student affected by enforcement of a policy adopted under this section. A copy of the notice shall be sent to the Office of Academic Services.

4. Unannounced Attendance and Preparation Policies

Whether or not an instructor has adopted a policy on class attendance, he or she may penalize a student who fails to attend class in accordance with the terms of this subsection.

If an instructor has supporting documentation, she or he may penalize a student who has missed at least 30% of the regularly scheduled class meetings for that course. In such a case, the available penalty is to withdraw the student from the course with the grade of “W” and a transcript notation that the student was “required to withdraw because of excessive absences.” Before the final examination and before taking this action, the instructor must notify the student.

Whether or not an instructor has supporting documentation, he or she may refuse to allow a student who has rarely or never attended class to take the final examination. As soon as the problem is discovered, the instructor must notify the student in jeopardy to give the student the opportunity to improve his or her attendance sufficiently to avoid the penalty. However, if the student’s attendance does not improve sufficiently, as defined reasonably by the instructor, the instructor may exercise one of the following options:

- (1) Assign a grade of “F” for the course; or
- (2) Allow the student to withdraw from the course with a grade of “W” and a transcript notation that the student was “required to withdraw because of excessive absences.”

If the problem is discovered so late in the semester that the student has no opportunity to improve his or her attendance sufficiently to avoid a penalty, the instructor may still refuse to permit the student to take the examination, but may only exercise Option (2), above. After imposition of either penalty, the student may retake the course for a new grade, but the original grade and/or notation remains on the transcript.

5. Good Faith Requirement

Instructors shall exercise good faith in applying penalties under this section.

F. Penalties Relating to Papers

All papers shall be turned in on the date fixed by the faculty member. The faculty member has the discretion to reduce the grade assigned to a paper which is turned in late; in an extreme case of lateness, the faculty member may refuse to accept the paper and may assign it a failing grade.

If all or a portion of a grade is based on a research paper and the faculty member discovers, after the grade is turned in to the Law School Academic Services Office and before the student graduates, that a portion of the paper represents the unattributed work of another, the faculty member may seek to lower the student’s grade down to and including an “F.” In making the grade reduction decision, the faculty member shall not take into account the student’s intent. The faculty member must present the evidence of the use of unattributed work of another and the justification for the level of grade reduction to the Vice Dean. The Vice Dean shall approve the grade reduction, after notice to the student and after giving the student an opportunity to be heard, unless the Vice Dean believes the faculty member has acted arbitrarily or capriciously. If the faculty member believes that the student may have acted intentionally, the faculty member shall report the student’s actions to the Honor Board. A finding by the Honor Board that the Honor Code has not been violated shall not affect the grade reduction for lack of original work.

G. Deadlines for Submitting Grades

Each semester Academic Services publishes a schedule listing the deadlines for the submission of grades for each course. Whenever an instructor anticipates failure to turn in grades within the time required, he or she shall so inform the Vice Dean and provide a statement of the reasons for inability to comply. The Vice Dean shall consider the reasons and determine whether the delay is justified. Absent a finding by the Vice Dean that the delay is justified, an instructor who fails to turn in grades for a course on time will be subject to sanctions.

H. Retention and Student Access to Examination Answers

For one year after an examination, an instructor is obligated to make available a student's written examination upon request by the student. Students may not, however, photocopy their examination answers, nor may they remove their examination answers from the room in which they are stored without the instructor's approval. The instructor has an obligation to make available to students in the course a copy of a model answer or several copies of "good answers" written by other students in the course. Students may not make photocopies of such model answers or "good answers" unless these items are on reserve in the Tulane Law Library or the instructor approves.

I. Appeal of Grades

Once a faculty member has turned in his or her grades, whether they are based on an anonymous system of grading or not, the faculty member may not change any of them on representations or complaints of students unless the original grade was the result of a mechanical error—e.g. a mathematical error in computation or an error in transcription. If that is the case, the faculty member will certify the fact to the Vice Dean, who will then authorize the change.

Any student who wishes to appeal an assigned grade must first discuss the grade with the faculty member concerned. The faculty member must make available for viewing a copy of a model answer or several copies of "good answers" written by other students in the course under the terms of section H, *supra*. However, except for correcting a mathematical or transcription error in grading, as noted above, the faculty member is not authorized to change the grade assigned. Thereafter, the student may appeal his or her grade by written petition to the Vice Dean. For students *not* graduating at the end of the semester for the course in which they are filing a grade appeal, an appeal of a Spring or Summer semester grade must be filed no later than the Friday of the tenth (10th) week of the following Fall semester; an appeal of a Fall semester grade must be filed no later than the Friday of the tenth week of the following Spring semester. This date is to coincide with the last day for students to elect to take a course P/D/F. For students who are graduating at the end of the semester for the course in which they are filing a grade appeal, all grade appeals must be filed before Graduation. This applies to all graduating students including, but not limited to, 3+3 students, 3L students, and LLM students.

The petition must recite with particularity the specific grounds for the appeal. Grade appeals can be based only on actions by the faculty member in the grading process. Events that happen during the teaching of the course and administration of exams cannot constitute grounds for a grade appeal. In a course that was not graded solely on the basis of an anonymous examination, an appeal

will lie from a grade that is affected by prejudice or discrimination on the part of the faculty member against the appealing student or for actions on the part of the faculty member that were arbitrary and capricious. In a course graded solely on the basis of an anonymous examination, an appeal will lie for actions on the part of the faculty member that were arbitrary and capricious. The burden of establishing the grounds alleged is on the appealing student. In the absence of substantial independent evidence of discrimination, review on appeal shall be limited to the examination or paper of the appealing student and the grade assigned to it, without consideration of any other examination or paper.

The Vice Dean may dismiss any appeal which, after consideration of the petition, is determined to be unfounded. If the Vice Dean finds that the petition states a ground for appeal, the Vice Dean shall first discuss the matter with the faculty member involved. Thereafter, the Vice Dean may refer the appeal to a faculty committee of the Vice Dean's choosing, refer the appeal to the faculty as a whole, or take whatever other action the Vice Dean deems appropriate. The Vice Dean shall consult with the faculty member involved after considering the petition and prior to rendering a final decision. The Vice Dean shall also notify the faculty member involved, as well as the appealing student, of the final decision in writing. If a student remains dissatisfied with the outcome after having followed the procedures set forth here, he or she may file a written appeal with the Senate Committee on Academic Freedom and Responsibility of Students within five days of receiving the decision of the Vice Dean, faculty committee, or faculty, whichever is the ultimate decision maker.

Based on the petition, the Senate Committee will decide whether or not to hear the appeal. In deciding the appeal, the committee should follow the Law School's grade appeal standards set forth above. If the committee decides that there are not sufficient grounds for review, the Chair of the committee will notify the student by letter, with copies to the principals involved in the case and to the Provost. If the committee decides that there are sufficient grounds for review, it will interview both the student and the teacher. A quorum of three committee members, at least one of whom must be a representative of the administration, one of whom must be a faculty member, and one of whom must be a student, is necessary for all committee hearings.

If the committee interviews both the student and the teacher (or other principals involved) at a hearing, then the Chairman will send the results of the committee's findings in the form of a letter of recommendation to the President of the University, with copies to the student and other principals involved and to the Provost.

If, in accordance with faculty rights as specified in the Faculty Handbook and in the Constitution and Bylaws of the University Senate and the various divisions, the teacher believes that his or her academic freedom or academic responsibilities have been affected by any administrative ruling, the teacher may appeal to the appropriate committee of peers at the divisional level (the Law School). The teacher's appeal must be made within ten days of the action provoking the appeal. If the teacher is dissatisfied with the committee of peers' decision regarding his or her academic freedom or responsibilities, the teacher may appeal to the Senate Committee on Faculty Tenure, Freedom, and Responsibility. That appeal also must be made within ten days of the action provoking it. No grade may be changed until the teacher's appeal process has been completed.

If the student is dissatisfied with any decision made in the appellate process initiated by the teacher, the student may appeal to the Senate Committee on Academic Freedom and Responsibility of Students.

In cases of conflict regarding the decisions of the divisional peer committee and the Senate Committee on Academic Freedom and Responsibility of Students, the matter shall be referred to the Senate Committee on Faculty Tenure, Freedom and Responsibility. In cases of conflict regarding the decisions of the Senate Committee on Faculty Tenure, Freedom, and Responsibility and either of the other committees involved in teacher-initiated appeals, the committees at odds shall meet jointly to discuss the issue. The ultimate findings of the two committees shall be forwarded to the President of the University within ten days.

J. Pass/D/Fail Grading Option

A JD student who has completed the first year of law study may elect to take on a Pass/D/Fail basis one course prior to graduation. When making this election, a student may indicate a target grade for the course. A student earning the targeted grade or above will receive the earned grade rather than a “pass” for the course. Regardless of whether a student receives a grade or a “pass,” the student may not take another normally graded course on a Pass/D/Fail basis. The election must be made by completing the Pass/D/Fail form located on the Academic Service Forms page in the TLS Portal. The election must be made by the date listed in the academic calendar. Once the selection is made (when form is completed and submitted to Academic Services Office), the election and the selection of a target grade are irrevocable. Any course that is graded on a Pass/D/Fail (or Pass/C/Fail) basis for all students or in which a student was involuntarily required to take the grade on a Pass/D/Fail (or Pass/C/Fail) basis shall not be considered as the student’s onetime Pass/D/Fail election.

An upperclass student who is required to take a first-year course because he or she has not previously successfully taken it or a comparable course at another law school may not take that course on a Pass/D/Fail basis. Further, neither the required Legal Profession course nor a clinic can be taken on a Pass/D/Fail basis.

A “Pass,” for purposes of this program, is a grade of “C–” or better. A grade of “Pass” will not be averaged into a student’s grade point average; however, a grade of “D+” or lower will be averaged into a student’s grade point average. (A “D+” may occur when a professor invokes a penalty for failure to be prepared or for failure to attend class. See Section IV. E.3.)

If an instructor in a course chooses to invoke a penalty, it will be applied in the normal fashion. Thus, a student’s grade will be reduced using the normal grade scale. If the application of a penalty causes a student’s grade to fall below a “C–” (C in a Pass/C/Fail course), the student will not receive a grade of Pass, but the grade obtained (D+, D, D–, or F). (See Section IV. E. 3.)

A faculty member will not be informed of a student’s Pass/D/ Fail election. The conversion of a grade of “C–” or better to a “Pass” will be performed administratively by the Assistant Dean of Academic Services.

K. Effect of Grade of “F”; Retaking Course

No credit is granted for courses in which a grade of “F” is received; however, the grade is averaged into the student’s grade point average. In order to graduate, a JD student must take for a grade and successfully complete (pass) all the required courses in Tulane’s first year curriculum and the 3-hour Legal Profession course. If a grade of “F” is received in any of those courses, the student must retake and pass the course. The student is permitted, but not required, to retake any other course in which they receive an F, with the exception of experiential clinics and externships, which cannot be retaken if a student receives a failing grade. The grade earned the second time does not erase the “F”. Both grades are retained on the transcript in the semesters they are taken and both are averaged into the student’s grade point average. Only courses in which a grade of “F” has been received may be retaken for credit.

Students who receive failing grades should check with the state bar where they intend to practice law to ascertain whether the state bar requires successful completion of particular courses, or merely enrollment (i.e., a minimum grade). The National Council of Bar Examiners lists the requirements for each state and may be found online (<https://www.ncbex.org/jurisdictions>). Students are advised to consult the website of the state’s bar association office in addition to the National Council of Bar Examiners’ Guide and website (<http://www.ncbex.org/>).

L. Notification of Grades; Transcripts

Each semester, professors submit final grades for law courses by exam number via Gibson online. Within 24 hours of the grade posting, students are able to view their grades via the Gibson website at gibson.tulane.edu.

When all grades for a semester have been recorded on the computer system, class rankings are determined and posted to each student’s record.

If an official, certified transcript is needed, students may order electronic and/or mailed transcripts through the “Order a Transcript” link in Gibson online.

M. Class Rank

The School of Law implements a ranking system in addition to its grading scale. Students are ranked at the completion of their first year of law school and thereafter following each semester. Students whose cumulative GPA falls within the top 12 percent of the class will receive an individual numerical ranking. At the end of the Fall and Spring semesters, Academic Services will publish the GPA for the top 15 percent, top 20 percent, top 25 percent, top 33 percent, and top 50 percent of each class. Students will know where their GPA places them within these bands. Students outside of the top 12 percent will not receive individual rankings.

All students who matriculated prior to Fall 2022 will receive individual term, year, and cumulative ranks.

Note these exceptions to the ranking process:

- (1) First year students who have a W grade in any first-year course are excluded.
- (2) Advanced standing and transfer students are excluded from rankings during their first year at Tulane. The first time a transfer student or advanced standing student is considered in the class rankings is after the fall semester of his or her third year.
- (3) LLM, SJD, and visiting or exchange students are not ranked.

N. Grades in First Year Legal Research and Writing

The basis for the final grade in Legal Research and Writing is one or more assignments, as specified in the course syllabus. Assignments that count toward a student’s final grade are graded on the normal law school grading scale. Assignments that do not count toward the final grade must be completed to pass the course. There is no set distribution of grades for any legal writing section.

An instructor may assess a penalty against a grade given on a writing assignment for failure to comply with the rules of the course as stated in the syllabus.

O. Journal Credit

Journal credit is based on a two-year commitment.

1. Journal Writing Requirement

Second or third-year students may receive credit, as set forth in this rule, for writing on the following journals:

Tulane Law Review	2 credit hours
Maritime Law Journal	1 credit hour
Environmental Law Journal	1 credit hour
Journal of International and Comparative Law	1 credit hour
Tulane Journal of Law and Sexuality	1 credit hour
Tulane Journal of Technology and Intellectual Property	1 credit hour
Sports Lawyers Journal	1 credit hour

To receive such credit the student must satisfy the writing requirements of the applicable journal to the satisfaction of the editorial board and be certified by the journal’s faculty advisor.

Students must comply with the requirements set forth in Section V.D.2 to satisfy the Upper-Class Writing Requirement for written work submitted for journal credit.

2. Editorial or Managerial Work

Third year students only who have already earned their journal's writing credit may, upon certification by the journal's faculty advisor, receive additional credit for editorial and managerial work on the above journals as follows:

Tulane Law Review	
Editor-in-Chief	2 credit hours
Senior Managing Editor	2 credit hours
Senior Articles Editor	2 credit hours
Senior Members	1 credit hour
Maritime Law Journal	
Editor-in Chief	2 credit hours
Senior Members	1 credit hour
Environmental Law Journal	
Editor-in-Chief	2 credit hours
Senior Members	1 credit hour
Journal of International and Comparative Law	
Editor-in-Chief	2 credit hours
Senior Members	1 credit hour
Tulane Journal of Technology and Intellectual Property	
Editor-in-Chief	2 credit hours
Senior Members	1 credit hour
Tulane Journal of Law and Sexuality	
Editor-in-Chief	2 credit hours
Senior Members	1 credit hour
Sports Lawyers Journal	
Editor-in-Chief	2 credit hours
Senior Members	1 credit hour

Members of the European and Civil Law Forum receive no credit per se for journal work. However, a member who writes a publishable quality case note or comment through a faculty-approved Directed Research can obtain credit for that writing.

Students may not receive credit for work done on more than one journal in any given academic year.

Graduate students may receive credit for journal work but may not satisfy their writing requirement by work done on a journal.

Students seeking academic credit for participation in journals shall ensure that a record of the work required to earn the number of credits sought is submitted as provided in Section V.G below.

V. ACADEMIC STANDARDS

A. Basis for Dismissal Because of an Unsatisfactory Academic Record

The following rules establish the standards for dismissal of a JD student because of an unsatisfactory academic record at the Law School:

- (1) No student may remain in school who has a cumulative grade point average of less than 2.00 at the end of the first year or at the end of any subsequent semester.
- (2) No student may remain in school who has received more than three grades below C– during the student’s first year.
- (3) No student may remain in school who has received more than six grades below C– during his or her first two years in residence.
- (4) No student may remain in school who has failed more than 10 semester hours in any school year.
- (5) No student may remain in school who has failed more than 15 semester hours cumulatively.
- (6) No student may graduate with a cumulative grade point average of less than 2.00.

The following rules establish the standards for dismissal of a graduate student because of an unsatisfactory academic record:

- (1) A graduate student will be dismissed from the graduate studies program if his or her grade point average at the end of any semester is less than 2.00.
- (2) A graduate student must have a cumulative grade point average of no less than 2.00 to graduate.

In addition, graduate students in specialty LLM programs (Environmental and Energy, International and Comparative, and Admiralty) also must receive passing grades in all courses listed in program materials as required for the degree.

B. Readmission

Students who have been dismissed because of an unsatisfactory academic record, as defined in Sec. V.A. may petition for readmission. Petitions from JD students will be considered by the Readmission Committee, and petitions from graduate students will be considered by the Graduate Affairs Committee. To the extent practicable, the Graduate Affairs Committee will follow the procedures listed below.

Although there is no specific format for the petition, the student should provide the committee with a detailed written account of his or her academic performance and the factors which may have contributed to it. Students who request that the Committee consider physical illness or personal or family situations that affected their ability to concentrate on academics must submit appropriate documentation, either with their petitions or at their readmission hearings. Letters of recommendation from law professors or other persons who may have direct knowledge of the student's legal ability may be helpful but are not required. Finally, the student should relate to the Committee specific details which he or she believes will lead to the improvement of his or her academic record if readmitted.

In addition to filing a written petition, the student has the right to appear before the Readmission Committee in person so that the appeal can be discussed in greater depth. The student may raise in the hearing only those issues discussed by the student in his or her petition. No student will be denied readmission without having the opportunity to present personally his or her petition before the Committee.

While the Committee may consider grades in summer school courses recorded subsequent to the student's academic dismissal, the fact that such grades raise a student's cumulative average to 2.00 or above does not require the Committee to readmit the student.

The faculty has adopted the following guidelines for students who have been dismissed for academic deficiencies. With respect to first year students, these guidelines are applicable to dismissals that occur at the end of the first year.

- (1) In reviewing petitions for readmission, serious consideration for readmission will be given to those with an average between 1.80 and 2.00.
- (2) Below 1.80, only extraordinary circumstances would justify consideration for readmission.
- (3) Below 1.60, only the most extraordinary circumstances would justify consideration for readmission.

If, after consideration of a petition, the student's request for readmission is granted, the Readmission Committee may impose on the student certain academic conditions that must be met in order for the student to regain and remain in good standing. If these conditions are not met, the student is again subject to dismissal. If a student readmitted for the third time is again dismissed, he or she cannot petition for readmission.

If a petition is denied by the committee, the petitioner may appeal to the Dean by submitting a written appeal within ten business days of the Committee's decision, provided the decision has been communicated by telephone or certified mail at the address provided by the student. Review by the Dean shall be limited to matters raised in the petition or that are part of the hearing record. The Dean has the authority to affirm the denial or to refer the matter to the faculty as a whole. If a student desires a personal conference with the Dean, a written appeal must be submitted prior to scheduling a conference.

If a petition is denied by the Committee or the Committee's decision is affirmed by the Dean, the student may again petition for readmission in a subsequent semester, provided the student can show that his or her graduation can occur within the 84-month limit specified in Section II.A.

Notation of a student's dismissal from the Law School is printed on the student's transcript and is maintained as a permanent part of the record even if the student is readmitted.

C. Double Credit

No student shall receive academic credit for any paper, comment, note or other written work which is the same or substantially the same as a paper, comment, note or other written work for which the student has previously received academic credit or will in the future receive academic credit in the law school.

D. Eligibility for Degrees

1. General Degree Requirements for the JD Program

To be eligible for graduation, a JD student must have maintained a satisfactory record as defined at Section V.A., above, have completed 88 semester hours of acceptable work and have spent 6 full-time semesters in academic residence. Transfer students must earn at least 59 of the 88 semester hours at Tulane and must have spent at least 4 full-time semesters in academic residence at Tulane to receive the JD degree. The credit-hour and residency requirements for students enrolled in approved joint degree programs are set forth in Section II.B. A full-time semester is one in which a student has registered for a minimum of 10 law credits and satisfactorily completed 9 credits. Attendance and accumulation of credits at a summer school in law will not reduce the number of full-time semesters for which a student must be in academic residence.

A student who has earned 88 credits toward the JD degree may not enroll in any more courses that will appear on the student's transcript or average into the student's GPA. Thus, a student may not register for any courses after 88 credits have been earned for the purpose of increasing his/her GPA. A student who has not yet earned 88 credits toward the JD degree may register in a semester or summer school session for up to the maximum number of credits allowed during that semester or session. In such case, all of the courses taken during that semester or session will be reflected on the student's transcript and the grades earned in all of the courses averaged into the student's GPA.

To receive any degree from the Law School, a student must receive the approval of the faculty and must have satisfied all financial obligations to the University. Students must also have completed all course requirements (i.e., paper, exam) in courses for which they have received an Incomplete as any "I" converts to "F" upon graduation.

To graduate, all JD students must successfully complete (pass) all of the courses in Tulane's first year curriculum and the Legal Profession course. The Professional Responsibility Seminar does not substitute for Legal Profession. Transfer students who completed their first year at another

law school must take and successfully complete (pass) any Tulane first year course for which they did not take and complete a comparable course in their first year. These required first year courses and the Legal Profession course must be taken for a letter grade and may not be taken on a Pass/D/Fail basis. If, however, a student transfers from an ABA-Accredited law school that requires a two-hour rather than three-hour Legal Profession course, successful completion of the two-hour course at the student's home institution will satisfy the Legal Profession requirement under this Section. Further, all students must successfully complete one rigorous writing project after the first year of law school, the experiential learning requirement and the pro bono service requirement. See V.D.2-4.

2. Upper-Class Writing Requirement

In order to promote the further development of effective legal writing skills, emphasize the intellectual rigor required for complex legal analysis, reasoning, and argumentation, and expose students to advanced legal scholarship, each JD student must, as a requirement for graduation, successfully complete one rigorous writing project after his or her first year of law school. Successful completion is defined as earning a grade of "C" or better in a course graded on the normal grading scale or earning a "Pass" in a course that is graded Pass/D/Fail. If a grade of "C" or better is not earned in a course graded on the normal grading scale, the project does not satisfy the upper class writing requirement, even if the student has exercised the Pass/D/Fail option in the course.

The upper class writing requirement may be satisfied by successfully completing an approved seminar, course, or a directed research project approved and supervised by a faculty member. Students may also fulfill the writing requirement through production under faculty supervision of a publishable Case Note or Comment in any of the law school's journals.

In all cases, to satisfy this requirement, the student must do all of the following:

- (1) develop a topic, individualized research plan, and written proposal in consultation with the supervising faculty member;
- (2) present at least one draft of the paper to the supervising faculty member for the faculty member's critique;
- (3) complete at least one revision of the paper taking into account the comments and critique provided by the supervising faculty member.

The final paper must consist of no fewer than 25 double-spaced pages. The supervising faculty member must certify at the end of the project that it has been completed successfully. A copy of the final draft and certification shall be submitted to the Academic Services Office. For papers completed as a Directed Research, a copy of the written proposal and plan of research must be submitted with the final draft and certification.

3. Experiential Learning Requirement

Professional skills are necessary for effective and responsible participation in the legal profession. Therefore, JD candidates must successfully complete (pass) courses providing a minimum of six experiential learning credits. In order to qualify for experiential credits, an approved course must be designated as an “experiential course” as provided in Section V.H of the Student Handbook. The courses that fulfill this requirement are designated and separately listed in the registration materials.

4. Pro Bono Requirement

In addition to the academic requirements set forth above, in order to be eligible for the JD degree, each student must complete a total of 50 hours of *approved uncompensated, supervised, law-related public interest service*. It is recommended that the required 50 hours be performed at a single placement during one semester or during the summer when feasible. Students are also encouraged to do more than one pro bono placement once their first assigned placement is satisfactorily completed.

Summary: For students to receive credit towards the Pro Bono requirement, the student cannot receive remuneration or academic credit. Students may choose to contribute any number of hours in excess of the minimum required and should report all pro bono hours via the electronic time reporting mechanism provided by the Office of Experiential Learning and Public Interest Programs. All pro bono hours will be reflected on the student’s transcript. To earn credit towards the Pro Bono requirement, time records and the Supervisory Form must be received by the Office of Experiential Learning and Public Interest Programs on or before the relevant deadlines, which typically occur at the end of each semester in which pro bono work was completed. Students who contribute exemplary pro bono service are recognized annually at the Pro Bono Luncheon. Additionally, each Spring, qualifying 3Ls are eligible for induction into the Pro Bono Krewe, an honorary community/society of distinguished pro bono volunteers who have recorded 150 hours or more of pro bono service during their law school career.

Qualifying Pro Bono Service: Because the Tulane pro bono requirement is designed to instill in each student a sense of responsibility to the community when each becomes a member of the bar, a student’s work should address the needs of underserved individuals or the community-at-large. Qualifying pro bono service covers a wide spectrum of activities and locales:

- (1) Students may work under the supervision of private practitioners or firms where the work is performed at no cost on behalf of persons of limited means or otherwise underrepresented groups.
- (2) The work may be performed in the public sector on behalf of a local, state or federal government entity (*e.g.*, the district attorney’s office, the indigent defender program, the Department of Justice, the courts, EPA).
- (3) Work may be performed on behalf of public-interest non-profit organizations (excluding trade organizations) qualifying under IRS sections 501c (3) and (4), which endeavor to protect rights of underrepresented persons and groups.

- (4) Students may contribute to a qualifying student-led organization serving public interest goals, such as VITA (tax assistance for low-income individuals through Tulane Law School), or a community legal education program benefitting low-income individuals.

Qualifying pro bono work must be law-related public interest service under the supervision of an attorney or faculty member. You may not be supervised by family members including your immediate family members (parents, grandparents, siblings), your spouse, or your spouse's immediate family members. Qualifying tasks include client interviewing, document drafting and review, case planning and preparation, legal research and writing, drafting of legislation or regulations, formulation of legal policy, and participation in legal education programs in the public schools. Training time (up to 5 hours in a 50-hour placement) and limited administrative tasks, pertinent to the legal assignment, are viewed as law-related work counting toward the fulfillment of the requirement.

Students may opt for one of many placements advertised and coordinated through the Office of Experiential Learning and Public Interest Programs. Placements during the academic year are often located in the New Orleans metro area, but remote and/or virtual opportunities may be permitted if the placement meets the above criteria. In addition to pre-approved placements scheduled through the Office of Experiential Learning, students may also submit an Independent Placement proposal for pro bono credit before beginning proposed volunteer work. Once determined to satisfy the law school requirement, the work may be performed in any location around the globe.

Registration holds: Third year students that have recorded less than 25 hours of pro bono service by the summer reporting deadline of the year in which they intend to graduate (September 1) will be required to attend a mandatory advising session with the Office of Experiential Learning in September. Those who have not completed their 50-hour requirement by October of the year in which they intend to graduate must submit a plan for completing their pro bono service before they will be permitted to register for spring classes.

Submission requirements for graduation: To be eligible to graduate, all JD students must complete the requisite number of pro bono hours on or before April 15 of the third year of law school. Completion of this requirement shall be demonstrated by appropriate submission of electronic time records reflecting the requisite minimum hours (or more) and the "services performed" in an approved placement. The Time Sheet is to be certified by the student's supervising attorney.

Third-year students failing to complete the Pro Bono requirement by the April 15 deadline are subject to an administrative assessment of \$75.00. In addition to payment of the fee, the late student must then complete the Pro Bono requirement by April 25 to be eligible for graduation at the end of the spring semester. As there is ample opportunity to complete the Pro Bono requirement any time between matriculation and April 15 of the third year, there will be **no extension of this deadline**, absent truly extraordinary circumstances approved by the Assistant Dean of Students. Students not completing the requirement within that period will have the opportunity to complete it thereafter and then be eligible to graduate at the end of a subsequent term (provided all other graduation requirements are also met).

5. General Degree Requirements for the Master's Program

Candidates for all Master's degrees must satisfy the following requirements in addition to any special course requirements:

- (1) Satisfactory completion of 24 hours of coursework, at least 21 of which must be at the Law School, and up to three of which may be earned in a summer term. "Satisfactory completion" is defined under Academic Standards. No transfer credit can be granted. A student who has earned 24 credits towards the Master's degree may not enroll in any more courses that will appear on the student's transcript or average into the student's GPA.
- (2) Full-time students must complete between 10 and 12 hours of coursework in each of two consecutive fall and spring semesters, except with special permission. Part-time students must complete between 4 and 7 hours of coursework each semester and complete the degree in four consecutive semesters, with the option of attending one summer session for up to 3 hours of coursework.
- (3) Students must satisfy the specific requirements of the degree program in which they are enrolled (e.g., General, Admiralty, American, Energy & Environment, or International & Comparative Law).
- (4) Students are required to write papers for at least three, but not more than nine, hours of coursework, in courses requiring or permitting completion of a paper in lieu of an exam. Directed research credit falls in this category and may be used to satisfy up to three hours of the writing requirement. Students may not receive credit for Directed Research beyond the nine-hour writing credit maximum. The course Legal Research and Writing for International Graduate Students may not be counted toward the writing requirement².
- (5) All master's degree candidates who have received the first law degree from a school outside the United States must successfully complete Introduction to the Law of the United States (2 credits) and Introduction to Legal Reasoning, Research & Writing in the United States (3 credits), in addition to any specific degree requirements.
- (6) Clinical programs, Trial Advocacy course and externships are not open to graduate students subject to the following exception. Students who received a JD from a U.S. law school and who are candidates for a Tulane Law School Master's degree may apply to participate in the Environmental Law Clinic for a maximum of one semester. This is the only clinic open to graduate students, and the limitation of one semester participation is not subject to modification.
- (7) Students in the full-time graduate studies programs must be enrolled as full-time students at the Law School for one academic year (i.e., two full-time semesters). A full-time semester is defined as enrollment in ten more hours of coursework. Students may not pursue degrees in absentia.

² Certain state bars will not award credit to international graduate students for non-classroom courses. Graduate students are advised to consult with the bar to which they plan to apply for additional guidance before registering for a Directed Research or other non-classroom credit course.

- (8) Students must meet all financial obligations to the University.
- (9) Each student must, after fulfilling all other degree requirements, be recommended for the degree by the law faculty.

Academic Standards for Graduate Students

Graduate students are not permitted to take any course on a Pass/D/Fail basis. The work of graduate students is graded on a letter-grade scale, with quality points assigned as follows:

A+	4.00
A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D	1.00
F	0.00

“Satisfactory completion” requires a cumulative grade point average at Tulane of C (2.00) or higher. This grade point average must be maintained as of the end of each semester of enrollment.

6. Degree Requirements for the SJD Program

In order to obtain the SJD degree, a student must fulfill the following requirements, depending on the student’s particular circumstances upon admission to the program:

- (1) [Coursework requirement repealed April 24, 2021]
- (2) All SJD students, including those exempt from some or all further coursework requirements, must be in residence for at least one year but are only required to pay full-time tuition and fees for at least one semester, typically the first semester of enrollment in the program. Students wishing to enroll in courses outside that one semester may do so on the understanding that they must pay tuition for each additional course they take.
- (3) Every SJD candidate must write and defend successfully a dissertation which makes an original and significant contribution to legal scholarship. Unless specifically exempted from this requirement for very exceptional circumstances by the Graduate Programs Committee, the dissertation must be complete and the defense must take place within four years from the initial enrollment in the SJD program.

- (4) Dissertation Committee: The committee will consist of three members one of whom is the supervisor who acts as the chair of the committee. The chair of the committee shall be a tenured member of the faculty. At least one of the other two members of the committee shall be a tenured or tenure-track member of Tulane Law School. Under normal circumstances, all members of the committee will be Tulane Law School faculty members, but there may be cases where it becomes necessary³ to ask a faculty member from another department of the University or a faculty member at another institution, foreign or domestic, to join the committee. The outside member must, however, be a tenured member of the faculty at his or her home institution.⁴

The selection of the dissertation committee will be decided by the student in consultation with the chair of the committee. The committee shall be empaneled at the earliest time after the candidate has taken residence but no later than the end of the first semester of residence. As soon as the committee has been established, the chair of the committee shall notify the Graduate Affairs Committee of the names of the members of the committee. The Graduate Affairs Committee shall transmit the information to the Assistant Dean for Academic Services for record keeping.

- (5) Lengths of dissertations vary depending on the subject matter and the writing style of the authors, but as a general matter the length of a dissertation ranges between 200-300 pages, including appendix and bibliography. After the dissertation committee has approved the dissertation, the supervisor shall set up a meeting at which the candidate shall present an oral defense of the doctoral thesis. The dissertation committee will conduct the oral examination. The meeting for the oral defense is open to members of the Law School faculty.
- (6) Clinical programs, the Trial Advocacy course and externships are not open to SJD students.

E. Academic Honors

JD candidates are eligible to graduate with honors under the following conditions:

- (1) Students whose class ranks place them within the top 10% of the graduating class may be elected by the faculty to the Order of the Coif.
- (2) Students who graduate in the top 33% of their class may graduate cum laude. The top 33% is determined by the number of May JD graduates each year. Cum laude is not determined by graduation rank.

³ The reasons for inviting an outside member to join the committee may vary. One reason may be that there may not be the required expertise on the faculty. Alternatively, the invited member may be such a distinguished scholar in the area of the student's research that the chair and the other member of the committee may decide that inviting him or her to join the committee will considerably strengthen the committee and improve the prospect of a first rate product.

⁴ There may be exceptional circumstances where the chair of the committee and the second member believe that there are no suitable academics to help in the specialized area and that there was an outstanding practitioner who is an expert in the particular field of research. In those circumstances, the chair of the committee and the second member of the committee may invite the practitioner to join the committee.

- (3) Students who graduate in the top 12% of their class may graduate magna cum laude. The top 12% is determined by the number of May JD graduates each year.
- (4) Students who graduate in the top 2% of their class may graduate summa cum laude. The top 2% is determined by the number of May JD graduates each year.

Graduate students may be eligible to receive the degree “with distinction” if they have maintained a cumulative grade point average of 3.5 or higher.

F. Limitation on Non-Classroom Credits

No more than 18 credits of nonclassroom work may be offered in satisfaction of the 88-hour requirement for graduation or the credit requirement for any joint degree student (see Section II.B). The following produce nonclassroom credits:

- (1) Law Review
- (2) Moot Court
- (3) Maritime Law Journal
- (4) Environmental Law Journal
- (5) Journal of Law and Sexuality
- (6) Journal of International and Comparative Law
- (7) Tulane Journal of Technology and Intellectual Property
- (8) Sports Lawyers Journal
- (9) Senior Fellow
- (10) Externships (3-credit fieldwork course)
- (11) Directed Research
- (12) In 3-credit seminars, 1 credit hour is allocated to non-classroom credit.

Note—Trial Advocacy, Negotiation and Mediation Advocacy, Intersession classes and Clinic credits are not considered non-classroom hours.

G. Determination of Credit Hours Awarded for Coursework

A “credit-hour” is an amount of work that reasonably approximates not less than 750 minutes of classroom or direct faculty instruction and 30 hours of out-of-class student work. The 750 minutes of classroom or direct faculty instruction may include up to 50 minutes per credit hour of time scheduled for a final examination.

For other academic activities, including simulation, field placement, clinical, co-curricular, and other academic work leading to the award of credit hours, a “credit-hour” is an amount of work that reasonably approximates at least an equivalent amount of work as required by the preceding paragraph.

Students seeking academic credit for participation in journals, moot court and other co-curricular activities shall ensure that a record of the work required to earn the number of credits sought is

submitted in accordance with the approved policy of the co-curricular activity to the Office of Academic Services no later than the close of business on the last day of classes for the semester in which credit is sought. Upon request, students shall submit any additional evidence of such work required to justify the number of credit hours sought.

Students enrolled in clinics and field placements shall maintain a log of hours worked and submit time keeping records in accordance with clinic and externship policies administered by the Office of Experiential Learning and Public Interest Programs.

H. Experiential Courses

All clinical courses, externship field placements and upper-level Intersession offerings under the administration of the Associate Dean of Experiential Learning and Public Interest Programs are designated as “experiential courses.”

A simulation course may be designated an “experiential course” by the Associate Dean for Experiential Learning and the Vice Dean if the course:

- (1) is primarily experiential in nature;
- (2) provides a substantial experience not involving an actual client that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a set of facts and circumstances devised or adopted by a faculty member;
- (3) integrates doctrine, theory, skills, and legal ethics, and engages students in performance of one or more of the professional skills identified in paragraph (c);
- (4) develops the concepts underlying the professional skills being taught;
- (5) provides multiple opportunities for performance;
- (6) provides opportunities for self-evaluation;
- (7) includes a classroom instructional component; and
- (8) provides direct supervision of the student’s performance and opportunities for feedback by the faculty member.

The professional skills that may be developed in a simulation course include, without limitation, interviewing, counseling, negotiation, fact development and analysis, trial and appellate practice, document and legislative drafting, conflict resolution, organization and management of legal work, collaboration, cultural competency, and self-evaluation.

VI. FINANCIAL OBLIGATIONS

Students are expected to meet their financial obligations to the University when they are due. So long as a student is indebted to the University, the Law School can issue no transcript (consistent with law and regulation), release no registration materials, permit no enrollment, confer no degree, nor certify to any external organization (for example, a state’s Bar Examiners) that degree requirements have been completed.

VII. CREDITS ACCUMULATED AWAY FROM TULANE

A. Generally

Graduate law students (LLM/SJD) are prohibited from earning credits at another school for the Tulane graduate degree.

In all instances in which JD students accumulate credits away from Tulane, students must receive a grade of “C” or higher for the credits to be accepted at Tulane Law School. Only the credits will be recorded on the transcript, not the grades received. A student cannot receive any academic credit toward the JD degree for courses taken at Tulane Law School or elsewhere until he or she has become a matriculating full-time law student at Tulane or at another law school.

B. Coursework

During the normal academic year, a student may take one course over the period of his/her law school career at another institution's law school for academic credit, provided that: (1) the course does not count toward the 10 credits needed to be a full time in resident student at Tulane; (2) the student pays all tuition and fees at the other institution without any diminishment in the amount of tuition paid to Tulane; and (3) the content of the course is not largely duplicated by any course offered at Tulane for which the student could register. Students must receive permission before completing any coursework away from Tulane and should consult with the Assistant Dean of Students. (See also II. A and VII. E).

C. Externships

The Law School offers a variety of externship programs, each of which has been specifically approved as a course offering by the faculty and is supervised by Law School Faculty members. Students earn academic credit upon successful completion.

- (1) During the summer, rising 2L and 3L students may enroll in the Summer Externship. In this externship, students earn 3 units of academic credit in judicial, government, non-profit, and corporate counsel settings both in the local area and in sites around the globe, upon pre-approval and timely application to the Office of Experiential Learning and Public Interest Programs during the spring term preceding the proposed externship.
- (2) During the academic year, rising 2L and 3L students are eligible to apply for the yearlong Judicial Externship, the yearlong Public Service Externship, or the Spring Public Interest Externship. Students generally apply for academic year externships by submitting a timely application through the LagniApp prior to the application deadline in spring semester, to be enrolled in the following academic year. Students are placed in judicial chambers and public service sites selected by the Office of Experiential Learning within the New Orleans area, such as Federal District Court, state courts, Federal Public Defenders, the U.S. Attorney's office, the National Labor Relations Board (NLRB), the Louisiana Fair Housing Action Center (LaFHAC), Orleans Public Defender, and Southeast Louisiana Legal

Services (SLLS). Students generally may not enroll in the year-long externship while enrolled in a year-long clinic. However, simultaneous enrollment may be permitted in certain semester-long clinics with prior permission.

- (3) During either the fall or spring semesters, rising 2L and 3L students are eligible to apply for the Corporate Counsel Externship. Students generally apply for academic year externships by submitting a timely application through the LagniApp prior to the application deadline in spring, to be enrolled in the following academic year. This externship permits students to earn credit for work performed in the legal departments of certain pre-approved and pre-screened in-house counsel offices of non-profit or for-profit businesses. Students will experience how law is practiced in a corporate legal department when functioning as a lawyer for a business client and as part of a business. Students will develop skills and learn substantive legal issues encountered in an in-house legal department and the ethical responsibilities of general counsel.

*NOTE: During the academic year, students cannot secure academic credit for externship opportunities outside of the application processes established by the Office of Experiential Learning. Please refer to the Office of Experiential Learning's page on the Intranet for more information. Some such opportunities may be eligible to credit toward your pro bono graduation requirement. See Section V(D)(4).

D. Summer Unpaid Internships: Directed Research or Pro bono

As set forth below, students may seek academic credit for directed research and writing or approval of pro bono hours arising out of work initially undertaken at an unpaid internship.

OPTION I – DIRECTED RESEARCH

Students may complete a Directed Research paper (for which they can receive 1 – 3 units of academic credit) if they obtain the consent of a full-time faculty member to supervise the research before beginning summer work and select a suitable topic related to the summer work. (A form is available in the Academic Services office.) Please refer to requirements for Directed Research in Section II.M. The research paper can be completed during the summer or, by permission, during the fall term. A letter can be sent to the summer employer/supervisor, explaining that the student has obtained approval for Directed Research in conjunction with the summer internship; normally, this is sufficient for those positions requiring that the student receive credit in order to pursue the opportunity.

OPTION II – PRO BONO HOURS

If the work is uncompensated and satisfies the Law School definition for pro bono service (see Section V.D.4), the student may seek approval of pro bono hours by submitting an Independent Placement request electronically to the Office of Experiential Learning and Public Interest Programs before beginning the summer internship. The student will need to record the hours using the method indicated by the Office of Experiential Learning. If approved for pro bono hours in advance, all pro bono hours earned and verified will be reflected on the transcript. Time records

must be submitted by the deadline for summer pro bono, which falls on Friday of the first week of the following fall term.

E. Students Visiting Away

Students who present compelling personal circumstances may, in rare instances, be permitted to spend one or both semesters of their third year visiting at another law school and transfer the credit to the Tulane law degree. Second year students are permitted to visit away only in critical situations. Examples of compelling personal circumstances that would justify visiting away are the necessity of caring for a critically ill parent when the student is the only caregiver, a spouse's unanticipated employment in another city, or a student's ill health requires medical treatment that can be obtained only in another city. The desire to be closer to a boyfriend or girlfriend, to pay less tuition, or to be in or closer to a location where the student wishes to work and settle after law school are not compelling personal circumstances. Students should consult the Assistant Dean of Students about visiting at another law school. (See also VII. A.).

Students who visit at another law school are required to consult the Assistant Dean of Students or the Vice Dean of Tulane Law School to gain approval of the courses that they wish to take at the visiting law school. This approval must be given prior to the courses being taken.

F. Semester Abroad Programs

A limited number of well-qualified students may be given permission by the Vice Dean, upon the recommendation of the Executive Director of International Programs, to spend up to one semester that is not their final semester in the law (or related) department of a foreign university, and transfer up to 14 credits earned there to the Tulane law degree. In considering any particular case, the Executive Director and the Vice-Dean shall take into account the following:

- (1) Whether the program at the foreign university in which the student wishes to participate has been approved by the faculty or by the ABA, and if not, whether the Executive Director of International Programs is prepared to vouch for its content and its supervisory arrangements;
- (2) Whether satisfactory supervisory arrangements can be made at Tulane;
- (3) The extent to which the student is qualified to undertake the proposed program, as indicated by such factors as his or her academic performance, past and prospective course choices at Tulane, linguistic capabilities, and reasons for wishing to study abroad; and
- (4) The number of applications to study abroad.

(See also VII. A.)

VIII. GRIEVANCE PROCEDURES FOR ALLEGED DISCRIMINATION

All members of the Tulane Law School are subject to Tulane University's Equal Opportunity/Anti-Discrimination Policy, which includes Tulane's Anti-Harassment Policy. This policy provides that

Tulane University prohibits discrimination in its employment practices or educational programs/activities on the basis of race, color, sex, religion, national origin, age, disability, genetic information, sexual orientation, gender identity, gender expression, pregnancy, marital status, military status, veteran status, or any other status or classification protected by federal, state or local law. Tulane University complies with applicable federal and state laws addressing discrimination, harassment and retaliation. Discrimination or harassment on the basis of any protected classification will not be tolerated.

Any member of the Tulane Law School community who believes he or she has experienced discrimination or harassment on any of these grounds by any member of the Tulane community is encouraged to report this conduct to the Vice Dean, the Assistant Dean of Students, or any of the individuals listed in the Equal Opportunity/Anti-Discrimination Policy. For additional information, please see Tulane University's Equal Opportunity/Anti-Discrimination Policy available at <https://law.tulane.edu/policies>.

A student who seeks to appeal a grade must comply with the procedures articulated in Section IV.I.

IX. CAREER DEVELOPMENT OFFICE INTERVIEW POLICIES AND PROCEDURES

Tulane University is an Affirmative Action/Equal Employment Opportunity institution, and consequently its policy of non-discrimination includes recruitment, employment retention and promotion of the most qualified students, faculty, and staff, regardless of an individual's race, color, sex, religion, national origin, age, disability, genetic information, sexual orientation, gender identity, gender expression, pregnancy, marital status, military status, veteran status, or any other status or classification protected by federal, state or local law. Tulane University does not discriminate in its provision of services and benefits and in its treatment of students, patients and employees.

All employers seeking to recruit Tulane Law School students are expected to comply with the Tulane Law School Career Development Office (CDO)'s Statement of Appropriate Conduct for Employer-Interviewers. Any student who believes he or she has experienced conduct that violates this policy may file a complaint in accordance with the Student Complaint Section, Section I of Tulane Law School Career Development Office (CDO).

X. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Tulane University complies with the Family Education Rights and Privacy Act of 1974, which was enacted to protect the privacy of educational records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data. Information concerning students' rights under the Act, the types and locations of educational records maintained, and the procedures to be used by an institution for compliance with the Act can be obtained from the office of the Vice President for Student Affairs (LBC) and the Registrar's Office (Gibson Hall) at this [link](#).

XI. OTHER MATTERS

Questions concerning the matters covered in this Handbook and any matter not addressed in this Handbook should be directed to the Vice Dean, the Assistant Dean of Students, or the Assistant Dean of Academic Services.

Appendix A:
Tulane University
Law School
Honor Code

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PREAMBLE:

The Tulane University Law School Honor Code is a code of ethics and academic honesty and professional conduct created, and administered by Tulane Law students. The fair assessment and ranking of each student's academic achievement depends on honest behavior by every student. Toleration of unethical or dishonest or unprofessional behavior harms the integrity of the law school and violates the rights of all students. Our responsibility to fellow students, the legal profession, and the public therefore requires all students to comply with certain ethical and professional norms.

The Honor Code is intended to protect the integrity of the law school and the legal profession; to ensure the fairness and impartiality of honor board proceedings; and to protect the rights of students. These general principles, the ethics standards provided by the current American Bar Association model code of ethics, and accepted legal principles shall provide the basis for understanding and construing the requirements of the Honor Code.

ARTICLE 1: GENERAL PROVISIONS

Section 1. Presumption of Innocence, Standard of Proof, Burden of Proof.

All students who are investigated for, or charged with violations of, this Honor Code are presumed to be innocent of any wrongdoing. Any student who is formally charged with one or more violations of this Honor Code shall not be found guilty of a violation unless there is evidence beyond a reasonable doubt of such a violation.

At no time will the burden of proof be on an accused student, and no accused student will be required to offer any evidence at any time during a hearing. However, prior to the filing of formal charges, all students, including students who are the subject of an investigation, have a duty to cooperate with an investigation, as set forth in Article 3 of this Code.

Section 2. Right to Counsel.

Any student being investigated for a violation of this Honor Code shall have the right to be represented and advised only and exclusively by a counsel who is a Tulane Law School student in good standing. If a student who is being investigated is unable to find such counsel, upon request made by the accused to the Chief Justice of the Honor Board (hereinafter the Chief Justice), the Chief Justice shall appoint a member of the Honor Board who has not otherwise participated in the investigation of the charges to act as counsel for the accused.

Section 3. Recusal.

A member of the Honor Board must recuse himself or herself from any investigation or hearing panel if he or she has any first-hand knowledge of the facts, or any possible bias with regard to the accused or any of the witnesses who may be called at a hearing. A student who is being investigated shall have the right to move the Chief Justice for the recusal of an investigator. This motion, which must be made in writing and set forth specific grounds for the recusal, must be heard promptly by all members of the Honor Board except the person whose recusal is sought. If a simple majority of all members of the Honor Board vote for such a recusal, it shall be granted.

Any Honor Board member, hearing panel member, or the accused may move for the recusal of any member(s) of a hearing panel prior to the commencement of a hearing. Such motion shall be made in writing and shall set forth the specific grounds upon which it is based. The motion will be heard prior to the hearing by all members of the hearing panel except the person(s) sought to be recused. If a simple majority of the hearing panel members vote for such recusal, it shall be granted.

Section 4. Deliberations; Voting.

All deliberations conducted by any hearing panel shall be secret, and all votes taken by any hearing panel shall be both anonymous and secret.

Section 5. Amendment of this Honor Code.

Any student may initiate a revision of the Honor Code by presenting the Chief Justice with a petition including the text of the amendment and signed by five percent of the entire law school student body, including graduate students. Any member of the Honor Board may initiate a revision by presenting a written amendment that is supported by two-thirds of all Honor Board members. Any amendment or revision so supported shall be presented to the entire student body in a special election, and shall take effect if it is supported by two-thirds of all students voting in that election. Prior to the date of such an election, students shall have the right to a public hearing, presided over by the Chief Justice, where any student may be heard regarding the proposed amendments.

Section 6. Delegation of Powers; Revocation of Delegation.

The Dean of the Law School delegates the authority to administer the Honor Code to the student Honor Board, which is established both to investigate allegations of unethical and dishonest behavior and to promote the best practices of ethics. Accordingly, the decisions of the Honor Board are subject to the approval of the Dean and the Tulane University Senate Committee for Academic Freedom and Responsibility of Students.

The Dean of the Law School has determined that the authority delegated to the Honor Board may be revoked only after sixty days' notice to the Honor Board that a majority of the law faculty, voting after normal procedures, has determined that the delegation of authority should be revoked.

Section 7. Computing Time

The following rules apply in computing any time period specified in the Honor Code:

- a. When the period is stated in days:
 1. exclude the day of the event that triggers the period
 2. count every day, including intermediate Saturdays, Sundays, and holidays or breaks specified in the academic calendar (other than breaks between semesters)
 3. include the last day of the period, but if the last day is a Saturday, Sunday, or a holiday or break specified in the academic calendar (other than breaks between semesters), the period continues to run until the end of the next day that is not a Saturday, Sunday, holiday, or break.
- b. When the period is stated in hours:
 1. begin counting immediately on the occurrence of the event that triggers the period;
 2. count every hour, including hours during intermediate Saturdays, Sundays, and holidays or breaks specified in the academic calendar (other than breaks between semesters)
 3. if the period were to end on a Saturday, Sunday, or a holiday or break specified in the academic calendar (other than breaks between semesters), the period continues to run until the same time on the next day that is not a Saturday, Sunday, holiday or break.

When an act must be done within a specified time, the Chief Justice may, upon a showing good cause, extend the time.

ARTICLE 2: THE STRUCTURE OF THE HONOR BOARD

Section 1. Composition.

Four Honor Board Justices shall be elected from each of the first year, rising second year, and rising third year Law School classes. One Honor Board Justice shall be elected from the graduate studies program. One of the third year Honor Board Justices will then be appointed to the position of Chief Justice, as per Article 2, Section 2.

Section 2. Chief Justice.

The Chief Justice shall be a third-year Honor Board Justice elected by a majority vote of both the outgoing and incoming Honor Board Justices not wishing to be the Chief Justice. If all third-year Honor Board Justices wish to be Chief Justice, the Chief Justice shall be elected by a

consensus of two thirds of the outgoing and incoming Honor Board Justices not wishing to be Chief Justice.

Section 3. Duration of Term.

- a. The graduate studies and first-year Honor Board Justices shall serve one-year terms. Their election shall take place during the fall semester of their first year. The term of the graduate studies Honor Board Justice and first-year Honor Board Justices shall begin immediately upon the posting of the fall semester election results and shall end immediately upon the posting of the election results of the following spring.
- b. The rising second year class shall elect two Honor Board Justices to serve one-year terms and two Honor Board Justices to serve two-year terms. The two candidates receiving the two highest numbers of votes shall be elected to the two-year terms, and the two candidates receiving the next two highest numbers of votes shall be elected to the one year terms. These elections shall be held in the spring of their first academic year. The rising third-year class shall elect two Honor Board Justices to serve one-year terms. Their election will be held at the same time as the elections for the rising second-year class.
- c. The term of second-year and third-year Honor Board Justices shall begin immediately upon the posting of the spring semester election results and shall end immediately upon the posting of the spring semester election results of the applicable year, as set forth above.
- d. The Chief Justice may, between semesters or during the summer semester, call upon an available Honor Board Justice from the previous year who is still a student of the Law School to investigate a complaint, or sit on a probable cause or hearing panel.
- e. An Honor Board Justice must be enrolled at Tulane Law School.

Section 4. Faculty Advisor or Advisors.

A Faculty Advisor or Advisors shall be appointed by the Dean of the Law School or his or her designee. The Faculty Advisor or Advisors shall assist with questions or issues that may arise regarding any matters before the Honor Board. The Faculty Advisor or Advisors shall also assist in conducting the Training and Orientation Session. The Faculty Advisor or Advisors shall not serve on a probable cause or hearing panel.

Section 5. Training and Orientation Session.

There shall be a Training and Orientation Session for all Honor Board members after the election of the first-year class Justices.

ARTICLE 3: THE HONOR CODE; VIOLATIONS OF THE HONOR CODE

The following shall be a violation of this Honor Code:

- a. Knowingly giving or knowingly receiving assistance or information during any law school examination;
- b. Knowingly giving or knowingly receiving assistance or information relating to any paper, legal research and writing assignment, or other written assignment for academic credit when specifically prohibited by professor, instructor, or administrator;
- c. Knowingly giving or knowingly receiving assistance or information relating to any journal write-on competition or moot court competition when specifically prohibited by professor, instructor, administrator, or competition rules;
- d. Plagiarizing in the sense of knowingly and intentionally using the work of another, and representing it to be the student's own work, with the intent to deceive the professor;
- e. Plagiarizing in the sense of recklessly failing to provide proper attribution;
 - i. "Recklessness" is the conscious disregard of a substantial and unjustifiable risk that the student's actions would compromise the academic integrity of Tulane Law School;
 - ii. "Proper Attribution" is attributing every use of someone else's language, ideas, or other original (not common-knowledge) material to the correct source.
- f. Utilizing or referring to any material in any location or at any time the use of which has been specifically forbidden by the professor, administrator, or student(s) in charge;
- g. Breaching the printed and available instructions or rules in any law school course or academic competition so as to give the violator an unfair advantage over those who adhere to such instructions or rules, including, but not limited to, (i) knowingly undertaking all or part of an examination in a room not designated for such purpose, (ii) knowingly commencing an examination before the stipulated time or knowingly continuing an examination after the stipulated time for concluding it, or (iii) knowingly failing to submit any of the materials required to be submitted at the conclusion of an examination;
- h. Knowingly compromising an anonymous grading system;
- i. Obtaining, giving, or knowing receiving any unauthorized information concerning the substance of an exam prior to the receiving student's taking of the exam;
- j. Knowingly misrepresenting one's own attendance on an attendance sheet or misrepresenting another student's attendance by signing another student's name on an attendance sheet;
- k. Submitting for academic credit any written work which is the same or substantially the same as any written work for which the student has previously received or will receive academic credit, excluding journal articles where the professor has expressly granted permission¹;

¹ Please note that the Tulane Law School Faculty Handbook states:

No student shall receive academic credit for any paper, comment, note or written work which is the same or substantially the same as a paper, comment, or note or other written work for which the student has previously received academic credit or will in the future receive academic credit in the law school. While the submitting of previously graded journal articles for credit would not be considered an Honor Board violation, it may still be a violation of the Faculty Handbook. The

1. Engaging in any act with the specific intent to materially interfere with other students in the pursuit of their education, including but not limited to:
 - i. Defacing, removing, or otherwise improperly using any library material, including failing properly to reshelve any library material, with the intent to preclude other persons from access to that material; or
 - ii. Knowingly taking any property not one's own from Law School premises with the intent to deprive another of such property or knowingly taking any property belonging to another student with the intent to harm that student if that property is directly related to that student's academic studies wherever such property is located;
- m. Knowingly and materially misrepresenting, by act or omission, on any document or by oral statement, including but not limited to, financial aid applications and resumes, a student's academic or professional qualifications, conduct, class attendance, class standing, grades, honors, and activities;
- n. Conspiring to commit a violation of this Code; attempting to commit a violation of this Code; soliciting another to commit a violation of this Code; and assisting in, or facilitating the commission of any violation of this Code;
- o. Failing to cooperate in the enforcement of this Code as follows:
 - i. Intentionally failing to report a violation of this Code;
 - ii. Filing a complaint under this Code in bad faith and/or with the intent to harass or injure another person;
 - iii. Knowingly giving false information to an investigator appointed pursuant to this Code or failing to cooperate with an Honor Board investigation;
 - iv. Intentionally failing to appear when called to testify before an Honor Board hearing panel;
 - v. Testifying falsely at a hearing held pursuant to the provisions of this Code; and
 - vi. Knowingly compromising the integrity of proceedings held pursuant to the provisions of this Code, including, but not limited to, disclosure of investigations and/or proceedings to any third party.
- p.
 - i. Embezzling, stealing, purloining, or knowingly converting to personal or third-party use, or without authority, selling, conveying or disposing of any property, money, or thing of value of the law school or of any student organization thereof in violation of any rules or regulations regarding such property; or
 - ii. Receiving, concealing, or retaining the same with intent to convert it to personal use or gain, knowing it to have been embezzled, stolen, purloined or converted.

Any willful neglect or refusal to make and file proper accountings or reports concerning such money or property as required by the law school, Student Bar Association, or any student organization of the law school shall be taken to be sufficient evidence prima facie of such embezzlement or misappropriation.

ARTICLE 4: DUTY TO REPORT MISCONDUCT AND ALLEGED VIOLATIONS

Section 1. Duty to Report Violations.

Every Tulane Law School student, every Tulane Law School faculty member, and every employee of Tulane Law School is charged with knowledge of this Honor Code. Any such student, faculty member, or employee who observes, or who otherwise reasonably believes that a student has violated this Honor Code has an affirmative obligation to take all necessary steps to report and end such conduct. All law school faculty members and employees will report alleged violations to the Vice Dean of the Law School. The Vice Dean will then contact the Chief Justice regarding the alleged violation. Students must submit written notification of conduct that may constitute a violation to any Honor Board Justice, the Dean of the Law School, or the Dean of Students.

This notification of misconduct shall contain the following information:

1. The name of the accused, if known, or a description of the accused, if the name of the accused is not known;
2. The nature of the alleged violation;
3. The facts supporting the reasonable belief that the Honor Code has been violated, including the time, date, place of the suspected violation;
4. The names of other witnesses to the violation, if any;
5. The name of the person reporting the alleged violation, with their local residential address, telephone numbers, and e-mail addresses.

Section 2. Time for Reporting Violations.

All reports of suspected violations of the Honor Code must be made within thirty days of the suspected misconduct, or within thirty days of when the person reporting the suspected misconduct first learns of it, whichever comes last. Failure to meet this time limitation shall serve as an absolute bar to any proceedings under the Honor Code, one which may be raised by the accused at any time during the proceedings.

ARTICLE 5: INVESTIGATIONS

Section 1. Commencing an Investigation.

Upon receiving a report of an alleged violation, the Chief Justice of the Honor Board shall, within 72 hours, assign the matter for investigation to another member of the Honor Board. This principal investigator may be aided during the course of their investigation by one other

member of the Honor Board, but will at all times have responsibility for the timely completion of the investigation.

The principal investigator shall promptly conduct a thorough and impartial investigation of the alleged violation. This investigation will include, but is not limited to: (1) interviewing the person or persons suspected of the violation(s), who shall be informed of the nature of the allegations against him/her/them before the interview; (2) interviewing alleged witnesses to the suspected violation; and (3) gathering documentary or other tangible evidence.

The investigation shall be treated as a confidential matter at all times, and no information regarding the investigation shall be divulged to anyone at this stage of the proceedings, including the person(s) accused of violations.

All interviews shall be recorded, and all persons who are interviewed must be informed that the interview is being recorded. All persons who are interviewed must also be given written notice of their obligation to preserve the confidential nature of the investigation.

Section 2. Time Limits for Investigations.

The investigation of all alleged violations must be completed within 21 days of the date on which the matter was first assigned to the principal investigator, unless one of the following applies:

1. The principal investigator becomes ill, or is otherwise unable to perform his or her duties, or is recused from the investigation; or
2. The report of the alleged violation is made at a time when less than 21 days remain in the regularly scheduled school term, including exams; or the report is made at a time when the regularly scheduled fall and spring classes are not in session.

In these cases, the investigation must be completed within 21 days of the date upon which a new principal investigator is appointed, or regularly scheduled classes resume.

ARTICLE 6: THE FORMAL CHARGES; ANSWER

Section 1. Probable Cause Finding.

Within seven days of the time the investigation is completed, the principal investigator shall report the results and findings of his or her investigation to a three-person panel, consisting of the Chief Justice of the Honor Board, another member of the Honor Board who has not participated in the investigation, and a member of the faculty. This panel shall be responsible for determining whether it is more probable than not that a violation of the Honor Code has occurred. The investigator shall not participate in the deliberations of the panel. The failure to timely convene such a probable cause panel shall give the accused grounds to seek the dismissal

of any charges that were subsequently brought against him or her, unless good cause existed for the delay in convening such a panel.

If a majority of the three-person panel finds that no such probable cause exists, the investigation shall be concluded, and the person(s) suspected of violations shall be notified within 72 hours that: (1) the investigation has been concluded, and (2) that no probable cause was found.

Section 2. Faculty Service on Probable Cause Panels.

When a probable cause panel is required, one member of the full-time law faculty who is not on sabbatical or on leave, other than the Dean and the faculty advisor or advisors for the Honor Board, shall be picked at random from a list of all such faculty members for service on the pane. Absent good cause shown to the Dean, or recusal, no faculty member may be excused from such service.

Once a faculty member has served on a probable cause panel, he or she will be excused from such further service until all eligible faculty members have served on such a panel.

Section 3. The Formal Charges.

If a majority of the panel finds that probable cause does exist, within 72 hours the panel shall draft the formal charges against the accused. These charges shall be brought in the name of the Honor Board, and shall consist of a plain, concise and definite statement of the essential facts constituting the violations charged, together with concrete references to the specific section(s) of the Honor Code that allegedly have been violated.

These charges shall immediately be served on the accused either by personal service, e-mail (with read-receipt), or by registered mail. In addition, a hard copy, sealed within an envelope marked confidential, shall be placed in the students mail folder in the law school for the accused student to retrieve.

Section 4. The Answer to the Formal Charges.

Within 20 days of actual service of the formal charges by any of the above three methods, the accused, either acting pro se, or through his student counsel, shall file an answer to the charge(s). In this answer, the accused must either deny the charge(s) and request a hearing on the question of culpability, or admit the charge(s) and request a hearing limited to the issue of the appropriate sanctions for the violation(s) that have been admitted. If there is more than one charge, and the accused denies having committed one or more violations, but admits others, the culpability hearing on the charges that have been denied will be held first, and will be immediately followed by the hearing on the question of sanctions.

ARTICLE 7: PRE-HEARING PROCEDURES

Section 1. Setting the Hearing.

At such time as an answer is received from the accused, the Honor Board shall set the matter for hearing. This hearing shall be no earlier than 15 days from the date the answer is filed by the accused, and no more than 30 days from that date, unless additional time is requested by the accused, or good cause is shown for a delay.

Section 2. The Production of Evidence by the Honor Board.

Within 5 days of receiving an answer from the accused, regardless of whether the answer admits or denies culpability, the Honor Board shall transmit to the accused copies of all evidence gathered during the investigation, including recordings of witness interviews, copies of documents, and any other tangible objects or items gathered during the course of the investigation. In addition, the Honor Board must provide the accused with a list of the witnesses it intends to call at the hearing.

Section 3. The Production of Evidence by the Accused.

At least 5 days before the hearing, the accused shall provide the Honor Board with copies of any books, papers, documents, data, photographs, or other tangible objects that he or she intends to offer at the hearing.

Section 4. The Right of the Accused Student to Call Witnesses.

At least 5 days before the hearing, the accused must provide the Honor Board with a list of the witnesses he or she intends to call at the hearing. An accused student may compel the testimony of any other Tulane Law School student at their hearing, except one who is also accused of violations of this Honor Code. To obtain the testimony of another student, the accused student must file a request with the Honor Board at least 5 days before the hearing. Upon receiving such a request, the Honor Board shall immediately notify that student that he or she must appear at the Honor Board hearing, and provide them with the date, time, and place of the hearing.

Section 5. Pre-hearing Motions.

Subsequent to filing an answer, but not later than 5 days before the hearing, the accused may file any motions or pleadings that he or she believes to be relevant to the proceedings. All such

motions and pleadings will be heard, recorded, and ruled upon by the Chief Justice of the Honor Board on the date of the hearing, before any evidence is taken at that hearing.

ARTICLE 8: HEARINGS

Section 1. The Hearing Panel.

All hearings will be conducted before a panel consisting of three members of the Honor Board other than the Chief Justice of the Honor Board, none of whom shall have any prior knowledge of the proceedings, and two members of the law faculty. Where feasible, at least one member of the Honor Board other than the Chief Justice should be from the same class as the accused student(s). The Chief Justice of the Honor Board shall preside over the hearing, but will have no vote.

Section 2. The Burden of Proof; Voting.

All students accused of violations of the Honor Code are presumed to be innocent. A student will be found guilty of a violation of the Code only upon proof beyond a reasonable doubt of a violation. Four of the five members of the hearing panel must concur in such a finding before a student will be adjudged guilty.

Section 3. The Rules of Evidence.

At a hearing to determine the culpability of an accused, all evidence relevant to the formal charges is admissible, including hearsay. At a hearing to determine the appropriate sanctions for a student who has been found guilty of a violation, or who has admitted a violation, the accused may offer evidence in mitigation of punishment.

Upon objection by the accused, the Chief Justice may exclude evidence that would otherwise be relevant if its probative value is outweighed by its potential prejudicial effect.

Section 4. The Hearing.

The Chief Justice will be responsible for: ruling on pre-hearing motions; determining the order of the witnesses; ruling on objections by the accused to improper questions or evidence; and otherwise preserving the orderliness and dignity of the proceedings.

The Chief Justice will call the witnesses for the Honor Board first. These witnesses will be questioned first by the panel members, excluding the Chief Justice, and then by the accused.

Thereafter, the witnesses may be questioned again by the panel members; and, in the discretion of the Chief Justice, by the accused. Leading questions may be asked of any witness at any time.

At such time as all witnesses called by the Honor Board have been questioned, the accused has the right to move for a dismissal of all charges, on the grounds that the evidence offered does not establish his or her culpability by clear and convincing evidence. This motion must be considered, and ruled upon immediately by the five members of the panel (not the Chief Justice) by means of a secret ballot. If three members of the panel vote to grant the motion, the accused shall be declared not guilty, and the hearing shall be concluded. If the motion is denied, the accused shall have the right to call witnesses in his or her defense.

At the conclusion of all the evidence relating to culpability, the five members of the panel shall, by secret ballot, in closed deliberations, vote on each of the charges against each accused. This vote shall be either guilty, or not guilty. If an accused is found not guilty of all charges, the hearing shall be concluded.

If an accused is found guilty of any charge, he or she shall be given the opportunity to present evidence in mitigation of punishment and to make a statement to the panel before punishment is imposed. After hearing such evidence, the panel shall retire to deliberate, in secret, to determine the appropriate sanctions, in accordance with this Honor Code.

The accused student shall not be excused from the hearing until such time as the panel has determined the appropriate sanctions. These sanctions will be announced to the student by the Chief Justice, in the presence of the entire panel.

Section 5. Faculty Service on Hearing Panels.

When a hearing is required, two members of the full-time law faculty who are not on sabbatical or on leave, other than the Dean and the faculty advisor or advisors for the Honor Board, shall be picked at random from a list of all such faculty members for service on the panel for that hearing. Absent good cause shown to the Dean, or recusal, no faculty member may be excused from such service. Once a faculty member has served on a hearing panel, he or she will be excused from such further service until all eligible faculty members have served on such a panel.

ARTICLE 9: PROCEDURE FOR GRADUATING STUDENTS

- a. All complaints against any student known to be in the last semester of his or her degree program must be filed within 72 hours of the alleged violation. The Honor Board will assign an investigator within 24 hours of receiving the complaint.
- b. Whenever possible The Honor Board should conduct a preliminary hearing prior to the deadline for certifying the student for his or her degree. If such a hearing is not possible, the student should be allowed to graduate but a “hold” should be placed on his or her

transcript.

- c. In all circumstances, the Honor Board should complete all proceedings before the deadline for the release of official transcripts; or 21 days following graduation, whichever comes first. In such cases, the student will be advised that the award of his or her degree is provisional, and can be revoked subject to the findings of the Honor Board. If deadlines in this article prove impracticable, the aforementioned deadlines in this Code shall apply.
- d. The School of Law and the Honor Board would retain jurisdiction over students even after graduation if there are outstanding, and unresolved complaints. Proceedings in absentia against a graduated student are only permissible if a student fails to cooperate with the Honor Board. The Chief Justice needs the written consent of the Dean of the Law School before conducting a hearing in absentia.

ARTICLE 10: SANCTIONS

- a. In the event of a finding of an Honor Code violation, the Honor Board may recommend one or more of the following sanctions:
 - i. Permanent placement in the student's file of a letter prepared by the Chief Justice as to the findings of the hearing panel;
 - ii. Removal from or denial of eligibility for any offices of Law Review, Moot Court Board, Moot Court Team, Law Journals, Student Bar Association, or similar Law School activity;
 - iii. Suspension from the Law School for a specified time;
 - iv. Permanent expulsion from the Law School;
 - v. For course-related violations only, penalties may also include:
 1. Withdrawal of academic credit in the course (entry of a "W" for the course in which the violation occurred, with a notation on the transcript);
 2. Reduction of grade in the course by one grade;
 3. Entry of a failing grade in the course;
 - vi. Any other sanctions that the hearing panel deems just and fair under the circumstances.
- b. In recommending sanctions under this section, the Honor Board shall consider the following:
 - i. The premeditation of the student in committing the violation;
 - ii. The student's cooperation with the Honor Board regarding the violation;
 - iii. The flagrancy or severity of the violation;
 - iv. Prior history of violations, if any;
 - v. The actual or potential injury caused by the student's conduct; and
 - vi. The student's apparent acceptance or lack of acceptance of responsibility for committing the violation.
- c. In recommending sanctions under this section, the Honor Board shall consider the recommended sanctions schedule attached as Exhibit "B".

ARTICLE 11: APPEAL AND REVIEW

Section 1. Automatic Review by the Dean.

Unless the student found guilty waives, the right to appeal, all findings of guilt, and all sanctions imposed by the Honor Board must be reviewed by the Dean of the Law School. The findings of a hearing panel, all evidence introduced, and recordings of hearings shall be transmitted to the Dean by the Chief Justice within 72 hours of the conclusion of any hearing. A redacted copy of all materials transmitted to the Dean will also be kept by the Honor Board for purposes of establishing precedent.

The Dean may set aside a finding of guilt only upon a determination that the finding of the hearing panel was manifestly erroneous. The Dean may reduce any sanctions imposed by the hearing panel if the Dean finds the sanctions to be excessive, but may not increase any sanctions imposed by the hearing panel.

The review by the Dean shall be made within 15 days of receiving the record of the proceeding from the Chief Justice of the Honor Board, and the student shall receive written notice of the results of that review.

Section 2. Review by the Senate Committee for Academic Freedoms and Responsibility by Students.

If, after receiving the results of the review by the Dean, the student desires further review by the Senate Committee for Academic Freedoms and Responsibility by Students, that student must, within ten days, file an appeal to that Senate Committee, subject to all the appellate procedures of that committee.

Section 3. Preservation of Tapes of Hearings, Transcripts of Hearings.

The Honor Board shall preserve all recordings of hearings for five (5) years from the date of the hearing. During that five year period, a student who was the subject of a disciplinary proceeding may, at his or her own expense, arrange to have a certified court reporter make a transcript of the proceedings. The recording of the hearing shall be delivered by the Chief Justice of the Honor Board directly to the certified court reporter, who shall be responsible for its safekeeping, and who shall return it at such time as the transcript has been prepared for the student.

ARTICLE 12. ANNUAL REPORT AND HONOR BOARD FILE

Section 1: Honor Board Files and Precedent

The Chief Justice of the Honor Board shall maintain a file that includes a record of all complaints, findings, recommendations, appeals, and final determinations.

Section 2: Annual Report

The Chief Justice shall submit an annual overview of Honor Code proceedings for the past calendar year to the student body. The Annual Report shall include a summary of the violations that occurred over the past calendar year as well as non-case related activities undertaken by the Honor Board. No student names or other personally identifiable information may be included in the report.

APPENDIX “A”: TIMETABLE FOR PROCEEDINGS UNDER THIS CODE

Reporting a suspected violation: Within 30 days of the suspected violation, or within 30 days of when the person reporting the suspected violation first learns of it, whichever comes last. (Article 4, Section 2)

Commencing an investigation: Within 72 hours of when the suspected violation is first reported. (Article 5, Section 1)

Duty to complete an investigation: Within 21 days of the date the matter is first assigned to the principal investigator. (Article 5, Section 2)

Duty to determine whether probable cause exists: Within 7 days of the completion of the investigation. (Article 6, Section 1)

Duty to file formal charges: Within 72 hours of the probable cause finding. (Article 6, Section 3)
Time for the filing of an answer by the accused: Within 20 days of service of the formal charges (Article 6, Section 4)

Time for the filing of pre-hearing motions: Not later than 5 days before the hearing. (Article 7)
Time for the accused to request Not later than 5 days before the hearing. (Article 7, notices to witnesses: Section 1)

Time for the hearing: Not earlier than 15 days nor later than 30 days after the filing of an answer by the accused. (Article 7, Section 1)

Time for automatic appeal to the Dean: Within 72 hours. (Article 11, Section 1)

Time for findings by the Dean: Within 15 days of receiving the record. (Article 11, Section 1)

Time for Appeal to the Senate: Within 10 days after the Dean’s review is complete. (Article 11, Section 2)

APPENDIX “B”: RECOMMENDED SANCTIONS FOR VIOLATIONS OF ARTICLE 3, HONOR CODE

The following sanctions are recommended for each of the violations enumerated in Article 3. These sanctions are merely advisory; the Honor Board Hearing Panel may depart from the recommended sanctions pursuant to the factors set forth in Article 10.b.

- a. Knowingly giving or knowingly receiving assistance or information during any law school examination (Recommended sanctions: 10.a. ii, iv., v.2, v.3);
- b. Knowingly giving or knowingly receiving assistance or information relating to any paper, legal research and writing assignment, or other written assignment for academic credit when specifically prohibited by professor, instructor, or administrator (Recommended sanctions: 10.a. ii, iv., v.2, v.3);
- c. Knowingly giving or knowingly receiving assistance or information relating to any journal write-on competition or moot court competition when specifically prohibited by professor, instructor, administrator, or competition rules (Recommended sanctions: 10.a. i., ii., iii);
- d. Plagiarizing in the sense of knowingly and intentionally using the work of another, and representing it to be the student’s own work, with the intent to deceive the professor (Recommended sanctions: 10.a. iv., v.1, v.2, v.3);
- e. Plagiarizing in the sense of negligently failing to provide proper attribution (Recommended sanctions: 10.a i, v.2);
- f. Utilizing or referring to any material in any location or at any time the use of which has been specifically forbidden by the professor, administrator, or student(s) in charge (Recommended sanctions: 10.a. i., ii., iv, v2, v3);
- g. Breaching the printed and available instructions or rules in any law school course or academic competition so as to give the violator an unfair advantage over those who adhere to such instructions or rules, including, but not limited to, (i) knowingly undertaking all or part of an examination in a room not designated for such purpose, (ii) knowingly commencing an examination before the stipulated time or knowingly continuing an examination after the stipulated time for concluding it, or (iii) knowingly failing to submit any of the materials required to be submitted at the conclusion of an examination (Recommended sanctions: any);
- h. Knowingly compromising an anonymous grading system (Recommended sanctions: 10.a. v.);
- i. Obtaining, r giving, or knowing receiving any unauthorized information concerning the substance of an exam prior to the receiving student’s taking of the exam (Recommended sanctions: 10.a. iv., v2, v3);
- j. Knowingly misrepresenting one’s own attendance on an attendance sheet or misrepresenting another student’s attendance by signing another student’s name on an attendance sheet (Recommended sanctions: 10.a. ii., v);
- k. Submitting for academic credit any written work which is the same or substantially the same as any written work for which the student has previously received or will receive academic credit, excluding journal articles where the professor has expressly granted permission (Recommended sanctions: 10.a. v.);

- l. Engaging in any act with the specific intent to materially interfere with other students in the pursuit of their education, including but not limited to: (Recommended sanctions: 10.a. i., ii., iv., v)
- i. Defacing, removing, or otherwise improperly using any library material, including failing properly to reshelv any library material, with the intent to preclude other persons from access to that material; or (Recommended sanctions: 10.a. i., v.)
- ii. Knowingly taking any property not one's own from Law School premises with the intent to deprive another of such property or knowingly taking any property belonging to another student with the intent to harm that student if that property is directly related to that student's academic studies wherever such property is located (Recommended sanctions: 10.a. i., ii., iv, v);
- m. Knowingly and materially misrepresenting , by act or omission, on any document or by oral statement, including but not limited to, financial aid applications and resumes, a student's academic or professional qualifications, conduct, class attendance, class standing, grades, honors, and activities (Recommended sanctions 10.a. i., ii);
- n. Conspiring to commit a violation of this Code; attempting to commit a violation of this Code; soliciting another to commit a violation of this Code; and assisting in, or facilitating the commission of any violation of this Code (Recommended sanctions 10.a.i., ii);
- o. Failing to cooperate in the enforcement of this Code as follows (Recommended sanctions: 10.a i, ii, iii, vi):
 - i. Intentionally failing to report a violation of this Code;
 - ii. Filing a complaint under this Code in bad faith and/or with the intent to harass or injure another person;
 - iii. Knowingly giving false information to an investigator appointed pursuant to this Code or failing to cooperate with an Honor Board investigation;
 - iv. Intentionally failing to appear when called to testify before an Honor Board hearing panel;
 - v. Testifying falsely at a hearing held pursuant to the provisions of this Code; and
 - vi. Knowingly compromising the integrity of proceedings held pursuant to the provisions of this Code, including, but not limited to, disclosure of investigations and/or proceedings to any third party.