

CAL NORTHERN

SCHOOL OF LAW



STUDENT HANDBOOK

2025 - 2026

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I. ACADEMIC STANDARDS

1. **Programs:** Cal Northern offers two academic programs, Juris Doctor and Master in Legal Studies. Students may be concurrently enrolled in both programs.

- a. Juris Doctor (J.D.) program is for those students who wish to become lawyers. Students receiving their J.D. are eligible to sit for the California Bar Exam.
- b. Master of Legal Studies (M.L.S.) program is for students who wish to accomplish post-graduate studies in the law and not pursue a career as a lawyer. All M.L.S. candidates must enter law school with a Bachelor's Degree. M.L.S. graduate students attend regular Cal Northern School of Law classes along with classmates pursuing the J.D. degree.

Except as provided in Rule 4.30 of the *Admissions Rules* (Legal education in a foreign state or country), completion of a professional law degree program at this law school other than for the Juris Doctor degree does not qualify a student to take the California Bar Examination or satisfy the requirements for admission to practice law in California. It may not qualify a student to take the bar examination or to satisfy requirements for admission to the practice of law in any other jurisdiction. A student intending to seek admission to practice law should contact the admitting authority in the jurisdictions where the student intends to qualify to sit for the bar examination or to be admitted to practice for information regarding their legal education requirements.

2. **Attendance:** Attendance is not only required but is a measure of desire and motivation. Students are required to attend eighty percent (80%) of scheduled classes. A student who fails to attend the required 80% is considered to have an unsatisfactory attendance record and may be asked to withdraw from school.

A student who misses more than three class periods in a 15-week course, or two class periods in a 10-week course, is subject to automatic withdrawal from school. The student may request a waiver of this policy by petitioning the Dean of Students. The decision of the Dean of Students will be final.

Students are required to take the courses specified by the Dean of the Law School. Any deviation from the anticipated schedule must be pre-approved by the Dean of the Law School and a determination must be made that such deviation will not impair the student's ability to complete his or her academic requirements. Students will not be allowed to enroll on a minimum part-time basis except in an unusual situation, and then only with the permission of the Dean of the Law School.

Students are expected to conform their personal schedules to that of the school. Special arrangements for instruction at a time other than that scheduled will not be made.

A student attending Cal Northern School of Law may not be registered in any course in another law school without the written consent of the Dean. Except for transfer students, all required courses must be taken in residence.

3. **Transfer of Credit from other Law Schools:** Credit may be transferred from other law schools at the discretion of the Registrar on an individual basis and will depend in part on an evaluation of course content and grades received in various courses. The amount of credit an applicant may receive is subject to each of the following limitations pursuant to the California Accredited Law School Rules, but is otherwise discretionary: (1) Credit may ordinarily be granted only for courses completed no more than thirty-six months prior to the date the applicant chooses to begin further law studies. In exceptional circumstances involving serious illness or personal tragedy, credit for studies completed more than thirty-six calendar months prior to the date the applicant begins further law studies may be awarded; (2) Credit may be granted only for courses in which the applicant received a grade at the good standing level or higher from the awarding law school. However, in the case of an applicant who has passed the First-Year Law Students Examination, the law school may acknowledge the credit previously granted for each completed course in Torts, Criminal Law, and Contracts, even if the grade was less than would be required for good standing. Students may transfer up to 42 units toward the Juris Doctor degree. The remaining 42 units required for graduation must be taken at Cal Northern. The Registrar makes judgments about the appropriateness of transfer credit; however, when necessary, the Registrar may consult with other appropriate personnel, such as the Dean or Admissions Committee. Transfer credit, if granted, will be entered on the student's transcript but will not be computed in the cumulative GPA. Transfer students' grades cannot be used to compete for Valedictorian or to graduate with honors.
4. **Grading System:** The school grades on a numeric scale, based on a 100% possible score. All grades will be given as a numerical percentage from 0 - 100%. Numerical percentages will *not* be converted into an alphabetical grading system. Transcripts will reflect the numerical percentage given in each course at semester's end.

All Bar courses will be graded. Some non-Bar courses, with the permission of the Dean of the Law School may be offered pass-fail, and will be clearly identified as such. Courses taken for credit without a grade ("Pass/Fail") will be reflected on the transcript as either Pass or Fail and will not factor into the cumulative numerical percentage. A minimum score of 60 is required for all assignments in order to receive a passing grade.

Cal Northern's instructors generally use a 5-point system of grading each exam to reflect the academic performance of its students. A copy of Cal Northern's grading policy guideline is attached as **Appendix A**.

Grades are posted on the student's Populi profile page. Anonymous grading is used to protect against favoritism or bias in grading.

A grade is received for both the mid-term and final examination, and the course grade is derived therefrom according to a pre-defined scale set by each instructor. The instructor is also free to use class participation and/or class attendance as part of the final grade. The instructor's method of arriving at a final grade will be clearly indicated on the syllabus for each course, defining the percentage of the course grade for the mid-term and the final, etc.

A student's grade point average is determined by dividing the total grade points by the number of units graded. A semester grade point average will be given for courses taken each semester and a cumulative grade point average will be given for all courses taken at Cal Northern.

Grade Scale:

Grade	Points	Grade	Points	Grade	Points
90-100	4.00	79	2.90	68	1.80
89	3.90	78	2.80	67	1.70
88	3.80	77	2.70	66	1.60
87	3.70	76	2.60	65	1.50
86	3.60	75	2.50	64	1.40
85	3.50	74	2.40	63	1.30
84	3.40	73	2.30	62	1.20
83	3.30	72	2.20	61	1.00
82	3.20	71	2.10	60	0.70
81	3.10	70	2.00	55-59	0.00
80	3.00	69	1.90		

In addition to course titles and numerical scores, transcripts may contain the following notations:

P/F	=	Pass/Fail; a credit/no credit course not included in the grade point average
I	=	Incomplete; changes to "Fail" or "No Credit" one year from the date the "I" is issued, unless the student completes the necessary work.
W	=	Withdrawal; in good standing
WA	=	Administrative Withdrawal; withdrawal for insufficient attendance. May be assigned when a student misses more than 20% of class sessions.
WF	=	Withdrawal; failing
U	=	Unofficial Withdrawal
R	=	Repeated Course

- Examinations:** Final examinations are given at the end of each semester. Mid-terms are given in all bar courses. An instructor of a non-bar course may, at his or her discretion, give mid-term examinations. A copy of Cal Northern's Test Guidelines is attached as **Appendix B**.

Students are permitted to write or type their exams. If written, blue books will be provided by the school, and, to the extent possible, only the right-hand pages will be used. Pen must be used; pencil is not permitted. If typed on a students' laptop, the laptop must meet the minimum requirements to run ExamSoft's SoftTest program. There is a \$100.00 annual laptop fee due at the beginning of the fall semester. Information regarding ExamSoft is available in the Administration Office. A copy of Cal Northern's Instructions Regarding Use of Laptops During Examinations is attached as **Appendix C**. A copy of Cal Northern's Remote Proctoring Exam Protocols is attached as **Appendix D**.

All students must take examinations as scheduled. It is recognized that due to emergencies or in special circumstances it may be necessary to schedule a delayed examination. An emergency is defined as a serious illness or injury to a student, or member of his/her immediate family. Special circumstances are defined as other situations which, in the opinion of the Dean, are sufficiently serious to warrant delay in taking examinations. Any student taking a delayed examination may do so only with the prior approval of the Dean. If a delayed examination is approved, a fee of \$75 per examination question is required.

Students receive copies of their exams as part of the annual materials fee paid in the fall semester. Exam questions and the professors model answers/issue outlines are available for students to review from the Administration Office. The Admissions Office will make every attempt to have the copied exams available to the students within one week of posting the grades. Exams will be available only during the current semester.

6. **Petition for Review of a Grade:** Once a grade is recorded, it shall not thereafter be changed except with the approval of the Faculty Senate (Senate). A student must petition for a change in grade within two weeks of receiving a grade. The petition must be in writing and state the reasons the student believes they merit a grade change. The petition is to be submitted to the Administration Office for delivery to the Senate.

The Senate member who teaches a course to the complaining student shall abstain from the review. The Senate will review the exam, the petition, the sample answer or issue outline, and any other answers from the exam that it deems appropriate. At the discretion of the Senate, it may hear oral statements from the student, the instructor and the Dean of Students. It will then make a determination as to whether a grade change is warranted. All determinations by the Senate will be deemed final.

7. **Course Repetition:** Duplicate academic credit shall not be granted for repetition of the same or substantially the same course, materials or subject matter, whether in the same or different schools.

A student who withdraws from a **core*** class, receives a failing grade (59 or below), or receives an incomplete which has converted to a fail or no credit grade, must repeat that course in residence. A student who withdraws from an **elective** course, receives a failing grade (59 or below), or receives an incomplete which has converted to a fail or no credit grade, may repeat that course or enroll in an additional elective. Such course will not be included as excess units. All course grades will appear on the student's record, but upon successful completion of the course the repeated course grade will supplant the failing grade in calculating the cumulative grade point average.

Upon timely petition to the Faculty Senate, a course may be repeated no more than once, and no more than three core courses may be repeated. A student who fails more than three core courses will be dismissed from law school. A student who fails a core course in either the first or second semester of his or her first year will be academically disqualified from law school. A student who fails a core course in the second, third or fourth year may experience a one-year delay in graduation.

A student is required to pay full tuition and any other administrative fees associated with the repetition of any course.

* core courses are subjects tested on the California Bar Exam.

8. ADDING AND DROPPING COURSES: JD and MLS PROGRAM

A student may ADD or DROP an individual class to his/her educational program in accordance with the following policy. If in adding or dropping a class, a student's course load for the semester either exceeds the maximum, or drops below the minimum number of units allowed per semester, permission of the Dean must be obtained.

A student may ADD a class prior to the first meeting of that class. After the first meeting, no class may be added without the written permission of the instructor. No class may be added after the third class meeting. Externship courses are an exception and may be added at any time. A student must register and pay for externship units prior, to beginning the work for which they plan to seek credit.

To DROP a class, a student must notify the Registrar of the law program in writing of his/her decision. A class dropped after the second week of the semester will be recorded as a "W" on the official transcript. A student may drop a class no later than two weeks prior to the final examination. Failure to drop formally from a class by the established deadline, results in a failing grade for that class.

Tuition refunds for dropped classes will be calculated from the date of the written notice. Any refund due a student will be paid within 30 days after written notification of the student's decision to drop is received. CAUTION: Reduction in units may jeopardize your financial aid.

If a student receiving financial aid completely withdraws before 60% of the semester has expired, a Return of Title IV Funds calculation will be performed to determine how much of the financial aid award has been earned. This calculation may result in the need to return funds to the lender and may cause the student to owe a balance to the institution.

9. **Auditing:** Auditing of any course will be allowed only under special circumstances with the Dean of the Law School's approval at the regular pre-unit cost. Auditing privileges will be confined to practicing attorneys, professionals in fields relating to the class being audited, and enrolled students who wish to brush up on their knowledge in a given area or who wish to gain exposure to a subject without sitting for the examination.
10. **Withdrawal: JD and MLS Program:** Official notice of (voluntary) withdrawal from the JD Program must be made in writing, electronically, or verbally to the Administration office prior to commencement of the first final examination for the semester in which the student is enrolled. Students are strongly advised to submit a written notice of their withdrawal. Students who do not submit a written notice of withdrawal prior to the commencement of the final exam, and do not subsequently sit for the exam, will receive a failing grade in the course. All students who voluntarily withdrawal or who are administratively withdrawn will be held to the Refund Policy listed in this catalog. Students receiving Federal Direct loans must also refer to the Return of Title IV Funds Policy. In effect, this policy requires Cal Northern to return student loan funds used to pay tuition and fees if

a student withdraws before the 60% point of the semester, frequently resulting in the student owing the school money for tuition and fees previously paid for with financial aid funds.

11. Re-Entry/Readmission After Withdrawal: JD and MLS Program

1. A student in continued good standing or having accepted the terms of probation, is entitled to re-enter the program. A student may petition the Academic Admissions Committee (AAC) of the Faculty Senate for re-entry to the program only once.

2. A student who other than in good standing or having accepted probation, officially or unofficially withdraws from the program, is not entitled to readmission as a matter of right, but only at the discretion of the AAC. This section also applies to a student who has been administratively withdrawn.

- Where the student withdrew prior to completing a course of more than one semester, no credit will be given for any semester or portion of that course.
- Credit for coursework previously completed is not given if two or more years have elapsed since the student's previous law school enrollment.

12. SATISFACTORY ACADEMIC PROGRESS (SAP) POLICY: JD PROGRAM

A. A student is required to maintain Satisfactory Academic Progress (SAP) toward the completion of the JD degree. This requires meeting standards for minimum cumulative grade point average (cGPA), rate of academic progress, and completion within the program's maximum time frame. Each requirement is explained below. A student failing to meet these requirements will be subject to academic probation and/or disqualification. A beginning law student is first evaluated for SAP at the end of his/her first Summer term. Any student with an outstanding course grade of Incomplete at the time of review may not be able to continue until the Incomplete course has been successfully completed by the specified deadline imposed by the Dean or the Director of Academic Support.

This policy is to all students the same (i.e., full-time, part-time, Title IV and non-Title IV recipients) and all educational programs established by the institution.

B. Cumulative Grade Point Average (cGPA)

1. Students must maintain a cGPA of 2.0 or higher to remain in good academic standing and to graduate.
2. A student's cGPA is determined once a year at the end of each Summer semester.
3. The cGPA is based on all letter-graded courses the student has completed in the program since initial enrollment. Only the most recent grade is counted in the cGPA when a course is repeated.
4. At the end of a student's first semester, if a student's cGPA becomes 1.00 or below, the student will be automatically academically disqualified from the program due to the inability to achieve good academic standing by the time SAP is determined.
5. Grades earned at another institution (transfer credits) are not included in cGPA calculations.

C. Rate of Academic Progress

1. A student's rate of academic progress is measured at the end of each Summer semester.
2. To complete the program at an acceptable rate, a student must successfully complete a minimum 67% of all units attempted during the year since the last Summer semester. Because the degree requirement is 84 units, the student must make academic progress at a rate such that the student would complete the required 84 units for the JD by the time s/he has attempted 126 units (1.5×84 units).
3. In calculating pace, all units attempted at Cal Northern or transferred and applied from another school are considered attempted. Grades for units attempted that count negatively against successful completion rates are "F," "FA," "INC," "W," and repeated courses. Courses for which credit is earned (courses with a grade of at least 60) are considered completed in calculating rate of progress (Pace).

D. Maximum Time Frame

1. Successful completion of all program requirements must be accomplished within 150% of the normal length of the program as measured in credits attempted toward the program (maximum timeframe). Credits accepted in transfer toward the program are included as attempted and earned credits in determining the maximum timeframe.
 - a. Because the degree requirement is 84 units, the student must make academic progress at a rate such that the student would complete the required 84 units for the JD by the time s/he has attempted 126 units (1.5×84 units).
 - b. A student who exceeds the 150% maximum time frame for the JD Program who cannot mathematically complete the program within the maximum time frame will be deemed ineligible for financial aid and disqualified from continuing enrollment at Cal Northern.
2. Cal Northern expects all JD students to complete the program within four years. Any student who will not do so must seek an extension of time, by filing a petition to continue showing good cause and a clear plan for completing all graduation requirements. In all cases, the program must be completed within 126 credit hours attempted (150% of the length of the 84-unit program).

E. SAP Calculation for Students Who Withdraw

If a student is administratively withdrawn or voluntarily withdraws before the end of any semester, the student's SAP standing will be calculated at that time and will be determined by his or her cGPA and Rate of Academic Progress.

F. Academic Advisement

A first-, second- or third-year student who receives a grade below "70" during his/her first semester of a SAP period will receive a notice advising the student that his or her academic performance must be improved in order to achieve the 2.00 cGPA required for good academic standing when academic standing is calculated or as may otherwise be applicable based on a student's Satisfactory Academic Progress (SAP) Recovery Plan. This early advisement is given to encourage the student to seek academic assistance or take other steps that might assist the student to improve his or her performance. In some cases, the student may be required to meet with the Director of Academic Support.

Academic Advisement does not disqualify the student for Financial Aid and is recorded on the student's official transcript as an Academic Warning.

G. Academic & Financial Aid Probation

A student who does not meet all SAP requirements at the time of SAP evaluation must petition to continue in his/her program. To continue active enrollment, the student must submit a petition to continue and receive approval by the Academic Advising Committee (AAC).

1. Students whose petitions are approved will be placed on Academic & Financial Aid Probation and will be required to meet with the Director of Academic Support. The Director of Academic Support will outline requirements that the student must meet by the end of each subsequent term until the following Summer Semester in a Satisfactory Academic Progress (SAP) Recovery Plan. A student who is placed on probation and does not fulfill the requirements of his/her probation and SAP Recovery Plan will be academically disqualified. Students who are otherwise eligible to receive Title IV financial aid are eligible to receive Title IV financial aid while on Academic & Financial Aid Probation.

2. A first-year student who fails a graded, required course (i.e., receives a final grade of less than 60) or receives a final grade of "Fail" in a Pass/Fail-graded, required course in either the first or second semester of his or her first year will be academically disqualified. A second, third or fourth-year student who receives a final grade of less than 60 in any graded, required course or a "Fail" in any Pass/Fail-graded, required course must petition to repeat the course on Academic & Financial Aid Probation, unless such student is otherwise academically disqualified because of his or her cGPA. Such student will have until the end of the following academic year to repeat that course. The student must receive a final grade of 60 or higher in that course when repeating it to meet the terms of his/her SAP Recovery Plan; otherwise, the student will be academically disqualified from Cal Northern. It is within the AAC's discretion to determine what other courses, if any, the student may be allowed to take while the student repeats a course. While enrolled, the student may repeat only three failed required courses, and may do so only once.

H. Academic Disqualification

1. A student on Academic & Financial Aid Probation is subject to academic disqualification if, at the time of SAP evaluation:

a. The student does not meet all SAP standards;

b. A student who was on academic probation during the academic year that just ended has failed to fulfill Cal Northern's requirements for Satisfactory Academic Progress or to meet the conditions of the student's SAP Recovery Plan. The State Bar requires that such students be academically disqualified.

2. A student disqualified from Cal Northern is ineligible for financial aid and must petition for readmission after disqualification.

3. In-school loan deferment status ends as of the disqualification date. According to the U.S. Department of Education regulations, financial aid previously received by a disqualified student may be returned to the lender by the institution depending on the date of disqualification. In such cases, the student may owe Cal Northern for aid returned or outstanding charges.

4. Academic Disqualification becomes effective as follows:

a. For any student who is on academic probation at the end of Summer Semester and fails to meet requirements of Satisfactory

Academic Progress, immediately upon the denial by the AAC of the student's petition for change of grade that would enable the student to fulfill Cal Northern's requirements for good academic standing and/or the AAC's conditions of probation or, if the student has not timely filed such a petition, on the day following the last day for filing such a petition.

b. For any student who was not on academic probation during the academic year that just ended, immediately upon the decision of the AAC denying the student's pending petition(s) that would restore the student to good standing or allow the student to continue on academic probation or, if the student has not timely filed such petition(s), on the day following the last day for filing such petition(s). A student may be academically disqualified even if the student was not previously on academic probation.

5. A student is no longer subject to academic disqualification if the AAC: 1) grants the student's petition to continue on probation (after having completed the academic year just ended in good standing) or 2) authorizes a grade change, such that the student achieves a cGPA sufficient to allow the student to continue on probation or is otherwise able to fulfill the School's academic requirements and/or the student's conditions of probation.

I. Petition to Continue on Academic Probation

1. Students who have not meet SAP requirements must appeal to continue enrollment or be re-admitted to Cal Northern on Academic & Financial Aid Probation. Students must appeal in writing to AAC.

2. Appeals are evaluated by AAC. The decision of the Committee will be communicated in writing to the student by the Dean's Office.

3. The appeal must meet the criteria outlined previously and the student must present compelling evidence that they have the ability to demonstrate satisfactory academic progress and to succeed in an academic program due to changed circumstances or experiences.

J. Procedures for Petition to Continue on Academic Probation

1. A student who seeks permission to continue on probation must file a written petition to continue within seven days of the date the Registrar places the student on pending disqualification status and sends the student e-mail or other written notice of his/her failure to maintain SAP. To continue in the program, the student must obtain the permission of the AAC.

2. The AAC will consider a petition to continue at a particular time or concerning essentially the same facts and circumstances only once; reconsideration will not be granted. The petitioning student is strongly encouraged to include in the petition all facts, circumstances, and issues he or she wishes to have considered. Facts asserted should be corroborated by neutral (unrelated) third parties and documents whenever possible.

The petition should set forth: 1) facts showing that the student's lack of academic success was caused by a traumatic event or serious hardship at the time examinations were given that kept the student from performing at his or her normal level, rather than a lack of the capability to satisfactorily study law; 2) the specific steps the student will take to resolve those issues; 3) a description of the student's study plan; 4) identification of areas needing improvement; 5) number of hours of

employment; 6) other commitments or obligations that may impact the student's ability to complete the study plan; and 7) the length of the student's commute (if applicable).

3. In making its decision, the AAC may consider all aspects of the student's academic record at Cal Northern. The AAC will determine whether the student, if reinstated on probation, will be likely to achieve good academic standing, maintain SAP, and graduate from the JD Program. The Petition will be denied by the AAC if it finds that the student is not likely to succeed in these efforts.

4. Decisions of the AAC on matters concerning petitions to continue are final and may not be appealed elsewhere within Cal Northern. The Dean has no authority to grant a petition to continue.

5. An approved petition will be forwarded to the Financial Aid Office for review.

a. The Financial Aid Office has the right to deny aid even if the AAC grants leave to continue/reinstatement into the JD Program. The student is required to meet with a Financial Aid advisor to review financial implications if aid is denied.

b. The Financial Aid Office has the right to request additional documentation.

K. Satisfactory Academic Progress (SAP) Recovery Plan

1. The student must complete an individualized SAP Plan (ISP) and meet with the Director of Academic Support to create a unique study plan for improvement of academic performance.

2. The student must meet at regular intervals with his/her academic advisor as stated in his/her ISP.

3. The student's fulfillment of the conditions stated in the SAP Recovery Plan will be monitored at the end of each semester. At that time, a student who has not fulfilled the terms of the SAP Recovery Plan will be academically disqualified.

L. Petition for Readmission After Disqualification

1. An individual who was academically disqualified may petition for readmission on academic probation.

2. A petition for readmission must meet the following requirements:

a. The petition must be addressed to the Academic Advising Committee (AAC).

b. The petition must be accompanied by an official LSAT score report unless the applicant had taken the test prior to disqualification.

c. The petition must be filed at least 30 calendar days before the first day of classes for the semester in which the applicant seeks readmission.

3. The AAC will consider a petition for readmission at a particular time or concerning essentially the same facts and circumstances only once; reconsideration of the same petition will not be granted. An applicant is strongly encouraged to include in the petition all facts, circumstances, and issues he or she wishes to have considered.

4. Decisions of the AAC on matters concerning petitions for readmission are final and may not be appealed elsewhere within Cal Northern. The Dean has no authority to grant a petition for readmission.

5. Any petition for readmission will, if granted, readmit the applicant at the beginning of a Fall semester or, in some instances, a Spring or Summer semester.

6. Pursuant to State Bar regulations and School policy, the AAC may grant readmission to an applicant previously disqualified for academic reasons only when the applicant makes an affirmative showing that he or she possesses the capability to satisfactorily study law. Such a showing may be made:

a. At any time, if the applicant satisfies the AAC, through credible evidence, that the student's disqualification was not caused by the applicant's lack of capability to satisfactorily study law, but resulted from a traumatic event or serious hardship when the relevant exams were given that prohibited the applicant from performing at his or her normal level.

b. At any time, if the applicant has passed the First-Year Law Students' Examination; or

c. After at least two years have elapsed since the disqualification, if the applicant demonstrates to the satisfaction of the AAC that work, study, or other experience during the interim has resulted in a stronger potential for law study than the applicant exhibited at the time s/he was previously disqualified for academic reasons.

M. **Students readmitted to or continued on probation in the JD Program by decision of the AAC may be required to meet conditions as to their academic progress each semester. Such conditions address academic progress and do not constitute discipline within the meaning of this Catalog.** Amendments to policies pertaining to academic standing, disqualification, advancement, retention, probation, and graduation may be made by the Dean, with the advice and recommendations of the Faculty and its committees, subject to the ultimate direction and control of the Board of Trustees. Except as required to comply with federal or state laws and regulations, or the requirements of Cal Northern's accrediting agencies, no amendment concerning academic standing, disqualification, advancement, retention, probation, or graduation will be effective earlier than the semester beginning after the notification of change is given.

13. SATISFACTORY ACADEMIC PROGRESS (SAP) POLICY: MLS PROGRAM/DUAL DEGREE PROGRAM

A. An MLS student is required to maintain Satisfactory Academic Progress (SAP) toward the completion of the MLS degree. This requires meeting standards for minimum cumulative grade point average (cGPA), rate of academic progress, and completion within the program's maximum time frame. Each requirement is explained below. A student failing to meet these requirements will be subject to Financial Aid & Academic Warning, Financial Aid & Academic Probation, and/or disqualification. A student is evaluated for SAP every two terms; that is at the end of the Summer semester for students beginning in the Fall semester. Any student with an outstanding course grade of Incomplete at the time of review may be required to successfully complete that course before being allowed to continue in the program.

This policy is to all students the same (i.e., full-time, part-time, Title IV and non-Title IV recipients) and all educational programs established by the institution.

B. Cumulative Grade Point Average (cGPA)

1. An MLS student must maintain a cGPA of 1.50 or higher to remain in good standing and to graduate.
2. Cumulative GPA includes all coursework attempted at Cal Northern, excluding grades of I, W, and transfer credit. Only the most recent grade is counted in the cGPA when a course is repeated. A student's cGPA is determined as of the end of each semester.
3. If, before the end of any semester, a student is administratively withdrawn, voluntarily withdraws, or takes a leave of absence, the student's academic standing will be calculated at that time and will be determined by his or her cGPA and Rate of Academic Progress. The cGPA is based on all courses the student has completed in the program since initial enrollment. Only the most recent grade is counted in the cGPA when a course is repeated.

C. Rate of Academic Progress

1. A student's rate of academic progress is measured every two terms.
2. To complete the program at an acceptable rate, a student must successfully complete a minimum of 67% of all units attempted by the end of each semester.
3. In calculating Pace, all units attempted at Cal Northern or transferred and applied from another school are considered attempted. Grades for units attempted that count negatively against successful completion rates are "F," "INC," "W," and repeated courses. Courses with a grade of "60" or higher are considered completed in calculating rate of progress.

D. Maximum Time Frame

1. The MLS program must be completed within five (5) years of beginning the program.
2. Successful completion of all program requirements must be accomplished within 150% of the normal length of the program as measured in credits attempted toward the program. A student in the 36-unit (36 credit hours) MLS program is expected to complete the MLS program in no more than 54 credit hours attempted (150% of the length of the 36-unit program).
3. A student who exceeds the 150% maximum time frame for the MLS program who cannot mathematically complete the program within the maximum time frame will be deemed ineligible for financial aid and dismissed from the institution.
4. Credits accepted in transfer toward the program are included as attempted and earned credits in determining the maximum timeframe.

E. SAP Calculation for Students Who Withdraw

If, before the end of any semester, a student is administratively withdrawn, voluntarily withdraws, or takes a leave of absence, the student's academic standing will be calculated at that time.

F. Academic Good Standing for Graduation

To meet the academic requirements for graduation, a student in the MLS program must have attained a minimum 1.50 cGPA and have successfully completed all required courses with a grade of at least "60". In addition, to graduate the student must have paid all fees, charges, and tuition due.

G. Academic & Financial Aid Warning

1. At the end of any semester, a student who does not meet all SAP standards will be placed on Academic & Financial Aid Warning and required to meet with the Director of Academic Support, and repeat any required course(s) in which the student did not earn at least a "60" in the following semester (if the course is being offered) or as soon thereafter as the course is offered.
2. A required course in which the student receives a grade below "60" will not be accepted toward the MLS degree requirements but will be included in calculating the overall grade point average and does contribute to the rate of progress calculation.
3. A student who is placed on warning must demonstrate, by the end of the next semester, reasonable progress in improving his/her academic progress to continue enrollment.
4. A student on warning will be removed from Academic & Financial Aid Warning if s/he meets all SAP standards at his/her next review.
5. A student on academic warning does not, by virtue of that status, become ineligible for Financial Aid.

H. Academic & Financial Aid Probation

1. A student on academic warning who does not meet all SAP standards by the end of the next semester must petition to continue on Academic & Financial Aid Probation
2. A student on Academic & Financial Aid Probation remains eligible for financial aid. Students may be required to re-take coursework previously completed in order to increase the likelihood of successfully meeting satisfactory academic progress and/or graduation requirements. A student who is placed on probation and does not fulfill the requirements of probation will be academically disqualified.

I. Petition for Reinstatement

1. To obtain permission to continue in the MLS program, a student who does not meet all SAP standards following a period of Academic & Financial Aid Warning must:
 - a. Submit a timely Petition to Continue ("petition") to the Registrar;
 - b. Be granted reinstatement by the AAC;
 - c. Meet with the Director of Academic Support who will develop a SAP Recovery Plan; and
 - d. Repeat any required course(s) in which the student did not earn at least a "60" in the following semester (if the course is being offered) or as soon thereafter as the course is offered.
2. The petition should set forth any extenuating circumstances (such as illness, death in the family, extreme emotional stress, etc.) as set forth in Paragraph 3 below, that will enable the AAC to assess the student's academic record and determine whether the student, if

reinstated on probation, likely will be able to achieve good academic standing, maintain SAP, and graduate from the MLS program. The Petition for Reinstatement and Appeal will be denied by the AAC if it finds that the student is not likely to succeed in these efforts.

3. Petition Process

- a. A Petition for Reinstatement and Appeal directed to the AAC must: 1) be filed with the Registrar within 3 days of the date the Registrar gives notice that the student has been placed on probation; 2) state clearly, specifically, and fully the extenuating circumstances being asserted as a basis for probation; 3) provide clear, convincing, and objectively verifiable evidence of the extenuating circumstances; and 4) set forth in detail the student's plan for approaching his/her studies while on probation to regain good academic standing at the end of the semester on academic probation.
- b. Such a petition is deemed filed on the earliest of the following dates:
 - i. Date on which a completed and signed letter petition is received by the Registrar during regular business hours.
 - ii. Postmark date imprinted by U.S. Postal Service, if a signed petition is mailed by U.S. mail to the Registrar.
 - iii. Date marked on an e-mail submission, if a signed petition is sent via e-mail to the Registrar.
- c. If the student is approved for reinstatement the student will be placed on academic probation and must then:
 - i. Meet with the Director of Academic Support who will develop a SAP Recovery Plan; and
 - ii. Repeat the course(s) in which s/he received a grade below "60" in the following semester (if the course is being offered) or, if the student is otherwise successful in being removed from probation, as soon thereafter as the course is offered.
- d. The AAC's decision on the petition is not subject to appeal.
4. An approved petition will be forwarded to the Financial Aid Office for review.
 - a. Financial Aid has the right to deny aid even if the AAC approves the student for reinstatement into the MLS program. The student is required to meet with a Financial Aid advisor to review financial implications if aid is denied.
 - b. Financial Aid has the right to request additional documentation.

J. Removal from Warning/Probation

A student who is in Academic & Financial Aid Warning status or reinstated on Academic & Financial Aid Probation will later be removed from Academic Warning/Probation if he or she fulfills all of the following requirements:

1. Must meet all SAP standards; and
2. Successfully meets the requirements of their SAP Recovery Plan.

K. Academic Disqualification

1. A student on academic probation is academically disqualified and will be dismissed if he or she:

- a. Does not meet all SAP standards;
- b. Fails to petition for and receive reinstatement by the AAC;

- c. Fails to meet the conditions of the SAP Recovery Plan at the end of the academic probation period; or
 - d. Does not meet the pace requirements of the MLS program according to the maximum time frame. Disqualification status may not be appealed.
- L. A student readmitted to or continued on probation in the MLS program by decision of the AAC may be required to meet conditions as to his/her academic progress each semester. Such conditions address academic progress and do not constitute discipline within the meaning of this Catalog.
- M. Amendments to policies pertaining to academic standing, disqualification, advancement, retention, probation, and graduation may be made by the Dean, with the advice and recommendations of the Faculty and its committees, subject to the ultimate direction and control of the Board of Trustees. No amendment concerning academic standing, disqualification, advancement, retention, probation or graduation will be effective earlier than the semester/session beginning after notification of the change is given.

14. Leave of Absence: JD and MLS PROGRAM

A student may be granted an administrative leave of absence of up to one year. No leave of absence will be granted which extends a student's study beyond five years, after beginning the study of law. A student contemplating taking a leave of absence should seek both academic and financial aid counseling.

The Dean's permission is required for a leave of absence to be granted. In order to be granted a leave of absence the student:

- Must be in good academic standing; and
- Must make a written request to the Dean, explaining the reason(s) for the requested leave of absence. The request must indicate the date the leave is to commence and the end, and be signed by the student. If the request is not made prior to the proposed commencement date, the student should also explain the delay in making the written request. The Dean's decision is final.

15. Student Services-Tutoring Program: At the end of the Fall semester any 1st Year student in the J.D. program with a course grade of less than 70.00, and any 1st Year student in the M.L.S. program with a course grade of less than 65.00, will be required to participate in a minimum of three (3) tutoring sessions as part of Cal Northern's Student Services-Tutoring Program.

Any student in the J.D. program with a cumulative semester grade point average of less than 2.00 and any student in the M.L.S. program with a cumulative semester grade point average of less than 1.50 will be placed on Academic Warning and will be required to participate in a minimum of three (3) tutoring sessions as part of Cal Northern's Student Services-Tutoring Program.

The Tutoring Program is designed to best serve students' academic needs by carefully developing individualized curriculum designed to meet students' expectations for successful completion of law school. While required for the above referenced students the Tutoring Program is available to all students.

Eligibility to advance to the next year of study may be contingent upon a student's participation in the tutoring program (absent extenuating circumstances which will be reviewed by the Dean on a case by case basis).

- 16. Externships and Independent Study Policy and Procedures:** Cal Northern School of Law encourages students to acquire practical experience in the field by performing legal work as a student intern under the direct supervision of a licensed attorney.

Third and fourth year students who are academically in good standing are eligible to apply for externship/independent study units. First and second year students and students on academic probation must receive approval from the Dean to be eligible for externship/independent study units.

Registration for externship/independent study units cannot be retroactive. You must attend an Externship/Independent Study Orientation and turn in your Supervision Agreement form to the Faculty Externship Supervisor before you can begin counting hours and work toward your units. The hours completed must be substantive legal work (i.e., learning to analyze cases or case decisions, statutes, application of law to fact, developing legal theories and production of written work such as pleadings, motions, replies, discovery, memos, etc.) and not merely repetitive or secretarial in nature.

A maximum of 2-units of credit is allowed on a Credit/No Credit basis, absent approval by the Faculty Senate. For 2-units credit, a minimum of 90 hours must be completed.

In order for externship/independent study units to be included in the calculation of the 84 units required for graduation, the student must pay the required tuition.

It is recommended students complete the externship during the semester for which they enroll but under no circumstances later than the Fall semester of the students' 4th year of study.

The Independent Study opportunity is for advanced students to pursue new and different areas of the law not covered in the standard curriculum. Generally, projects will be awarded no more than 2 units of credit, based upon the amount of identifiable and pre-approved time spent in research and writing.

Before a student may register for Independent Study, the student must first petition the Externship/Independent Study Faculty Supervisor for permission, submitting a detailed written proposal prepared by the student and receive approval by the Externship/Independent Study Faculty Supervisor in advance of beginning the project. The written proposal must include a timeline of steps to be taken and the estimated number of hours of each step, including research, drafts, editing and writing.

Upon approval by the Faculty Senate, a student may substitute externship/independent study units for any CNSL elective course. Electives currently available at the Law School include: Alternative Dispute Resolution, Debtor/Creditor Law, Insurance Law, Practical Family Law and Administrative

Law. Other electives may be given and will be announced in the class schedules published each semester.

Externship Schedule of Due Dates:

Summer session monthly progress reports are due on: June 15 and July 15 (Extern Evaluation Report Due).

Fall session monthly progress reports are due on: September 15, October 15, November 15, and December 15 (Extern Evaluation Report Due).

Spring session monthly progress reports are due on: February 15, March 15, April 15, and May 15 (Extern Evaluation Report Due).

17. Graduation:

1. Students are eligible for the degree of Juris Doctor (J.D.) when they have:
 - A. Completed a minimum of 84 semester units in accordance with the law school's prescribed curriculum.
 - B. Maintained a cumulative grade point average of 2.00 or better throughout their study at the law school.
 - C. Attend Kaplan PMBR 7 Day Foundation MBE program offered during the fall semester of the 4th year of study. Additional cost is approximately \$575.00. In subsequent years the price is not to exceed a 5% increase over the previous year.

Graduation with honors is conferred upon those students with the following grade point averages:

3.50 – 4.00	Summa cum Laude
3.30 – 3.49	Magna cum Laude
3.00 – 3.29	Cum Laude

To be awarded honors, the student's entire legal education must have been completed at Cal Northern.

2. Students are eligible for the degree of Master of Legal Studies (M.L.S.) when they have:
 - A. Completed a minimum of 36 semester units in accordance with the law school's prescribed curriculum, 27 units of which are mandatory and 9 are elective units as selected by the student.
 - B. Maintained a numerical percentage average of 65.00 or better throughout their studies at the law school.

18. Transcripts: Students and graduates who desire copies of their transcript should request them in writing from the law school. Official transcripts cost \$5.00 for each transcript.

19. Payment: Failure to make tuition payments in accordance with the contract or failure to pay any monies owed to the school is sufficient cause to suspend the student and withhold grades, transcripts, scholastic certificates, or degrees.

20. General:

Re-admissions are subject to payment of any tuition fee increases.

Video and Audio Taping of class sessions is prohibited, without prior permission from the instructor.

Changes to these academic standards may be made with adequate prior notice to all affected students.

II. REFUND

1. This section sets forth policy applicable to the refund of tuition and fees paid by a student prior to his/her withdrawal, either from the School or courses.
2. The date of the student's withdrawal determines the amount of any refund to the student after withdrawal.
3. Students should be aware that adding or dropping courses may change the student's enrollment status, which may change the student's eligibility for financial aid.
4. If a student withdraws from a course on or before the first day of instruction of Week 1 of the Term the student will receive a refund of 100% of the amount paid for institutional charges.

In addition, the student may withdraw from a course after Week 1 of instruction has started and receive a pro rata refund for the unused portion of the tuition and other refundable charges if the student has completed 60% or less of instruction. The refund is based on the number of class meetings that have occurred per course prior to the student's request to withdraw, regardless of their attendance in the elapsed meeting dates, except for Legal Internship courses, where refunds will be calculated based on the number of weeks elapsed until 60% of the term weeks have passed (example, withdrawal in Week 2 of a 15-Week Course will result in a 2/15 refund).

5. Any refund due to the student will first be applied toward reducing any amount owed by the student to the school. The remaining refund balance, if any, will be forwarded to the student.
6. In special cases where state or federal law may require a different refund schedule, the amount of refundable tuition will be determined according to such laws.
7. Any student who is academically disqualified from the School may receive a full tuition refund for any course or courses in which s/he had enrolled after academic disqualification but before being notified of the disqualification. The refund will be granted upon written notification by the student by filing a completed signed Request for Withdrawal form, provided the student's withdrawal is effective before the student takes the final exam or otherwise completes all the requirements for credit for such course or courses.
8. For purposes of entitlement to refunds, a student should give notice of withdrawal and request a tuition refund by completing, signing, and submitting a Request

for Withdrawal form to the Administration Office. Students who submit written requests or notify the Law School verbally will be asked to submit a Withdrawal form. However, if a Withdrawal form is not received from the student within 48 hours, Withdrawal from will be completed on their behalf by the Office of the Registrar. The Request for Withdrawal form is available by request to the Administration Office.

9. A student will be considered withdrawn, and to have cancelled her or his enrollment agreement, on the date of withdrawal, which is at the earliest of the following dates:
 - a. Date on which a completed and signed Request for Withdrawal form is hand delivered to or otherwise received by the Administration Office.
 - b. Date on which the student submitted written request or verbally notified the Law School of their intent to withdraw.
 - c. Postmark date imprinted by U.S. Postal Service, if Request for Withdrawal form is mailed by U.S. mail to the Administration Office.
 - d. Date as of which the student is deemed to have withdrawn pursuant to the Academic Catalog for failure to complete attendance or other course requirements.
10. When applicable, refunds will be issued to withdrawing students no later than thirty (30) days from the date of withdrawal or discontinuation of a course or educational program in which the student is enrolled. Fees and non-tuition charges are not refundable except as set forth in this section.

III. RETURN OF TITLE IV FUNDS POLICY

A. Withdrawal, Refund, and Repayment

Federal financial aid is governed by Chapter IV of the Higher Education Act of 1965 and administered by the U.S. Department of Education. This federal law, also known as Title IV, holds Cal Northern School of Law (CNSL) accountable for the funds it disburses. According to regulations, CNSL must have a written policy regarding Title IV recipients who withdraw or otherwise fail to complete the term for which their financial aid was disbursed. This policy addresses the establishment of a withdrawal date, post-withdrawal disbursements, and the calculation of the amount of funds to be returned to the federal government by CNSL and by you, the student.

The following provides a full explanation of the terms and policies regarding withdrawal, refunds, and repayment. This policy is subject to change at any time. Such changes may be driven by changes in the regulations and guidance provided by the United States Department of Education.

B. Overview of the R2T4 Policy

This R2T4 policy applies to any student who receives federal financial aid, has enrolled in classes, and subsequently either drops courses and/or is reported as an "unofficial withdrawal" (FW, No Show) during or after the semester ends. At CNSL, the R2T4 policy applies to all periods of enrollment: fall semester, spring semester, and summer session.

When a student withdraws from his/her courses, for any reason including medical

withdrawals, he/she may no longer be eligible for the full amount of Title IV funds they were originally scheduled to receive. CNSL follows the federally prescribed policies and procedures for calculating whether the student has earned all or a portion of their federal financial aid.

If the R2T4 calculation results in a credit balance on the student's account, the credit balance will be disbursed as soon as possible and no later than 14 days after the calculation of R2T4.

C. Date of Withdrawal

For an official withdrawal, the effective withdrawal date is the first date of notification by the student to the Registrar's office. Students should follow the official withdrawal policy as published in the CNSL Catalog.

D. Unofficial Withdrawal

A student who ceases to attend without officially withdrawing is considered an "unofficial withdrawal." When a student does not follow the official withdrawal procedure and has ceased attending, an effective withdrawal date will be assigned by the Registrar at the end of the semester with an FW and the last date of attendance.

CNSL may use a last date of attendance at an academically related activity for the effective withdrawal date, if the last date a student attended class or submitted coursework is verified by an employee at CNSL who has sufficient knowledge of a student's academic participation, or if there is an emergency situation (e.g., death or injury) with third-party documentation verifying a student was unable to academically participate. In the case of unofficial withdrawals, CNSL does not accept a student's self-reported last date of attendance.

E. Calculation of Earned and Unearned Title IV Aid

Both Title IV aid recipients, who complete the official withdrawal process or have decided to unofficially withdraw from CNSL, are subject to a prorated calculation of "earned" federal aid based on the withdrawal date and the mandatory return of Title IV funds to the appropriate accounts. Responsibility for repayment of these funds will be shared by CNSL and the student according to the federal formula for prorated refunds of "unearned" Title IV aid. The portion of "unearned" Title IV funds that the student and CNSL must repay is calculated by the Financial Aid Office. The percentage of "earned" Title IV funds, excluding federal Work-Study, is based on the number of calendar days completed before withdrawing, divided by the number of calendar days in the semester. Official breaks in enrollment of five consecutive calendar days or more are excluded from the number of calendar days in the semester. No repayment of Title IV funds will be required for withdrawals occurring after the 60 percent point of the semester. After this point, Title IV aid is considered 100 percent "earned."

Regulations require schools to perform calculations within 30 days from the date the school determines a student's withdrawal and to process the actual return of funds within 45 days of the date the school sends the student notice of the overpayment. The institution is required to notify the student if they owe a repayment via written

notice. It is imperative that students update their mailing address in Populi whenever they move.

F. Return policy due to reported NO SHOW courses

If you receive a grant based on 6 or more units and you are reported as No Show (never attended), and this brings your total attended units below 6, you will owe back a portion of the aid you received to the Department of Education.

G. Return of Title IV Funds Process in Detail

The Financial Aid Office follows the instructions outlined in the federal worksheet when calculating Title IV earnings according to the following steps.

Step 1: Student's Title IV Aid Information

- The total amount of Title IV aid disbursed (if any) for the semester in which the student withdrew. (A student's Title IV aid is counted as aid disbursed in the calculation if it has been applied to the student's CNSL account on or before the date the student withdrew.)
- The total amount of Title IV aid disbursed plus the aid that could have been disbursed (if any) for the semester in which the student withdrew.

Step 2: Percentage of Title IV Aid Earned

The Financial Aid Office will calculate the percentage of aid earned as follows:

- For students attending regular term courses (courses that span the entire 10 and/or 15 weeks), the number of calendar days completed by the student divided by the total number of calendar days in the payment period (weekends included) in which the student withdrew minus any scheduled breaks of 5 days or more.

Days Attended (minus scheduled breaks if attended through that period) / Days in Payment Period (minus scheduled breaks) = Percentage Completed

- For students attending regular term courses within the payment period, the number of calendar days completed by the student divided by the total number of calendar days in the payment period (weekends included) in which the student withdrew minus any days the student was not scheduled to attend (unscheduled breaks) and any scheduled breaks of 5 days or more.

Days Attended (minus scheduled breaks if attended through that period) / Days in Payment Period (minus scheduled or unscheduled breaks) = Percentage Completed

Note: If the calculated percentage exceeds 60%, then the student has "earned" all aid for that period. For a student who withdraws after the 60% point, even though a return is not required, a school may have to complete a Return calculation in order to determine whether the student is eligible for a Post-withdrawal disbursement.

Step 3: Amount of Title IV Aid Earned by the Student

The Financial Aid Office will calculate the amount of aid earned as follows:

- The percentage of Title IV aid earned (Step 2) multiplied by the total amount of Title IV aid disbursed or by what could have been disbursed for the payment period in which the student withdrew (Step 1).

$$\text{Total Aid Disbursed} \times \text{Percentage Completed} = \text{Earned Aid}$$

Step 4: Amount of Title IV Aid to be Returned or Disbursed

If the aid already disbursed equals the earned aid, no further action is required.

If the aid already disbursed is greater than the earned aid, the difference must be returned to the appropriate Title IV aid program in accordance with the federal guidelines. Go to Step 5.

If the aid already disbursed is less than the earned aid, the Financial Aid Office will calculate a Post-Withdrawal Disbursement.

- The institution must advise the student or parent that they have 14 calendar days from the date the school sent the notification to accept or decline Post with drawl loan funds. (If this Post-withdrawal disbursement contains loan funds a student should evaluate the situation as not to incur additional debt unnecessarily.)
- The Post-withdrawal disbursement must be applied to outstanding institutional charges before being paid directly to the student.
- The Financial Aid Office must track the notification and authorization to make the disbursement and meet deadlines as prescribed by U.S. Department of Education.
- Post-withdrawal disbursement of loan funds must occur within 180 days of the date the institution determined the student withdrew.
- Post-withdrawal disbursement of grant funds must occur within 45 days of the date the institution determined the student withdrew.

$$\text{Total Disbursed Aid} - \text{Earned Aid} = \text{Unearned Aid to be Returned}$$

Step 5: Amount of Unearned Title IV Aid to be Returned by the School

- Add the institutional charges for the payment period.
- Multiply the percentage of unearned aid by the institutional charges.

Calculate the lesser amount of the Title IV aid to be returned with the amount of unearned charges. This equals the amount of Title IV funds to be returned by the school. According to this policy, all repayments made by CNSL will be charged to your student account for collection from you.

Step 6: Order of Returned Funds by the School

The order of return of funds is proscribed by the Department of Education regulations as follows:

1. Unsubsidized Federal Direct Loan

2. Subsidized Federal Direct Loan
3. Parent Federal Direct PLUS Loan
4. Federal Pell Grant
5. Federal Supplemental Educational Opportunity Grant (FSEOG)
6. Iraq and Afghanistan Service Grant for which a return is required

The calculation does not include the Federal College Work-Study program.

The student's grace period for loan repayments for Federal Unsubsidized and Subsidized Direct Loans begins on the day of withdrawal from CNSL. The student should contact the loan servicer if he/she has questions regarding the grace period or repayment status. If the student is not returning to CNSL, exit counseling should be completed online at http://.nslds.ed.gov/nslds_SA/.

Step 7, 8, 9, & 10: Unearned Title IV Funds Due Directly from the Student

- Subtract the amount of Title IV aid being returned by the school from the total amount of Title IV aid to be returned. If the amount is greater than zero, subtract the total loan funds the school must return from the total amount of net loans disbursed to the student.
If the amount is less than or equal to the total, the school will notify the holder of the Loan and Federal Direct loan funds are paid back to the lender by the student in accordance with the terms of the borrower's promissory note.
- If the amount is greater than the total, subtract the unearned Title IV aid due from the student with the amount of loans to be repaid by the student.
 - Multiply the amount of Title IV grant aid that was or could have been disbursed by 50%, this is the amount of grant protection available.
 - Subtract the initial amount of Title IV grant funding for the student to return with the grant protection. If this amount is less than or equal to zero, no further action is necessary.
 - If the amount is greater than zero, the student must return the funds as proscribed by the Federal guidelines.

IV. FIRST YEAR LAW STUDENTS' EXAMINATION -- "BABY BAR"

First year "Regular Students" enrolled in the J.D. program who have a cumulative grade point average of 2.00 or better at the end of the Spring semester of his or her first year of study at Cal Northern are not required to take the First Year Law Students' Exam (FYLSX).

A "Special Student" is required to take the FYLSX and will not receive credit for his or her first year of law study until the student has passed the examination within three consecutive administrations of first becoming eligible to take the examination.

This policy is similar to the Committee of Bar Examiners' *Rules Regulating Admission to Practice Law in California* and California Business & Professions Code §6060, which require all "Special Student" applicants for the California Bar Examination to take the First-Year Law Students' Examination (also known as the FYLSX, or "Baby Bar") at the end of their first year of law study.

V. ACADEMIC INTEGRITY POLICY

1. **Introduction:** Honesty and integrity are qualities that are essential to the legal profession. Students preparing to enter this profession must conduct themselves in accordance with these qualities in all of their professional activities, including with respect to the law school. Accordingly, law students shall act with honesty and condor, and shall fulfill obligations of good faith and fair dealing in their relations with their peers, Law School faculty and staff, and the professional legal community at large. Cal Northern expects a full commitment to academic integrity from each Cal Northern student. Any violation of this policy will result in disciplinary action and may jeopardize the student's continuation in the course and any award of academic credit.

The switch to online instruction in the context of the pandemic creates vulnerabilities and opportunities that ask for a renewed commitment to academic integrity. All members of Cal Northern's community are being challenged: faculty and staff to convert to virtual instruction, and students to cope with the loss of personal connection and in-person education. Difficult times make empathy, patience and generosity in our classrooms vital, as we recommit to these principles:

For Students:

1. I will be a respectful online member of the course, who supports my classmates' ability to participate and access course materials and does not undermine the work of the instructor. This includes rejecting and not engaging in any form of harassment, trolling and online disruption.
2. I will promote academic freedom and intellectual engagement with course materials. I will not record or share online interactions that involve classmates or instructors in the course.
3. I will maintain the privacy of my classmates and instructors and not allow anyone outside of the class to participate in any activity that is associated with the class.
4. I will honor the intellectual property rights of instructors and classmates, and not record or make course materials accessible to anyone who is not enrolled in the course without the instructor's written permission.
5. I will follow the rules about testing, online and in-person collaboration, discussion, and sharing that the instructor and administration specify.
6. I understand that violations of the above are violations of Cal Northern's Code of Academic Integrity and will jeopardize my continued enrollment.

For Faculty:

1. I will pay careful attention to workload and scheduling policies remembering that most students have more than my course.
2. I will promote equality by taking steps to ensure that no student is disadvantaged because they have to work in an environment with reduced resources or problematic internet access.
3. I will promote fairness by taking into account health concerns and added caregiving responsibilities related to the pandemic.
5. I will encourage my students to collaborate and support each other and will be available to discuss concerns about the rules and boundaries that I may impose on group work.

6. I will do everything that I can to ensure that all my students have sufficient access across multiple platforms to reach out to me with any questions or concerns.

Official sources of policy and information relevant to the content of this "Reaffirmation" include the Student Handbook-Academic Integrity Policy and the Faculty Handbook.

2. **Prohibited Conduct:** The following conduct violates the Academic Integrity policy:

- a. Cheating on tests or assignments
- b. Plagiarism
- c. Unauthorized collaboration
- d. Any other dishonest behavior concerning academic work

3. **Definitions and Examples:**

a. **Cheating** can take many forms, but is not limited to the following examples:

- No student shall protect other students seeking assistance, either oral or written, during the examination. In an exam or test taking environment bringing, referencing or using prohibited materials or information or accessing web sites or unauthorized sources.
- Seeking any unauthorized assistance from another person during an examination.
- Copying from another student during an examination
- Continuing to write/type an exam answer when the exam time has expired.
- Gaining access to exam materials prior to the administration of the exam without authorization.
- Receiving information about or offering to provide information about a re-scheduled exam to someone who is a late test taker.
- Obtaining an unfair academic advantage through any other means.

b. **Plagiarism** is defined as follows: copying or using ideas or words (from another person or an Internet or print source) and presenting them as your own.

c. **Unauthorized collaboration** involves working with others in the production of a work product without prior authorization from the professor.

Students must work independently on all course assignments and exams, unless they have prior approval to collaborate. Students may share work products only up to the point that their professor authorizes teamwork.

This section is not intended to cover study groups, working together to prepare study aids or otherwise collaborating in order to better understand the course material or prepare for an exam. Such collaboration is encouraged. This section bars unauthorized collaboration

in relation to a work product that is going to be turned in, whether for credit or no credit.

- d. **Reservation of Rights:** In order to maintain the integrity of all Cal Northern grades, the School of Law reserves the right to use electronic means to detect and help prevent plagiarism. By submitting work product to law school personnel, students consent to have the work product submitted to Unicheck's restricted access database or similar database. This submission is solely for the purpose of detecting plagiarism. If an instructor confirms that a student has plagiarized work in any manner, the student will be subject to consequences determined by Cal Northern administration and may be removed from the course with a failing grade.

- 4. **Attendance and Class Preparation:** Regular and punctual attendance is required. A student who signs a roll sheet certifies he or she has attended the entire class session. Students who leave before the class is dismissed may be marked absent on the roll sheet.

No student shall sign a roll sheet for another student who did not attend the class session.

Students who come to class unprepared are unable to comprehend adequately or to participate in class discussions and are a distraction for the rest of the class. The law school believes that only if students are prepared adequately can there be active and worthwhile class discussion.

Students are expected to come to class prepared with assigned work read and cases briefed. Study aids, including commercially prepared briefs available in the Bookstore should be used strictly to aid in the students' study outside of class. The use of study aids and commercially prepared briefs in class is strictly prohibited.

Occasionally, due to an emergency, students may be unable to come to class prepared. Students should inform instructors prior to class of the reason why there are unprepared.

- 4. **Reproduction of Copyrighted Materials:**

The photocopying or reproduction by other means of copyrighted materials is a right granted under the federal Copyright Act that defines the rights of a copyright holder and how they may be enforced against an infringer. The unauthorized reproduction and distribution of copyrighted material is strictly prohibited. Students identified as having violated this policy may be subject to disciplinary action, up to and including but not limited to expulsion from the institution, or legal action as appropriate, or both.

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file sharing context, downloading, or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at (www.copyright.gov).

All CNSL students are subject to the restrictions imposed by the Copyright Act. The copyright law applies to all forms of photocopying, whether it is undertaken at a commercial copying center or at the School’s copying machines. Students must exercise prudent judgment when reproducing the works of others so as to not violate the copyright law. Any concern about a student’s reproduction of materials should be brought to the attention of the School’s dean or registrar.

VI. VIRTUAL CLASSROOM POLICIES AND EXPECTATIONS

Cal Northern is dedicated to ensuring productive, safe virtual classrooms for all students and instructors. As a reminder, Cal Northern’s Academic Integrity Policy still applies to all students regardless of their physical location. A full description of Cal Northern’s school policies and procedures can be found in t.

Virtual Classroom Expectations

In order for a virtual classroom session to be educationally effective for students, all students should abide by a standard set of rules. The following rules govern student conduct in the virtual classroom:

- Be aware of the intended audience (e.g., classes are meant for students currently enrolled in the course and you must not enter or share a class meeting with someone unauthorized)
- Mute yourself except when you have the floor
- Raise your hand virtually to ask a question
- Keep your video on for attendance purposes
- Avoid distracting backgrounds or actions (e.g., you should treat the Zoom meeting as an academic setting and avoid eating, texting, and similar behaviors)
- Keep discussions respectful and constructive
- Privacy (e.g., students should participate from a setting free from family and/or pet distractions)
- Abide by additional rules, policies, and procedures established by the course instructor

Examples of Unacceptable Behavior

- Offensive/inappropriate discussion posts or submissions
- Harassment of others, either inside or outside of the course space
- Inappropriate or concerning behavior in a class session

- Inappropriate or confrontational email, classroom, group, or telephone communications

Possible Consequences for Disruptive/Unacceptable Behavior

Students who violate the virtual classroom rules of conduct will be warned by the instructor to correct the behavior and/or may be:

- Prohibited from communication with classmates for the rest of the class session
- Subject to class removal
- Subject to grade reductions
- Subject to disciplinary action

VII. STUDENT DISCIPLINE POLICY

In the event any Student is charged with misconduct, the person making the charge shall contact the Dean of the Law School. Misconduct, within the meaning of this procedure, means any conduct which may subject the student to cancellation of an examination or course grade, denial of course credit, suspension or dismissal from school, for matters unrelated to student academic performance.

The Dean shall inform the person that he/she shall make a written Statement of Charges against the student and present the statement to the Dean.

The Dean will appoint a "Special Counsel" who shall be a member of the faculty, or any other member of the California State Bar, who is not involved with the charges, to investigate the matter. Special Counsel may employ such other personnel as is deemed necessary to carry out the investigation. The special Counsel shall recommend to the Dean whether charges should be filed, and if so, the nature of the charge or misconduct.

In the event Special Counsel recommends that no charges of improper conduct should be filed, the person making the charges shall be advised by the Dean in writing.

In the event Special Counsel recommends that charges of improper conduct should be filed against the student, Special Counsel shall draw up the charges setting forth the alleged improper conduct, sufficient facts to give the student charged sufficient notice of the time, place and improper conduct for which he/she is being charged. Special Counsel shall also recommend the maximum penalty to be imposed on a finding of guilt.

The Dean shall appoint a panel composed of three (3) persons, two (2) disinterested members of the faculty and one (1) disinterested member of the student body to hear and determine the validity of the charges alleged.

The student so charged shall immediately be given written notice of the charges, the maximum possible penalties and advised that he/she is entitled to counsel of their own choosing. The counsel may be a member of the California State Bar Association or a member of the student body. The school shall not be responsible for the payment of any such representation.

The Panel appointed shall set a date for the hearing, to be not less than fifteen (15) days and not more than thirty (30) days after the copy of the written charges has been served on the student.

At the time of the hearing, Special Counsel shall present all witnesses deemed necessary to testify as to the improper conduct charged and interrogate the witnesses in accordance with the rules of evidence deemed proper and admissible in the State of California. The panel reserves the right to propound and ask any questions that it may desire of the witnesses called.

The panel shall also allow the student's counsel or advisor to cross-examine all witnesses called by the Special Counsel, and to allow the student or their counsel to present any witnesses or other evidence on the behalf of the student. The panel reserves the right to propound and ask any questions that it may desire of the student's witnesses.

The panel, within ten (10) days of the conclusion of the hearing, shall render a decision, in writing, as to its findings as to whether the charges were proved, proved in part, or not proved. Such decisions shall be based on all facts brought forth in the hearing. If the panel finds the student is guilty of improper conduct, the panel must decide, within the range of penalties allowed, what penalty should be formally imposed by the Dean. Such decision shall be in writing and a copy furnished to the student as well as to the law school.

There is no remedy provided by these rules for review of the Panel's decision or the sanctions imposed by the Dean pursuant to the Panel's findings.

Following procedures consonant with due process established for the school, any student of the school may be expelled, suspended, placed on probation, or given a lesser sanction for one or more of the following causes:

- Cheating or plagiarism.
- Forgery, alteration, or misuse of campus documents, records, or identification or knowingly furnishing false information to the school.
- Misrepresentation of one's self or of an organization as an agent of the school.
- Obstruction or disruption, on or off school property, of the school educational process, administrative process, or other school function.
- Physical abuse, on or off school property, of the person or property of any member of the campus community or of family members or the threat of such physical abuse.
- Theft of, or non-accidental damage to, school property or property in the possession of, or owned by, a member of the school community.
- Unauthorized entry into, unauthorized use of, or misuse of school property.
- The consumption of alcoholic beverages on school property, or at a school function, is strictly prohibited, without prior authorization of the Dean.
- On school property, the sale or knowing possession of dangerous drugs, restricted dangerous drugs, or narcotics as those terms are used in California statutes, except when lawfully permitted for the purpose of research, instruction, or analysis.
- Knowing possession or use of explosives, dangerous chemicals, or deadly weapons on school property or at a school function without prior authorization of the school Dean.
- Engaging in lewd, indecent, or obscene behavior on school property or at a school function.
- Abusive behavior directed toward, or hazing of, a member of the school community.

- Violation of any order of a Dean, notice of which had been given prior to such violation and during the academic term in which the violation occurs, either by publication in the school newspaper or by posting on an official bulletin board designated for this purpose, and which order is not inconsistent with any of the other provisions of this section.
- Soliciting or assisting another to do any act which would subject a student to expulsion, suspension, or probation pursuant to this section.

Student conduct shall not disrupt or interfere with the learning process during classes or in designated study areas.

VIII. Sexual Assault Policy

Cal Northern School of Law endeavors to provide an environment conducive to growth in mind, spirit, and human sensibility. Any form of rape or sexual assault is an act of aggression that may be investigated for possible disciplinary and legal action regardless of whether the incident occurs on or off campus.

Sexual Assault is defined as any involuntary sexual act in which a person is threatened, coerced, or forced to comply against his or her will regardless of whether the person knows the assailant(s) casually, intimately, or not at all.

VIX. Computer-Related Crimes

Students who commit any of the following acts are subject to arrest and/or school discipline. (Penal Code §502).

- Knowingly accesses and without permission alters, damages, deletes, destroys, or otherwise uses any data, computer, computer system, or computer network in order to either (a) devise or execute any scheme or artifice to defraud, deceive, or extort or (b) wrongfully control or obtain money, property, or data.
- Knowingly accesses and without permission takes, copies, or makes use of any data from a computer, computer system, or computer network or takes or copies any supporting documentation, whether existing or residing internal or external to a computer, computer system, or computer network.
- Knowingly and without permission uses or causes to be used computer services.
- Knowingly accesses and without permission adds, alters, damages, deletes, or destroys any data, computer software, or computer programs which reside or exist internal or external to a computer, computer system, or computer network.
- Knowingly and without permission disrupts or causes the disruption of computer services or denies or causes the denial of computer services of an authorized user of a computer, computer system, or computer network.
- Knowingly and without permission provides or assists in providing a means of accessing a computer, computer system, or computer network.
- Knowingly and without permission accesses or causes to be accessed any computer, computer system, or computer network.
- Knowingly introduces any computer contaminant into any computer, computer system, or computer network.

X. POLICY ON SEXUAL HARASSMENT

1. **Introduction:** Cal Northern School of Law does not tolerate sexual harassment. The school has designed and implemented guidelines and procedures that seek to eliminate sexual harassment from the learning and working environment. Violations of this policy by administrators, faculty, staff, and students will be regarded as unprofessional and uncivil conduct, and violators will be subject to appropriate disciplinary action ranging from written or verbal reprimand to dismissal or expulsion.

Nothing in this policy is meant to preempt or foreclose the pursuit of remedies available to alleged victims of sexual harassment under applicable state or federal statutes and regulations.

This policy and the procedures attempts to accomplish the following:

- a. eliminate and prevent sexual harassment in the School;
 - b. disseminate information concerning the School's sexual harassment policies;
 - c. provide the means by which students and employees may explore both informal and formal avenues of inquiry about the nature and definition of sexual harassment and the mechanisms available for adjudicating complaints;
 - d. enable investigation of alleged sexual harassment;
 - e. provide for appropriate action before, during, and as a result of such investigations;
 - f. provide appropriate individuals with the results of such investigations.
2. **Definition:** For purposes of this policy, sexual harassment is defined as including but not limited to unwelcomed sexual advances, requests for sexual favors, repeated derogatory sexist remarks, and other verbal, visual, or physical conduct of a sexual nature directed toward an employee, student, or applicant under any of the following conditions when:
 - a. submission to or toleration of sexual harassment is an explicit or implicit term or condition of appointment, employment, admission, evaluation, or participation in any school-sanctioned activity;
 - b. submission to or rejection of such conduct is used as a basis for a personnel decision or an academic evaluation affecting an individual;
 - c. the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive working environment;
 - d. the conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or of creating an intimidating, hostile, or offensive learning environment;
 - e. submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honor, programs, or activities available at or through the School.

Sexual harassment includes, but is not limited to:

- making unwelcomed written (e.g., suggestive or obscene letters, notes, invitations), verbal (e.g., sexually demeaning comments; sexually explicit statements, questions, slurs, jokes, anecdotes, or epithets), physical (e.g., sexual assault, touching, impeding or blocking movement), or visual (e.g.,

- leering, gestures, display of sexually suggestive objects or pictures, cartoons, or posters) communication with sexual overtones;
- continuing to express sexual interest after being informed that the interest is unwelcome;
- making reprisals, threats of reprisal, or implied threats or reprisal following a negative response to sexual advances or following a sexual harassment complaint.

A single incident of sufficient severity may constitute sexual harassment. In determining whether a specific act or pattern of behavior violates this policy, the circumstances surrounding the conduct should be considered together with the above definition of sexual harassment. Such determination will be made from the perspective of a reasonable person toward whom such conduct might be directed.

3. **Procedures:** In addition to its general duty to create and maintain an environment free of sexual harassment, the School also recognizes:
- a. its presumptive moral and legal obligations to advance the interest of those individuals involved in a particular case of sexual harassment;
 - b. its obligation to respect individuals, rights to privacy, confidentiality, and, where desired, autonomy; and
 - c. its obligations to provide a procedurally just framework for encouraging the resolution of such complaints. Individuals who believe they are or may have been victims of sexual harassment may initiate either an informal inquiry, a formal inquiry, or a formal complaint.

There are no time limits on the initiation of informal or formal inquiries or a formal complaint. Persons who believe they are being or have been subjected to sexual harassment are encouraged to seek resolution as soon as possible after an incident. They should also recognize that delay in taking formal action with respect to an incident for more than 180 days may foreclose access to outside government federal investigative agencies (one year in the case of the Department of California Fair Employment and Housing Commission). Complaints must be filed with the Office for Civil Rights, U.S. Department of Education, within 180 days of the alleged harassment or within 60 days after the completion of the School's internal grievance procedure established by this policy. Filing a grievance with the School is not a prerequisite to filing a complaint with a federal or state agency. Complaints made after more than three years may preclude the School from seeking a resolution involving disciplinary action.

4. **Informal Inquiry:** The informal inquiry process may be initiated only by persons who believe they are or may have been victims of sexual harassment. The intent of this process is to provide such persons with an opportunity to receive information and counsel about the definition of sexual harassment, the legitimacy of their concerns, and the informal or formal administrative mechanisms that exist for resolving complaints. It further seeks to provide the institutional space in which an informal yet fair resolution of the inquiry can take place, while guaranteeing, to the greatest degree possible, the confidentiality and privacy of the parties involved in an atmosphere of mediation and conciliation.

The School designates the Dean of Students to receive informal inquiries from students who believe they are or may have been victims of sexual harassment. The School

designates the Faculty Senate to receive informal inquiries from faculty and staff members who believe they are or may have been victims of sexual harassment.

The Dean of Faculty and Dean of Students subscribe to a code of ethics which requires observance of professional-client confidentiality. Confidentiality in informal inquiry will be restricted to the inquirer and the School designee.

In addition to giving information, those designated to receive informal inquiry may seek to achieve informal resolution to problems by bringing together the two parties. This attempt must be preceded by the agreement of the inquirer to enlarge the scope of confidentiality to include the second party.

Nothing pertaining to any inquiries made or resolution procedures followed at this level shall be incorporated into any official record or the files of the parties involved without the consent of the parties. All matters pertaining to inquiries, discussions, and informal resolutions at this level are confidential at any time during this informal inquiry or complaint with appropriate administrators of the School.

The Administration Office will maintain confidential records on the volume of informal inquiries, and the nature of inquiries of those making an informal inquiry.

5. Formal Inquiry and Complaint Process: The formal inquiry and complaint process is initiated only by persons who believe they are or may have been victims of sexual harassment. Formal inquiries concerning or complaints against faculty or staff must be directed to the Faculty Senate. Formal inquiries concerning or complaints against students must be directed to the Dean of Students. Individuals may initiate either a formal inquiry or a formal complaint or move from the inquiry stage to the complaint stage provided there has been no resolution at the formal inquiry level.

The person making a formal inquiry should be informed that the School will endeavor to restrict confidentiality to the person making the inquiry and the school designee receiving it, but this restriction cannot be guaranteed. As a means of fulfilling its obligation to create and maintain an environment free from sexual harassment, the School may conduct reasonable and appropriate investigations designed to assess whether sexual harassment has occurred and this activity may require enlarging the scope of confidentiality. Whenever possible, the School representative will seek the agreement of the person making the inquiry to expand the scope of confidentiality, but the person undertaking a formal inquiry shall be informed that the School, under the charge of protecting its members from sexual harassment, may proceed in initiating an investigation, a resolution, or disciplinary action even if a formal complaint is not filed and independent of the intent or wishes of the person making the inquiry. This does not mean, however, that the School has a duty to immediately or necessarily conduct an investigation any time a formal inquiry is made; such a decision must be made on a case-by-case basis considering the entire set of circumstances.

At any stage in the formal inquiry and complaint process, individuals initiating an inquiry or complaint have the right to be accompanied by a person of their choice when discussing such alleged incidents. If that person is an attorney, the School will be notified in writing of the name and address of the attorney five instructional days prior to the meeting to determine if a School attorney needs be present.

6. Inquiries Concerning, or Complaints Against Faculty or Staff

Formal Inquiry: Students or employees who believe they are or may have been victims of sexual harassment involving faculty or staff may initiate a formal inquiry. The purpose of this process is fourfold:

The Faculty Senate and Dean of Students will meet with the individual to acquire information regarding the alleged incident and to ascertain what this person desires by way of a remedy. If appropriate, the Faculty Senate and Dean of Students will attempt to resolve the matter by means of a conference with the individual whose alleged behavior is in question. This stage of the formal inquiry process should emphasize discretion, mediation, and conciliation.

In the conference stage the School representative will attempt insofar as possible to restrict the scope of confidentiality to the individual making the inquiry or to that person and the person whose alleged behavior is the subject of the inquiry. The scope of confidentiality will be extended only so far as necessary for compelling cause and when no reasonable alternative exists.

If a formal complaint arising from the inquiry is not initiated, no record of such an inquiry shall be made part of a faculty member's personnel file, a staff member's employment record, or a student's official file without the consent of the parties involved. A confidential record of formal inquiries and conference resolution activities shall be maintained in the Administration Office.

In the event this formal inquiry leads to a resolution, both parties are precluded from subsequently filing a formal complaint unless it is demonstrated to the Faculty Senate and Dean of Students that the terms and conditions of the resolution, if any, have been violated. Both parties shall keep the results of the resolution confidential. Failure to respect this duty of confidentiality will subject the parties to disciplinary action. In the event that this formal inquiry fails to lead to a resolution of the problem, the individual making the inquiry may file a formal written complaint with the Dean of the Law School. In situations where the formal process is initiated by an inquiry but no formal written complaint is filed, the School possesses the discretion to proceed as if a formal written complaint has been filed.

a. Formal Complaint and Resolution: Although the resolution of allegations of sexual harassment through the inquiry and conference processes is preferred, it is the absolute right of persons who believe they are or have been subjected to sexual harassment to proceed directly with a formal complaint.

Formal complaints against faculty and staff must be made in writing by the complainant, and they must be directed to the Dean of the Law School.

Upon receiving a formal written complaint or upon determining that the School has an obligation to pursue an inquiry into possible incidents of sexual harassment the Dean of the Law School shall promptly begin an appropriate investigation. If the Dean of The Law School concludes that a resolution may be achieved by a conference with the employee whose alleged behavior is in question, especially if a conference has not been held with respect to the issue in the formal inquiry stage, such a conference resolution should be attempted. This stage of the formal complaint process may emphasize discretion, mediation, and conciliation. The investigation and resolution will normally not exceed ninety days. The Dean of the Law School may, under extraordinary circumstances, extend the time limit to insure a full investigation. During the investigation every effort will be made to restrict the scope of confidentiality as narrowly

as possible, but it will be expanded as required by the demands of a thorough investigation. Every attempt shall be made to respect the privacy of both the complaint and investigation.

The Dean of the Law School will maintain a record of the investigation and, if no voluntary resolution is reached, will prepare a report to the Dean of the School containing the findings of the inquiry as to whether sexual harassment occurred and the recommended remedial action. The final decision will be made by the Dean. The Administration Office shall maintain confidential records of investigations, reports, decisions, and remedial action resulting from formal complaints.

The School recognizes the need to protect the rights of both the complainant and the subject of the complaint. Allegations of sexual harassment are serious and will be treated as such. At the same time, the making of knowingly false accusations of sexual harassment likewise will be treated as unprofessional or uncivil conduct, and persons bringing such accusations will be subject to appropriate disciplinary action.

b. Remedial Action: If findings are made that harassment occurred, the Dean will take the necessary steps to ensure that appropriate remedial action is taken. This may include individual remedies for the victim or a range of formal or informal disciplinary measures or other personnel actions. If it appears that the formal disciplinary action is required, the Dean will initiate such action under applicable disciplinary procedures.

Whenever there is included in any employee record information concerning any disciplinary action taken by the School in connection with allegations of sexual harassment, the complainant shall be informed within three days of the results of any disciplinary action by the School and the results of any appeal. Failure to respect confidentiality may result in civil action initiated by the accused.

It is the policy of Cal Northern School of Law that evidence, proceedings, findings, and recommendations are confidential and shall not be made public by the School or by any participant in a hearing, including the person charged. In the event these matters should become public, however, the institution may authorize such public statements as are appropriate and which do not violate any legal prohibitions against such statements.

7. Inquiries Concerning, or Complaints Against, Students

Formal Inquiry: Students or employees who believe they are or may have been victims of sexual harassment involving students may initiate a formal inquiry. The purpose of this process is fourfold:

- a. to assure that these individuals understand the nature and scope of a formal process;
- b. to allow them to receive information on the legitimacy of their concerns;
- c. to allow these individuals to receive a description of the formal administrative mechanisms that exist for resolving cases of sexual harassment; and
- d. to provide the individuals with an opportunity, if desired, to resolve the situation short of filing a formal complaint.

The Dean of Students will meet with the individual to acquire information regarding the alleged incident and to ascertain what this person desires by way of a remedy. If

appropriate, the Dean of Students will attempt to resolve the matter by means of a conference with the individual whose alleged behavior is in question. This stage of the formal inquiry process should emphasize discretion, mediation, and conciliation.

In the conference stage, the School representative will attempt, insofar as possible, to restrict the scope of confidentiality to the individual making the inquiry or to that person and the person whose alleged behavior is the subject of the inquiry. The scope of confidentiality will be extended only so far as necessary for compelling cause and when no reasonable alternative exists.

If a formal complaint arising from the inquiry is not initiated, no record of such an inquiry shall be made part of a faculty member's personnel file, a staff member's employment record, or a student's official file without the consent of the parties involved. A confidential record of formal inquiries and conference resolution activities shall be maintained in the Administration Office.

In the event this formal inquiry leads to a resolution, the individual making the inquiry is precluded from subsequently filing a formal complaint unless it is demonstrated to the Dean of Students that the terms and conditions of the resolution, if any, have been violated. Both parties shall keep the results of the resolution confidential. Failure to respect this duty of confidentiality will subject the parties to disciplinary action. In the event that this formal inquiry fails to lead to a resolution of the problem, the individual making the inquiry may file a formal written complaint with the Dean of the Law School. In situations where the formal process is initiated by an inquiry but no formal written complaint is filed, the School possesses the discretion to proceed as if a formal written complaint has been filed.

a. Formal Complaint and Resolution: Although the resolution of allegations of sexual harassment through the inquiry and conference processes is preferred, it is the absolute right of persons who believe they are or have been subjected to sexual harassment to proceed directly with a formal complaint.

Formal complaints against faculty and staff must be made in writing by the complainant, and they must be directed to the Dean of the Law School.

Upon receiving a formal written complaint or upon determining that the School has an obligation to pursue an inquiry into possible incidents of sexual harassment the Dean of the Law School shall promptly begin an appropriate investigation. If the Dean of the Law School concludes that a resolution may be achieved by a conference with the student whose alleged behavior is in question, especially if a conference has not been held with respect to the issue in the formal inquiry stage, such a conference resolution should be attempted. This stage of the formal complaint process may emphasize discretion, mediation, and conciliation. The investigation and resolution will normally not exceed ninety days. The Dean of the Law School may, under extraordinary circumstances, extend the time limit to insure a full investigation. During the investigation every effort will be made to restrict the scope of confidentiality as narrowly as possible, but it will be expanded as required by the demands of a thorough investigation. Every attempt shall be made to respect the privacy of both the complaint and investigation.

The Dean of The Law School will maintain a record of the investigation and, if no voluntary resolution is reached, will prepare a report containing the findings of the inquiry as to whether sexual harassment occurred and the recommended remedial action. The final decision will be made by the Dean of the Law School. The Dean of the Law School

shall maintain confidential records of investigations, reports, decisions, and remedial action resulting from formal complaints. No portion of such records shall be placed in any official student file, except as is in compliance with applicable statute.

b. Remedial Action: If findings are made that harassment occurred, the Dean will take the necessary steps to ensure that appropriate remedial action is taken. This may include individual remedies for the victim or a range of formal or informal disciplinary measures or other personnel actions. If it appears that the formal disciplinary action is required, the Dean of the Law School will initiate appropriate disciplinary procedures which may include expulsion from the school. Whenever there is included in any student record information concerning any disciplinary action taken by the School in connection with allegations of sexual harassment, the complainant of that sexual harassment shall be informed within three days of the results of any disciplinary action by the School and the results of any appeal. Failure to respect confidentiality may result in civil action initiated by the accused.

It is the policy of Cal Northern School of Law that evidence, proceedings, findings, and recommendations are confidential and shall not be made public by the School or by any participant in a hearing, including the person charged. In the event these matters should become public, however, the institution may authorize such public statements as are appropriate and which do not violate any legal prohibitions against such statements.

XI. SPECIAL ACCOMMODATIONS FOR DISABILITIES

It is Cal Northern School of Law's policy to provide reasonable accommodations for disabled students, including those with learning disabilities or health impairments, as well as those with other disabilities that may impact on the student's legal education. Reasonable accommodations are determined on a case-by-case basis.

Students whose disabilities may require **accommodations in the classroom** such as adaptive devices and/or auxiliary aids, and/or **accommodations for examination taking** such as additional testing time, are encouraged to schedule an appointment with a Dean (well in advance of the examination period for which special accommodations will be requested) to discuss their needs, complete the appropriate request forms and provide any required documentation.

Students with disabilities will be required to provide appropriate documentation of the disability as a basis for approval of accommodations. The form *Documentation For Eligibility For Students With Disabilities; History Of Academic Accommodations* is available in the Administration Office and **must be submitted** together with an attached accommodation recommendation verification completed by a qualified professional.

A. Classroom Accommodations: In requesting **classroom accommodations** when medical/physical disabilities are at issue, a physician's statement will usually be sufficient, so long as that statement describes both the disability and the limitations that the disability poses for the student.

Documentation guidelines include:

1. The documentation must be prepared by a professional qualified to diagnose a learning disability, including but not limited to, a licensed physician, learning disability specialist, or psychologist.

2. The documentation must include the testing procedures followed, the instruments used to assess the disability, the test results, and an interpretation of the test results.
3. The documentation must be dated no more than three years prior to the student's request for special accommodations, unless the documentation was completed during the individual's undergraduate education and was the basis for accommodations during that education. If seeking accommodations for learning disabilities, the documentation must adequately measure cognitive abilities (using the Wechsler Adult Intelligence Scale IV or more current version, or equivalent) and academic achievement skills (using Woodcock Johnson Part III Tests of Achievement, or equivalent). The achievement test should sample reading, math and writing.
4. The documentation must include test results for at least the following characteristics: intelligence, vocabulary, reading rate, reading comprehension, spelling, mathematical comprehension, memory, and processing skills. The diagnosis should conform to federal and state guidelines.

B. Examination Accommodations: For students with learning and/or physical disabilities requesting special accommodations for **examination testing**, a *Testing Accommodation Disability Verification* form is required from the treating clinician/licensed professional. The verification forms are based on the State Bar Committee of Bar Examiner requirements for special accommodations for bar examinations. This documentation will support a student's request for special accommodations when taking bar examinations and will be submitted upon the student's request to the Committee of Bar Examiners.

The **Testing Accommodations Verification forms are available from the administration office** for the following disabilities:

- ***Attention Deficit/Hyperactivity Disorder*** (The diagnostic criteria as specified in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV-TR))
- ***Learning Disability*** (As measured by the Wechsler Adult Intelligence Scale IV (WAIS IV) or most current version (including IQ, index, and scaled scores); Woodcock-Johnson III (WJ III): Tests of Cognitive Ability; Stanford-Binet Intelligence Scale (4th Ed.); Kaufman Adolescent and Adult Intelligence Test)
- ***Mental Disabilities*** (Identified by a comprehensive diagnostic/clinical evaluation)
- ***Physical Disabilities*** (Identified by a comprehensive diagnostic/clinical evaluation)
- ***Visual Disability*** (Identified by a comprehensive diagnostic/clinical evaluation)

ALL STUDENTS requesting special accommodations **MUST SUBMIT A COMPLETED *Documentation For Eligibility For Students With Disabilities; History Of Academic Accommodations*** form together with **Verification from treating professional**.

For each subsequent semester for which special accommodations are needed, the student should request a **Continuation of Previously Determined Accommodations**.

If a student has questions, or needs assistance, the student is welcome to contact the Dean of the law school.

XII. SUBSTANCE ABUSE POLICY

Pursuant to the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act of 1989, and 34 C.F.R. 86.1000 *et. seq.*, Cal Northern School of Law is committed to maintaining a substance abuse free institution of higher education. The Law School is committed to a good faith effort to provide a campus free from the illegal use, possession or distribution of illicit drugs and alcohol.

The unlawful manufacture, possession, distribution or use of illicit substances by students or employees on school premises or during school sponsored activities is prohibited. In addition, the law school prohibits the misuse of legal drugs including alcohol. Students are required to abide by this policy. Students convicted of the unlawful possession, distribution or use of illicit drugs, alcohol or other controlled substances face state and federal legal sanctions. Students will also be subject to discipline by Cal Northern School of Law pursuant to its discipline policies. Such convictions may also jeopardize a student's admission to the practice of law.

Cal Northern School of Law believes that drug or alcohol abuse can seriously impede a student's success in his/her legal studies. We encourage any student to contact the Dean or Registrar for confidential counseling referrals.

Cal Northern School of Law supports the California State Bar Lawyers Aid Program and The Other Bar. These programs offer assistance to attorneys with substance abuse problems AND offer the same programs and services to law students. Referrals and counseling with these organizations is on a confidential basis.

A. Smoke-Free Environment

Smoking is prohibited, including within 25 feet of building entrances, exits, windows that open, and ventilation intakes. This smoke-free policy includes cigarettes and electronic cigarettes, and it covers all areas owned or operated by the law school. If a local law or ordinance provides greater protection for the rights of non-smokers, it shall apply.

B. Drug-Free Environment

1. Legal Sanctions Under Federal and State Law

Federal penalties and sanctions for illegal possession of a controlled substance are as set forth below. This list has been included for reference purposes only. The most current information can be found on the website of the U.S. Drug Enforcement Administration.

- a. First conviction: up to one-year imprisonment or a fine of at least \$1,000
- b. After one prior drug conviction: at least 15 days in prison, not to exceed two years, and a fine of at least \$2,500 but not more than \$250,000, or both
- c. After two or more prior drug convictions: at least 90 days in prison, not to exceed three years, and a fine of at least \$5,000
- d. Special sentencing provisions for possession of crack cocaine: mandatory sentencing of at least five years in prison, not to exceed 20 years, and a fine of up to \$250,000, or both, if the first conviction and amount of crack possessed exceeds five grams, the second crack

conviction and the amount of crack possessed exceeds three grams, third or subsequent crack conviction and the amount of crack possessed exceeds one gram

- e. Forfeiture of personal property used to possess or to facilitate possession of a controlled substance, if that offense is punishable by more than a one-year imprisonment
- f. Forfeiture of vehicles, boats, aircraft, and any other conveyance used to transport or conceal a controlled substance
- g. Civil penalty of up to \$10,000
- h. Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, for up to one year for first offense or up to five years for second and subsequent offenses
- i. Ineligibility to receive or purchase a firearm
- j. Revocation of certain federal licenses and benefits, (for example, pilot licenses, public housing tenancy, etc.) as vested within the authorities of individual federal agencies
- k. Any person convicted of drug trafficking occurring within 1,000 feet of an academic institution is subject to prison terms and fines twice as high as listed above with a mandatory prison sentence of one year for each offense.

This list has been included for reference purposes only. The most current information can be found on the website of the U.S. Drug Enforcement Administration.

C. Institutional Policy on Alcohol

Beverage alcohol may be served to and consumed by persons of legal drinking age on School premises or internships sites only in conjunction with a specifically authorized function of the School administration. Individuals consuming alcohol should do so in a responsible manner.

D. General State Laws of Alcohol Possession and Consumption

Individuals younger than 21 years old may not purchase, accept as a gift, or possess alcoholic beverages on any street or highway or other public place. Consumption by minors is expressly prohibited. Licensees to sell alcoholic beverages are prohibited from selling, giving, or delivering alcoholic beverages to anyone under 21 years of age. It is unlawful for anyone of legal age to purchase or obtain alcoholic beverages and then sell, give, or deliver them to a minor.

E. Health Risks Associated with Use of Illicit Drugs, the Misuse of Legal Drugs, and Alcohol Abuse

There are health risks associated with the use of illicit drugs and abuse of legal drugs and alcohol including impaired functioning of the following major organs: liver, kidneys, brain, and other aspects of the central nervous system including impaired immune functioning and impaired lung and pulmonary functioning. The effects are both immediate and long-term. Immediate effects include impaired judgment, impaired attention span, and impaired gross and fine motor control. Long-term effects include the risk of premature death. The use of needles to inject drugs into the blood stream engenders the risk of contracting HIV or hepatitis. These health risks may affect one's daily life activities, as well as familial, social, and working relationships.

Drug and alcohol abuse causes physical and emotional dependence, in which users may develop a craving for a particular substance. Thus, their bodies may respond to the presence of such substances in ways that lead to increased drug and alcohol use.

Certain drugs, such as opiates, barbiturates, alcohol and nicotine create physical dependence. With prolonged use, these drugs become part of the body chemistry. When a regular user stops taking the drug, the body experiences the physiological trauma known as withdrawal.

Psychological dependence occurs when taking drugs becomes the center of the user's life. Drugs have an effect on the mind and body for weeks or even months after drug use has stopped. Drugs and alcohol can interfere with memory, sensation, and perception. They distort experiences and cause loss of self-control that can lead users to harm others as well as themselves.

F. Counseling, Treatment, or Rehabilitation Programs

Any student who fails to abide by the terms of the Alcohol and Drug-Free provisions may be required to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency. Specific programs of counseling or rehabilitation are available with the Santa Barbara and Ventura communities.

G. Substance Abuse Resources

The Other Bar, a California Non-Profit Corporation
Toll free confidential hotline: 800-222-0767

H. Sanctions to Be Imposed on Students Who Violate Regulations and Policies

As a condition of matriculation to COL, students agree to abide by the terms of these regulations and policies and agree to notify COL of any criminal drug statute conviction for a violation occurring on campus no later than five (5) business days after such conviction. COL will take appropriate action (consistent with local, state, and federal law) against a student who violates the standards of conduct contained herein, pursuant to the Student Code of Ethics and Conduct, up to and including dismissal from the institution and referral for prosecution.

I. Distribution

This policy is distributed annually to all students and employees pursuant to Public Law 101-226 (The Drug-Free Schools and Communities Act Amendment of 1989). The law school will regularly review the terms of this policy to:

1. Determine its effectiveness;
2. Implement changes, as needed, and
3. Ensure that sanctions are consistently reinforced.

XIII. CAMPUS SECURITY

Cal Northern School of Law endeavors to provide safe and healthy conditions and promotes and encourages safe practices by its employees and students. Preventing accidents is an objective affecting all levels of the law school and its activities. It is the duty of each employee and student to accept and follow established safety regulations and procedures.

All employees and students are requested to report any unsafe conditions. Everyone is responsible for the housekeeping that reduces the potential for injury. Any injury that occurs on school premises should be reported to the Administration office as soon as possible.

At the beginning of each year one or two students from each class will be designated as lock up students and will be responsible for making sure the doors are secured at the end of the evening. However, all employees and students are requested to do their part to secure the building by checking to make sure the doors are closed after exiting the building.

The law school is required to report any crimes of which it has knowledge under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) by publishing the Campus Crime Statistics and a Security Crime Survey by October 1sts of each year. In addition, the law school must provide a timely warning of campus crimes reported to campus security and local police agencies in a manner that is intended to prevent similar crimes from recurring and to protect the personal safety of students and employees. Crime statistics for the law school will be available on the School's website as of October of 2024. This report will be available online. Students may also request a copy of the report from the Registrar.

XIV. EMERGENCY RESPONSE AND EVACUATION

The law school is committed to the safety and security of all members of its community. In times of emergency, the law school will provide an appropriate campus-wide response to assure everyone's safety and to minimize losses. Information about the law school's emergency response and evacuation procedures can be found in the Emergency Operations Plan, which is available on the website and provided to all entering students. The guide is intended to assist all faculty, staff, and students in responding to emergencies that may occur while they are at the law school. Such emergencies can occur at any time and without warning, but their effects may be minimized if proper emergency procedures are followed. Students are encouraged to read and become familiar with the contents of the Plan before an emergency occurs.

XV. AUDIO AND VISUAL RECORDING LIMITATIONS POLICY

Except as provided under the ADA accommodations policy, students are prohibited from recording class lectures or presentations without the professor's express knowledge and written consent. To obtain written permission, a student must submit their request to the professor and return the request form signed by the professor to the Registrar's office. Once permission is obtained, the professor should announce that the class is being recorded. Students who obtain permission to record a classroom lecture may only use the recording for the student's own education and the education of the students enrolled in the class for which permission to record was granted. Any recordings must not be made available to anyone outside of the students enrolled in the class, including posting online or through other media without the professor's express written consent. Further, such recordings may only be used during the period when the course is being offered and will be destroyed after the student no longer needs the recording for their academic work. Students are not permitted to copy, file-share, sell, distribute or post such recordings online.

Outside of class lectures, students are prohibited from making a video recording, audio recording, taking photographs, or streaming audio/video of any person on campus, including in the classroom during breaks, without that person's express knowledge and consent.

A student who fails to comply with this process and requirements will be subject to disciplinary action pursuant to the Student Code of Conduct.

XVI. STUDENT RIGHTS AND RESPONSIBILITIES

1. Statement of Student Rights

To protect student rights and to facilitate the definition of student responsibilities at Cal Northern School of Law, the following statements are set forth:

a. The Right of Access to Higher Education:

The School is open to all persons who are qualified according to its admission standards.

b. Rights in the Classroom:

The classroom is the essential part of the School, and the freedom to learn should be promoted and encouraged by the instructor.

- i. Students are free to take reasonable exception to the information or views offered in courses of study. At the same time they are responsible for meeting standards of academic performance established for each course.
- ii. All instructors shall provide students with a course syllabus. Students should be informed by the instructor about the level of achievement which is expected for each grade.
- iii. Students have the right to know what material will be covered on midterms and finals and to inspect and discuss their graded examinations and papers with their instructors. These will be graded promptly enough so as to make them a part of the student's learning experience.
- iv. Students have the right to have faculty meet their classes at scheduled times. When circumstances require that the instructor will not be able to attend a class, the instructor shall make an effort to get a substitute instructor.
- v. Students have the right to have instructional faculty schedule a reasonable number of hours for student conferences.
- vi. Students have the right to a course grade which represents the professor's good-faith judgment of the student's performance in the course.
- vii. Students have the right to expect that, in the classroom, faculty will not discriminate on the basis of personal prejudices.
- viii. Students have the right as well as the responsibility to participate in procedures for evaluating the teaching effectiveness of faculty.

c. Right to Freedom from Racial Harassment:

Students have the right to expect freedom from racial harassment.

Racial harassment interferes with a student's career or an employee's work performance and creates an atmosphere of intimidation and hostility. Cal Northern School of Law will not tolerate racial harassment.

Violations of this policy will be considered to be unprofessional or uncivil conduct, and the perpetrators may be subject to disciplinary sanctions ranging from verbal reprimand to legal action resulting in dismissal or expulsion. All students, staff, and faculty will be informed of the School's policies regarding racial harassment.

Racial harassment is defined as a pattern of discriminatory oral, written, or physical behavior relating to an individual's or a group's race, ethnicity, national origin, or ancestry which has the effect of:

- creating an intimidating, hostile, demeaning, or abusive learning or working environment;
- unreasonably interfering with educational or work performance;
- adversely affecting education or employment opportunities; or
- adversely affecting participation in school-sanctioned activities.

A single incident of sufficient severity also may constitute racial harassment. In determining whether a specific act or pattern of behavior violates the policy, the circumstances surrounding the behavior should be considered together with the definition of racial harassment. Such determinations should be made from the perspective of a reasonable person toward whom such behavior might be directed.

Forms of discriminatory behavior that constitute racial harassment may include written or pictorial communication (e.g., letters, notes, newspaper articles, invitations, posters, cartoons), oral comments (epithets, jokes, or slurs), or physical conduct (provocative gestures, violence, destruction of property) when such conduct is sufficiently severe or pervasive enough as to incite an immediate breach of the peace. Additionally, reprisals or threats of reprisal by either party following a racial harassment complaint also may constitute racial harassment.

d. Right to Freedom from Discrimination:

Policy of Cal Northern School of Law affirms and protects the rights and opportunities of all persons to seek, obtain, and retain the services of the School without discrimination or abridgment on account of race, religion, gender, age, sexual orientation, color, creed, national origin or ancestry, ideology, marital or family status, physical disability or medical condition, or military or veteran status.

Questions or conditions related to the preceding individual characteristics and preferences shall not be tolerated as a basis for either discrimination or abridgment of Constitutionally guaranteed rights. It is affirmed as school policy that such discriminatory actions or intentions adversely and substantially affect the interests of both students and the School.

e. Right to Privacy and to Inspect Public Records:

According to federal and state law, students have the right to protection against improper disclosure of personal information. The school shall not disclose to any person, without the student's consent, and information about the student, such as

grades, grade average, class schedule, address or telephone number or other private information about the student unless required by statute, government regulation, court order, the Committee of Bar Examiners, an accrediting agency or upon an emergency.

Information from disciplinary, financial, or academic records shall not be available to any person, on or off campus, without the express written consent of the student involved except in accordance with the law. No records shall be maintained on students which reflect their political or social views and activities.

Notwithstanding the above, the school may provide a directory of names, addresses and phone numbers of all of its students. Any student wishing not to be included therein shall make such request to the Administration Office at the beginning of the school year so as to insure that he or she is not included in said directory.

f. Right to Freedom of Association, Expression, Advocacy, and Publication:

Students are free to organize, join associations, and promote their common interests. Students shall be free to discuss openly all questions of interest to them and to express their opinions publicly or privately. Students are free to affiliate and organize for educational, political, social, religious, or cultural purposes.

In addition to voicing their positions on issues, members of student organizations have a responsibility to respect the rights of individuals who do not desire to affiliate or sympathize with those positions.

Students are permitted the fullest expression of beliefs through means which are orderly and do not violate the rights of others.

The Associated Students of Cal Northern School of Law, other student organizations, and individual students may publish and otherwise communicate information and opinion. These groups and individuals are not subject to sanctions and restraints beyond those imposed by provisions set forth by Cal Northern regulations, state or federal laws. Students are also responsible for respecting the rights of other students, faculty, and administrators by avoiding the utterance of willful or malicious defamatory statements or other incivilities so grave as to impair the ability of students or educators to effectively perform their duties.

g. Family Education Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment (20 USC S. 1232g), affords students certain rights with respect to their education records. For purposes of compliance with FERPA, the School considers all students independent. Questions about FERPA and student records may be directed to the Office of the Registrar.

i. **Right to Inspect and Review**

A student has the right to inspect and review the student's education record within forty-five (45) business days after the School receives a written request for access. A written request identifying the record to be inspected should be submitted by the student to the Office of the Registrar. The Campus Registrar or designee will make arrangements for access and notify the student of next steps for inspecting the record. If the Office of the Registrar does not retain the record requested, the student will be advised of the correct official to whom the

request should be addressed.

ii. **Right to Request Amendments**

A student has the right to request an amendment of the education record if the student believes the record is inaccurate or misleading. To request an amendment, the student writes a formal letter to the Registrar, clearly identifying the part of the record to be changed and specifying why the record is inaccurate or misleading.

iii. **Right to Request a Hearing**

The institution has the right to decide whether to amend a student's education record as requested by the student. If the School decides not to amend the record as requested by the student, the School will notify the student of the decision and advise the student of the right to a hearing regarding the request for amendment. To request a hearing, the student submits a request in writing to the Office of the Registrar. The Registrar will refer the request to the Dean, who will act as the hearing officer regarding all challenges to the accuracy of the education record and the denial of requested changes. The formal hearing will be conducted according to the following procedures:

1. The student will be permitted to present information and materials in support of the assertion that the record is inaccurate, misleading, or otherwise erroneous.
2. A representative of CNSL will be permitted to present information and materials that support the School's position.
3. Each party will be present during the hearing and may challenge information and materials of the other party.
4. If a student is unable to attend the hearing in person due to distance (such as students participating in online programs), the student may be offered the opportunity to participate via a phone conference or video call.
5. The hearing officer will render a decision on the matter generally within five (5) business days after the conclusion of the hearing. FERPA does not provide a process to be used to question substantive judgments which are correctly recorded. For example, the right to challenge does not allow a student to contest a grade in a course because the student believes a higher grade should have been assigned.

iv. **Right to Consent to Disclosures**

A student has the right to consent to disclosures of personally identifiable information contained in the education record, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to School officials with legitimate educational interests. A School official is a person employed by the School in an administrative, supervisory, academic, research, or support staff position; a person or company with whom the School has contracted (such as an attorney, auditor, collection agent, or official of the U.S. Department of Education or other federal agency); a person serving on the Board of Trustees; or a student serving on an official committee or assisting another School official in performing tasks. A School official has a legitimate educational interest if the official needs to review an education record in order to fulfill the official's professional responsibility.

The School may disclose education records in certain other circumstances:

1. to comply with a judicial order or a lawfully issued subpoena
2. to appropriate parties in a health or safety emergency
3. to officials of another school, upon request and for purposes related to the student's enrollment, where a student seeks or intends to enroll or is already enrolled
4. in connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid
5. to certain officials of the U.S. Department of Education, the Comptroller General, to state and local educational authorities in connection with certain state or federally supported education programs
6. to accrediting organizations to carry out their functions
7. to organizations conducting certain studies for or on behalf of CNSL
8. The results of an institutional disciplinary proceeding against the alleged perpetrator of a crime of violence may be released to the alleged victim of that crime with respect to that crime.
9. Additionally, CNSL must, upon written request, disclose to the alleged victim of any crime of violence or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the School against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon written request, to the next of kin of the alleged victim.

v. Right to File a Complaint

A student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by CNSL to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC, 20202-5920.

2. Student Responsibilities

Just as students have rights, they also have responsibilities. Student rights in themselves exist primarily to meet their educational responsibilities.

First among the responsibilities is for students to successfully acquire high-quality experiences in higher learning. This central commitment to achieve academic standards also specifies additional responsibilities which include, but are not limited to, the following: understanding School policies and procedures involved in registering for school; and completing all related paperwork to keep accurate records. Students must achieve high grades and standards and gain proficiency in their study of law. They must master the skills required to accomplish these educational goals, which may include proper work and time management; the development of competency in analytical and critical thinking and the mastery of communicative and organizational skills. It is their responsibility to make meaningful connections between their academic goals and their future vocational objectives.

XVII. STUDENT GRIEVANCE PROCEDURES

1. Introduction: This procedure is intended to provide reasonable and orderly resolution of student grievances in a fair and consistent manner. The policy that follows describes the procedure that will be used to resolve a grievance where there is **no** other specified procedure.

The student is encouraged to resolve the matter informally with the faculty, administrator, or staff member. Should informal resolution fail, the grievance may be submitted to the proper school faculty member or dean as provided within this document.

2. Informal Resolution: Before filing a grievance, a student who has a complaint must follow these steps to attempt to resolve the matter informally. A student is encouraged to keep in contact with the Dean of Students throughout informal resolution.

a. The student should first meet with the member of the faculty, administration or staff, if appropriate, to resolve the matter. Appointments with members of Cal Northern's faculty, administration and staff may be made either directly or by contacting the Administration Office.

b. If the student is not satisfied that the matter is resolved after meeting with the appropriate party, or if the student does not think that meeting with said member of faculty, administration or staff is appropriate, the student should meet with the Dean of Students. An appointment with the Dean of Students may be made by contacting the Administration Office. The Dean of Students will inform the student of the rules in attempting an informal resolution.

c. The Dean of Students will attempt to resolve the matter; and may consult with appropriate members of the faculty, administration and staff in order to do so. If the Dean of Students is unable to resolve the matter informally, the student may then begin formal Grievance Proceedings.

3. Application

a. Time Limits:

i. Discovery of Grievable Action: A Grievance must be filed with the Office of Administration within thirty days after the student has discovered the action.

ii. Additional Time Limits: Under extraordinary circumstances, Cal Northern may extend the time limit, but for not more than one calendar year.

4. Grievability

The determination of grievability for an action must be based on common sense. The basic criteria must be that an action is grievable only if the action has been taken with favoritism for a student or with prejudice against a student.

a. The grievant must show that he or she has been adversely affected by the action; and

b. The grievant must show that the remedy sought will not effectively result in

- i. special favoritism for him/her or,
 - ii. prejudice against others; and
- c. The grievant must demonstrate with reasonable certainty that an official action was taken which was either unreasonable or not generally or specifically authorized; and
- d. If the action follows a written policy, the grievant must demonstrate that the policy is either unreasonable or not generally or specifically authorized; and
- e. If the action is not related to any written policy, the grievant must demonstrate that the action is either unreasonable or not generally or specifically authorized; or
- f. If the action is not related to any policy and a policy may be implied, the grievant must demonstrate that the implied policy is either unreasonable or not generally or specifically authorized, and further, the lack of such policy does not, standing alone, imply grievability of the action.
- g. No one may seek to establish school policy through the grievance procedure.

5. Formal Proceedings

- a. At any point in the proceedings, the grievant may withdraw the grievance or accept an informal solution.
- b. Filing of Grievance:
 - I. The Administration Office must provide both grievant and respondent with copies of these procedures. The Dean of Students is available for instruction in or interpretation of these procedures.
 - II. To initiate a grievance, the grievant must deliver the written grievance to the Administration staff who will immediately transmit sealed copies to the respondent, the Faculty Senate, the Dean of Students, and the Dean of the Law School. The grievance must include written documentation and must specify the following:
 - 1. that it is a grievance;
 - 2. the name of the grievant;
 - 3. the name of the respondent;
 - 4. the adversity alleged and a description of what caused the adversity, together with the dates of occurrence and discovery by the grievant;
 - 5. the specific remedy sought.
 - iii. The respondent should provide the grievant with a written answer to the grievance, with a copy sent to the Dean of Students within five instructional days of receipt of the grievance. Under appropriate circumstances the five-day time for a response may be extended by the Dean of Students.

6. Determination of Grievability:

Based on the written materials on file, the Dean of Students must determine if the contested action is grievable. The written determination must be sent to the grievant, and the respondent, within five instructional days after receipt of the grievance.

The Dean of Students' determination of grievability may be appealed in writing by either party within five instructional days of its receipt to the Dean of the Law School who makes a final decision on grievability. Within five instructional days of receipt of the appeal, the written decision of the Dean of the Law School must be sent to the grievant, the respondent, and the Dean of Students.

Should the complaint be grievable, formal grievance proceedings continue.

7. Representation:

The grievant and the respondent may each name a representative from the campus to accompany them in the grievance hearing. The name of the representative must be given to the Dean of Students prior to the hearing.

8. Naming of Witnesses:

- a. The names of witnesses, if any, for either party, must be given in writing to the Dean of Students prior to the selection of the Grievance Hearing Committee.
- b. The names of witnesses will be shared by the grievant and the respondent.
- c. Every effort must be made to ensure the presence of witnesses. Written evidence may be submitted, if in the opinion of the Dean of Students', the witness cannot be present. The witness submitting written evidence must sign the statement under penalty of perjury.
- d. Witnesses who will be presenting evidence in person to the committee must submit to the Dean of Students, twenty-four hours prior to the grievance, a summary of witnesses' testimony including its source and nature along with any other written evidence they may be submitting. If evidence is not submitted to the Dean of Students twenty-four hours prior to the start of the hearing, then the evidence should not be admitted.

9. Selection of Grievance Hearing Committee:

- a. The Grievance Hearing Committee will be comprised of four members: two faculty members and two students who have completed at least one full year at Cal Northern School of Law. The following persons cannot serve on the committee:
 - i. persons involved with the grievance;
 - ii. any person who is serving as an advocate for faculty, staff, students or administration;

- iii. staff members, administrators, and non-teaching faculty when the grievance involves a grade dispute.
The Dean of Students determines the eligibility for committee members. Committee members are to be randomly selected from a pool of students and faculty who volunteer to be on the Grievance Hearing Committee.
- b. Challenges: Each party to the grievance is permitted to exercise challenges to proposed committee membership as follows:
 - i. Peremptory: limited to one for each party;
 - ii. For cause: limited to one for each party; the Dean of Students must grant or deny the challenge.
 - iii. The Dean of Students will randomly select an appropriate student or faculty to replace any challenged committee member.

10. Grievance Hearing Procedures:

- a. Hearing Date:
 - i. The Dean of Students must inform all parties to the grievance the time, date, and location of the hearing, as well as information on other matters which affect the hearing.
 - ii. The committee will normally convene within five instruction days of its selection.
- b. Quorum: Three of the four members of the committee constitute a quorum.
- c. Closed Hearing: Attendance in the closed hearing is limited to the grievant, the respondent, and their representatives, if any, witnesses while giving evidence, the Dean of Students, and the committee. The content of the proceedings and the committee recommendations resulting therefrom must not be made public by any participant in the hearing. In the event these matters should become public, however, such public statements as are appropriate may be made by the Dean of Students. This policy of confidentiality does not preclude subsequent action following appropriate procedures on the basis of evidence developed at the hearing.
- d. General Procedures: The proceedings will be conducted by the Dean of Students as is appropriate.
- e. Committee Deliberation:
 - i. Deliberation occurs among committee members only. The Dean of Students may be present for consultation.
 - 1. Committee members must consider the case based only on evidence accepted at the hearing.
 - 2. A committee member seeks procedural advice only from the Dean of Students.

3. The Dean of Students will vote only in the event that the committee is not able to reach a majority decision on the grievance.

- f. The Decision of the Committee is final.

XVIII. STUDENT ACTIVITIES AND SERVICES

1. **Student I.D. Cards:** Each student is issued an ID card within the Fall semester of their first year. The card will be good throughout the student's attendance at Cal Northern and entitles the student to discounts on study aids and workshops offered by the Student Bar Association.

2. **The Law Library:** The law library is an integral part of Cal Northern School of Law and serves the needs of students, faculty and staff. The library collection includes the materials required by the Committee of Bar Examiners of the State Bar of California, such as federal and California cases and statutes, encyclopedias, digests, periodicals and other legal reference materials.

Through LexisNexis students have unlimited online access to legal research. It should be noted that LexisNexis computerized legal research library is limited to research directly connected to educational activities. Please understand sharing IDs is against LexisNexis and Cal Northern policy and should not be done. Any violation may subject the student to disciplinary action.

The law library is provided for study, academic research and related activities for the students of Cal Northern School of Law. Since the law library is a shared facility, talking, socializing, and other disruptive activities are not permitted. No food or beverages of any kind are permitted in the law library.

The law library is open Monday through Thursday from 9:00am to 9:30pm on Friday from 9:00am to 1:00pm and Saturday and Sundays from 10:00am to 4:00pm during the academic year. The open hours may be modified from time to time.

An annual Law Library Fee of \$250.00 is due at the beginning of the fall semester. The fee entitles the student to the use of the law library facilities and its research and reference materials as well as use of the computer lab.

3. **Wireless Network:** The campus has a wireless network that allows students with wireless-enabled laptops to access LexisNexis and the Internet from anywhere on campus. Unless students are specifically directed to do so by their instructor, students are not permitted to access the wireless network during class.

4. **Computer Center:** The library includes a computer center with three workstations where students may access online legal research databases, selected law-related domains, the Internet and word processing software as well as a printer.

5. **BarBri Study Materials/Bar Support:** Cal Northern School of Law contracts with BarBri, a commercial bar review provider, to provide law study materials, including study outlines, online resources and access to BarBri's bar review program during the spring and summer of the student's 4th year to all its students beginning in the first semester of enrollment.

6. Study and Student Lounge: Cal Northern School of Law encourages student interaction for learning purposes. The Socratic method of instruction, generally used in teaching law allows for student questioning and dialogue. Students are encouraged to form study groups for continued study, discussion and preparation outside the structured classroom program. Quite space for individual and group study is available during the day and on weekends when the library is open. A student lounge is provided with a microwave oven and vending machines containing a variety of snacks and beverages.

7. Books and Supplies: Current textbook lists will be available upon receipt of the Fall, Spring, and Summer Student Bulletins. Students are advised to wait to purchase texts until receipt of the bulletin in order to purchase the current edition. The Law School does not sell books or study aids but occasionally the Law School will accept pre-orders for hard to find textbooks. The Law School also hosts a "Used Book Sale" at the beginning of the Fall semester where incoming students can buy used textbooks directly from other Cal Northern students.

The Law School operates an on-site store where students can purchase legal dictionaries, school supplies and Cal Northern merchandise. The Bookstore is open Mondays from 9:00am to 5:00pm., Tuesdays through Thursday from 9:00am to 6:30pm and Friday from 9:00am to 1:00pm.

8. Employment Assistance: Although Cal Northern School of Law does not provide employment placement services, students often find employment through less formal means. Job announcements received by Cal Northern School of Law are posted on the law school's bulletin boards and faculty and staff members provide an informal referral network. Students sometimes learn of job openings through the law school's Legal Externship program and as a result of student membership in the local bar associations.

9. Student Bar Association: The Cal Northern School of Law Student Bar Association is supported by membership fees paid at the beginning of the fall semester. The Student Bar Association is open to all Cal Northern students and students are encouraged to take an active role. New officers and class representatives are elected each year. Student Bar Association representatives participate in orientation for new students and work with Cal Northern's administration to ensure that student needs are known.

The Student Bar Association facilitates student interaction by sponsoring various programs and social events throughout the year. They also coordinate the Student Mentoring Program and sponsor three Student Bar Association Recognition Award scholarships awarded annually during the Spring Semester.

10. Scholarship Program: Cal Northern School of Law offers a variety of scholarships found at <http://calnorthern.edu/academic-catalog/scholarships/>. The program includes scholarships that are available each fall semester and will cover a portion of the tuition and fees (excluding the cost of BarBri or any other bar review course offered by CNSL). Scholarships are awarded based on scholastic achievement, financial need and/or service to the community.

11. Federal Student Loans: Cal Northern School of Law participates in TITLE IV funding through the U.S. Department of Education. Federal financial aid is limited to Direct Unsubsidized and Direct Graduate PLUS loans.

12. Academic Counseling: Faculty members are available for academic counseling before class from 6:00pm to 6:30pm, after class at 9:30pm or at another mutually convenient time, by appointment to discuss with students course topics, examinations and grades. Students are encouraged to review their examination papers and to confer with their professors regarding their exam performance as soon as possible after exams.

The Law School provides academic support through workshops and individual counseling provided during the academic year. Students in academic difficulty are required to attend workshops as a condition of enrollment. The Academic Standards Committee may consider a student's level of participation in the Academic Support Program in deciding upon petitions for readmission.

13. Tutoring Program: Cal Northern School of Law seeks to provide services to students including the implementation of a Tutoring Program to best serve students' academic needs by carefully developing individualized curriculum designed to meet students' expectations for successful completion of law school. The Director of Academic Support in conjunction with Administration has assessed the need for a tutoring program. The needs assessment focused on students who are most in need of tutoring and has identified a target group of students at greatest risk. The assessment results have been used to design a program that builds on students' skills and interests and provides activities of direct benefit to students.

14. Populi Data Management System: Cal Northern students each have access to individual student profiles on the Populi student information system. Students' home page includes tabs for courses, calendar, grades, transcripts, course materials, and financial information, including a history of financial transactions and a link to pay tuition and fees online.

EXAM-WRITING RUBRIC

Apply the following scoring rubrics separately to each *ISSUE* in an essay question

	Score of 80 to 85+ Must include ALL	Score of 75 Must include ALL	Score of 65 to 70 Will include SOME(65) to MOST(70)	Score of 55 to 60 Will include SOME(60) to MOST(65)
Issue	- Issue as set forth is <i>dispositive</i> for overall question being asked. - Issue is <i>clearly stated</i> in a way that appropriately <i>links it to the specific facts</i> of the question.	- Issue as set forth is <i>relevant</i> to overall question being asked. - Issue is <i>clearly stated</i>.	Issue as set forth is <i>relevant</i> to overall question being asked, but <i>not stated clearly</i>.	- Issue as set forth is <i>not relevant</i> to overall question being asked (60) OR - No issue set forth at all (50)
Rule (and applicable Defenses)	<i>Dispositive portions of relevant rule</i> are <i>stated fully</i> as given in the outline (or are rephrased in a <u>legally equivalent</u> way) <i>Non-dispositive</i> portions of rule (or relevant but non-dispositive rules) stated as <i>succinctly</i> as possible. <i>Irrelevant rules</i> are <i>not mentioned at all</i>. <i>Rules</i> relied upon are <i>stated in a way that specifically applies to the facts</i> of the exam question.	<i>Relevant rule</i> for stated issue is <i>set forth fully</i> as given in outline (or are rephrased in a <u>legally equivalent</u> way)	<i>Relevant rule</i> for stated issue is set forth <i>but</i> is either <i>not stated fully</i> as given in outline (or are rephrased in a <u>legally equivalent</u> way)	<i>Wrong rule</i> set forth for stated issue (60), OR <i>Correct rule</i> set forth for stated issue but is stated <i>with such significant errors or omissions</i> that it functionally amounts to the wrong rule (60), OR <i>No rule</i> stated at all (55).
Application / Analysis	<i>All relevant facts</i> in fact pattern are utilized. <i>No irrelevant facts</i> are mentioned. - Facts used are <i>clearly linked to the applicable elements</i> or sub-rules of the stated rule. <i>Thorough</i> demonstration of <i>how each stated fact tends to prove or disprove the associated element</i> or sub-rule of the applicable rule.	<i>Many</i> of the relevant facts are utilized. <i>Few</i> irrelevant facts are mentioned. - Facts are <i>linked to applicable elements</i> or sub-rules of the stated rule, but either not done with great clarity <i>OR</i> done inconsistently. <i>Significant</i> demonstration of <i>how each stated fact tends to prove or disprove the associated element</i> or sub-rule, <i>OR</i> thorough showing but for only some facts.	- At least <i>some</i> relevant available facts are utilized for at least some elements and/or a <i>significant number</i> of irrelevant facts are mentioned. - At least some demonstration of how at least some of the relevant available facts tend to prove or disprove at least <i>some</i> of the associated elements or sub-rules of the applicable rule. <i>Organization/Quality of Writing</i> plays a role in determining the ultimate score (subjective)	- No facts stated (55) , <i>OR</i> - Facts set forth in <i>laundry list style</i>, with <i>no linkage</i> to the applicable elements or sub-rules of the stated rule (%%), <i>OR</i> <i>Some efforts</i> to use facts to prove or disprove elements or sub-rules of applicable rule, <i>but so poorly or wrongly done as to amount to no real analysis</i> (60).
Conclusion	Conclusion is <i>clearly stated</i> in a way that appropriately <i>links it to the stated rule and the ensuing analysis</i>.	Conclusion is <i>clearly stated</i>.	Conclusion is <i>stated</i>.	No conclusion <i>OR</i> ambiguous, indecisive conclusion.

ORGANIZATION AND WRITING: APPLY THE FOLLOWING STYLE RUBRICS TO EACH ANSWER OVERALL.

	Score of 80 to 85+	Score of 75	Score of 65 to 70	Score of 55 to 60
Organization	• Coherent essay structure for entire answer. • Good flow from paragraph to paragraph (or from issue to issue) causing no significant reader confusion. • Individual sections or paragraphs also well-organized and coherent. • Little or no need to re-read earlier portions of answer to understand argument and award all substantive points earned.	• Every paragraph, issue, or other portion of the answer is coherent, but overall answer is either somewhat lacking in flow or flow is somewhat confused or causes some reader confusion. • Some need to re-read earlier portions to understand argument and award all substantive points earned.	• Some portions very well organized while others are not, OR • All portions moderately well organized but overall answer includes some fractured discussion or some digression and/or causes substantial reader confusion. • More than a little need to re-read earlier portions to understand argument and award all substantive points earned.	• Overall organization fractured or “ping-pongy.” • Overall answer difficult to read without significant reader confusion. • Individual sections and/or paragraphs may also be fractured or “ping-pongy.” • Significant re-reading of earlier portions required to make any sense of argument; substantive points earned difficult to identify.
Quality of Writing	• Consistently follows format requested in the call of the question. • Overall essay shows a sense of proportion and balance that signifies a substantial understanding of the relative importance of the various issues discussed. • Dispositive issues are treated thoroughly; relevant issues are given some attention; irrelevant issues are not discussed. • Sentences are consistently well-crafted in a highly readable style. • Traditional, moderately formal rules of English grammar are consistently followed. • Appropriate legal diction employed. • No jargon.	• Generally follows format requested in the call of the question. • Overall essay shows some sense of proportion and balance that signifies some understanding of the relative importance of the various issues discussed. • Dispositive issues are treated thoroughly; most relevant issues are given some (but not too much) attention; and very few irrelevant issues are discussed at all (and none extensively), OR some effort is made to distinguish relevant importance of issues, but with some misidentification of dispositive issues. • Consistent use of complete sentences with very few (or no) incomplete sentences (fragments) or run-ons. • Traditional, moderately formal rules of English grammar generally followed.	• Significantly departs from format requested in the call of the question. • All issues treated with the same degree of detail, OR significant errors made in identifying issues. • Moderately consistent use of complete sentences. • More than a few incomplete sentences (fragments) or run-ons. • Informal English grammar utilized (but generally correctly), OR appropriate grammar attempted but with significant or frequent errors in application.	• Ignores format requested in the call of the question. • Treatment of most or all issues does not correlate to their relative importance. • Repeated use of incomplete sentences (fragments) or run-ons. • Other significant errors appear with sufficient frequency to produce an essay that is, overall, of unacceptable quality.

CAL NORTHERN SCHOOL OF LAW

TEST GUIDELINES

The following are guidelines to be used when taking midterm and final exams:

1. Students should plan on arriving on time. A student arriving after an examination has begun will not be afforded extra time.
2. Upon request, each student must present to the examination proctor or proctors her or her Cal Northern Student photo-identification card or valid Driver's License card. The student will be seated once the identity of the student is verified by the proctor.
3. Do not bring textbooks, study guides, notebooks, briefcases, purses or any materials which are not required to take the test into the classroom on the day of the exam. If you have these materials with you, please put them against the wall in the front of the classroom.
4. Cell phones, personal digital assistants and pagers may not be on or near a student during an examination. The device must be turned off, and at the front of the classroom. A student may be expelled from the examination room if his/her phone rings during an exam.
5. All essay exams, except those typed, must be written in a bluebook using either blue or black ink. Pencil written exams are not acceptable. Students must confine their writing to the left side of the page only. Bluebooks will be provided by the school. It is the student's responsibility to present a legible exam. Grades will be based on what a professor can reasonably read.
6. Laptop users must complete the registration process to use and register ExamSoft's Examplify which are posted on Cal Northern's Custom Home page @ <http://www.examsoft.com/calnorthernlaw>. Students using a laptop must comply with the **Remote Proctoring Exam Protocols** contained in the Student Handbook.

In order to protect the integrity of Cal Northern's exams for students testing in-person and remotely, Cal Northern has enrolled in Examsoft's ExamID and ExamMonitor. ExamID uses a two-step authentication process and facial identification analysis to minimize the opportunity for exam taker impersonation and ExamMonitor captures a continuous audio and video recording of the exam taker using both webcam and screen capture. Before starting exams, students must show their surroundings (i.e., pick up your laptop and move the camera around the room and desk area) and once the exam is complete the proctoring

files are uploaded along with the exam answer. The A.I. system analyzes the assessment recordings and flags any abnormalities in student behavior based on movement, gaze, or background noise. The Law School can then refer to this incident report as evidence if disciplinary action is required or dismiss flags as the Law School deems appropriate. Remote students are welcome to take their exams at the law school but please note **both in-person and remote Examsoft users will be using ExamID and ExamMonitor.**

Cal Northern is not responsible for the student's use of a computer for exams. When there is a problem with or malfunction of their equipment, students must be prepared to switch immediately to handwriting their examination. Additional blue books will be available for student use at the front table of the classroom. No extra time on an examination is given for equipment problems.

7. Examinations are administered in a manner that protects the student's identity when his or her answer is graded. Never put your name on an exam. Always use your assigned student anonymity number. If you forget your number, notify the Admissions Office 24 hours in advance of the test.
8. Write your student number on all test materials (bluebooks, test questions, multistate questions, scratch paper, etc.), unless otherwise instructed.
9. Students handwriting will be given a plastic pocket folder containing an exam packet (at each exam). The exam packet will consist of the exam question and scratch paper located inside the front cover of a bluebook. The exam question must be returned with the the exam answer. Students using laptops are allowed one piece of scratch paper per exam. Exam questions are imported in each Exemplify file for laptop users. They will not receive paper copies of exam questions.
10. Students handwriting must answer all multistate questions on the answer sheet provided, unless otherwise instructed. Answers must be written in blue or black ink only. Answers written in pencil are not accepted. Student using laptops will answer within the Exemplify exam file.
11. You will have two minutes per multistate and 60 minutes per essay, as a general rule. Your instructor may use his/her discretion in changing the time allowed.
12. Students taking an examination may not have at their desk, nor refer to, any notes, casebooks, textbooks, outlines or briefs during the examination, except upon permission granted by the faculty member giving the examination.
13. Once the examination has begun students shall not converse with one another, or with anyone other than the proctor, at any time, until the examination is concluded. This restriction includes the examination rooms, hallways, restrooms,

etc. Students taking an examination other than during the regularly scheduled examination time shall not discuss the examination with any person until all students have taken the examination.

14. A student may leave the examination room during an exam to use the restroom, however only one student is permitted to leave the examination room at a time. If a student must leave the examination room during the exam, the student may not take with them any electronic device such as a cell phone, any notes or papers, may not consult any notes or other reference materials while out of the examination room, and may not return to the examination room with such materials. Students may not leave the building during an examination, including to smoke.
15. If you believe there is an error on the test, bring it to the attention of the proctor. Do not disturb your classmates.
16. When you finish your exams, please place the questions and scratch paper inside your bluebooks. Laptop users-put your scratch paper on the table in the front of the classroom and leave the room. You will not be permitted to leave the room with any paper. Once you leave the testing room, you may not go back into the testing room until time has been called.
17. Please observe silence when not in your classroom during exam times as other classes are also taking exams.
18. When the proctor calls "time", students handwriting exams must **STOP WRITING IMMEDIATELY**, even if you are in the middle of a sentence. Any student who continues to write after time has been called will be disqualified; the paper will not be graded and a failing grade will be imposed.

Each exam contained in a Exemplify file will have a built in time limit that will close your exam after the testing time is up (i.e., for a one-hour exam after 60 minutes the exam screen will automatically close and you'll receive a message to upload your exam).

19. Students are expected to adhere to the highest standards of ethical conduct when taking exams. All examinations at Cal Northern shall be conducted under the Honor System. Students who violate the Honor Code provisions regarding examination, or these rules, may be immediately dismissed from the examination room, may have a zero recorded for the examination score and may be subject to further disciplinary action. For more information on the Honor System, see the Student Handbook.

CAL NORTHERN SCHOOL OF LAW

Instructions Regarding Use of Laptops During Examinations

1. All students using laptop computers with ExamSoft must be certified by ExamSoft no later than the date set forth on Cal Northern's ExamSoft homepage @ <http://www.examsoft.com/calnorthernlaw>. If you do not become certified by that date, you will not be allowed to use your laptop computer during the examination. For additional information regarding the use of ExamSoft, please contact the Administration Office.
2. Students must comply with the **Remote Proctoring Exam Protocols** in the Student Handbook.
3. All laptops brought to the examination are subject to inspection prior to the beginning of the examination. Applicants must be familiar with the operation of their laptop in advance of the examination.
4. Inspection is for the purpose of determining whether the laptop is acceptable for use during the examination. In every instance where a laptop is found to be unacceptable, the owner will be required to provide an alternate laptop that passes inspection, or complete the examination in writing.
5. Laptop users must either upload their answers before they leave the examination room or at the latest, by noon the day following the exam.
6. If an applicant's laptop fails to operate properly for any reason, the applicant must be prepared to continue the examination using an alternate laptop that has been inspected or approved, or write the examination. The Law School does not assume responsibility for any power failure or failure of a laptop to operate properly. In the event of a loss of power, applicants must be prepared to continue the examination by writing or using an alternate laptop with a battery back-up.

CAL NORTHERN SCHOOL OF LAW

Remote Proctoring Exam Protocols

Remote Proctoring Protocol

Cal Northern utilizes Examsoft's ExamID and ExamMonitor to observe (via artificial intelligence and a remote proctor) and record the entire exam-making experience utilizing the examinee's webcam and microphone.

A. Computer, Equipment and Services Requirements

- A laptop or desktop computer connected to the internet with exam control and proctoring applications installed and working. It must have both a webcam and microphone connected or installed, and working throughout the exam.
- WiFi internet connection is only needed at the beginning and end of the exam.

B. Testing Space Requirements

Exam takers may not have within reach anything that could obtain or transmit information. This would include:

- Phones or other electronic devices (besides the one used to take the exam)
- Papers
- Files
- Books
- Art
- Drawings
- Photos

Additional Requirements:

- No headphones or earplugs are permitted.
- Doors should be closed and/or locked, and signs posted to prevent interruptions. If anyone enters the testing space during the exam, a violation of testing conditions will result.

C. Video Proctoring Requirements

- A camera located in or on the computer and recording the proctoring session.

D. ID Verification and Pre-Exam Room Scan

- Photo of examinee holding ID next to face.
- Proctoring software records Room Scan. Room scan must include every surface, including the floor and ceiling.

- A specified number of sheets of blank, unlined, scratch paper is permitted and both sides of each such sheet must be shown during the Room Scan.

E. During the Test

- A restroom break of no more than 5 minutes is permitted once per hour (except as accommodations may require.) If a longer break, or more frequent breaks, are detected, a violation is noted.
- Recordings are made throughout the exam, and these recordings can be reviewed for violations later.