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MISSION STATEMENT AND GOALS

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SECTION 1 MISSION STATEMENT AND GOALS

Mission Statement (adopted March 26, 2008)

Since 1893, Salmon P. Chase College of Law of Northern Kentucky University has educated individuals who make immediate contributions to the legal profession and to their communities. With a collegial, learner-centered environment in full-time and part-time programs, Chase provides an intellectually rigorous education in legal theory and professional skills, offers practical training through its curricular offerings, co-curricular programs and specialized centers.

1.1 PRINCIPLES, PROSPECTS, and PERSPECTIVES

NORTHERN KENTUCKY UNIVERSITY SALMON P. CHASE COLLEGE OF LAW

PRINCIPLES, PROSPECTS and PERSPECTIVES [adopted March 21, 2007]

GOALS STATEMENT

The Salmon P. Chase College of Law of Northern Kentucky University, led by its faculty, will strengthen its position as an excellent, learner-centered, dual-division (full and part time) college of law serving traditional and non-traditional students. Through teaching and by example, we will graduate individuals who possess the necessary knowledge, skills, and ethics required for the successful practice of law or for use in other disciplines. The College of Law will serve as a resource for the University, legal community, and the broader community as it continues its commitment to the advancement of legal knowledge. The College of Law faculty will increase and expand its professional engagement in the legal and legal education communities at the local, regional, and national levels, and produce scholarship that will strengthen the College of Law's contribution to the profession and enhance the College of Law's professional reputation.

OUR SHARED BELIEFS

As we work together to achieve our goals, we will be guided by this set of shared beliefs that will inform our actions and bind us together as the College of Law.

Excellence in Teaching and Scholarship

We are committed to the development and advancement of excellence in teaching and scholarship.

Flexibility and Accessibility

MISSION STATEMENT AND GOALS

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We are committed to providing a flexible, practical opportunity for legal education (both full and part time) to applicants with potential for success. We will periodically evaluate the needs of our students and the extent to which the curriculum and support services meet their needs.

Learner-Centered

We are committed to placing the learner at the center of all that we do.

Outreach and Public Engagement

We are committed to being engaged with government, the private sector, alumni, and friends of the College of Law, who will look to us as an important resource that, through our teaching, scholarship, creative endeavors, and professional expertise, contributes to the vitality and quality of life of the community, the Commonwealth, the region, the nation, and the world.

Innovation and Creativity

We are committed to maintaining a creative, innovative and an intellectually challenging environment which encourages and supports stimulating discourse among faculty and between faculty and students.

Inclusiveness, Diversity, and Multiculturalism

We are committed to improving cultural, experiential, and intellectual diversity, and inclusiveness among the faculty, staff, and student body, in our courses, programs and scholarship, and in our daily interactions.

OUR UNIQUE STRENGTHS

The College of Law is a small, dual-division law school which offers an opportunity, unique in the region, for students to participate in legal education programs, full and part-time. Classes are available year-round.

The College of Law has a distinguished history as the law school of choice for students pursuing second careers, first-generation professionals, and those who seek an affordable, high quality professional education. The College of Law's long history of educating excellent lawyers provides ample representation of its alumni in government, on the bench, as counsel in outstanding large and small law firms, as sole practitioners, in major corporate legal offices, in legal services, as well as in business and other disciplines.

The College of Law has an experienced and accessible faculty which is dedicated to providing substantive and practical preparation for those who wish to enter the legal profession and for those who desire to use their degrees in other fields. The backgrounds of its students vary widely, thereby adding diversity to the traditional law classroom experience.

The College of Law is located on the main campus of Northern Kentucky University, a growing University which is situated in a metropolitan area with a population of nearly two million people. This setting allows the College of Law to serve not only the Commonwealth, but also Ohio, Indiana and other neighboring states, and offers students, faculty, and alumni the opportunity to live in a rich cultural and social environment. The vibrant legal community of the region includes the courts of three different states, three federal district courts, and one federal court of appeals, as well as numerous federal and state agencies, multi-national corporations, and numerous educational institutions, all of which provide diverse opportunities for students and graduates to serve the legal profession.

OUR STRATEGIC PRIORITIES

The following strategic priorities describe a program for growth which we will pursue between 2002 and 2007.

Enhanced and Expanded Curriculum

The College of Law embraces and reaffirms its historic mission to provide an opportunity for legal education in a dual division program. We are particularly committed to providing and expanding part time educational opportunities. To this end, we will investigate means to increase flexibility in scheduling courses to enhance the desirability of part-time programs.

In addition, we will seek to provide students with improved skills training and placement opportunities. Therefore, we will investigate expansion of curricular offerings to meet the needs of students and the demands of the profession.

Enhanced Efforts to Recruit and Retain Qualified Students

We will strive to obtain more funds for scholarships, and tuition subsidy programs in an effort to keep legal education affordable and accessible.

We will further our efforts to recruit, prepare, and retain qualified students from diverse and varied backgrounds.

We will investigate expanding our academic support efforts to enhance our student recruiting and retention and to provide students with training needed to achieve greater success in legal education as a component of our support for success.

We will provide better student support and administrative services during evening hours and other times when students routinely utilize our facilities.

We will investigate involving all faculty in the student recruitment process.

Support for Success

We will provide students with enhanced opportunities to improve their preparedness for the bar exam, for the practice of law and for other uses of their law degrees. In particular, we are committed to continuing to promote the opportunities for students to develop their critical thinking, writing, drafting, counseling, and negotiating skills, throughout their law school experience. In addition to the full time faculty, we will utilize alumni, adjunct professors, and current Chase law students in this endeavor.

We will expand and enhance library resources, including electronic and traditional legal information, in order to provide a learning environment capable of supporting critical thinking and developing legal research and writing skills.

We will provide greater support for a broad range of activities designed to contribute to the intellectual development and scholarly efforts of the faculty as well as for the recruitment and retention of faculty members.

We will devote greater resources for the career development of our students and alumni.

We will continue to improve physical spaces for our students to study in groups, to gather socially, and to interact with faculty members.

We will provide encouragement and support to faculty in order to promote participatory, intellectually challenging classroom experiences.

Provide a Physical Environment Conducive to Professional Legal Education

We recognize that the physical environment is a very important component of legal education as well as the College of Law's competitive position in the marketplace. Therefore, we will provide a user-friendly, physical atmosphere utilizing enhancements in technology, as appropriate, for learning, for communication with students, and for utilization of library resources.

We will provide adequate space, library resources and updated facilities to enhance the interaction of faculty and students in a comfortable setting.

We will have an appropriate, professional building. We will strive to obtain complete use of our building. We will seek to improve our technology infrastructure. We will investigate wireless technology to improve the use of laptop computers in classrooms and enhance student-faculty connectivity. We will seek to enable all teaching faculty to become technology-proficient. We will have an adequate, proficient, on-site technology staff.

Alumni Engagement

The College of Law is committed to engaging alumni in the life of the law school, starting from their earliest experience as students and extending throughout their lives. We will seek to increase the frequency of communication with our constituents and otherwise improve communication with our constituents through use of technology.

The College of Law will strive to expand its relationship with its alumni beyond traditional bounds to include continuing contacts by providing ongoing library resource support, and career development support.

Outreach and Public Engagement

The College of Law is committed to innovative outreach and public engagement, which includes a commitment to provide its students with the opportunity to engage in clinical

MISSION STATEMENT AND GOALS

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experience and pro bono activities. Faculty, staff, and students as a collective will be encouraged to participate in programs that connect them to the community, including bar associations and law forum programs, CLE programs, legal education symposia and programs, and other forums.

As a public institution, the College of Law will strive to instill in its students an awareness of a lawyer's civic responsibilities and opportunities to serve. Through its curricular and co-curricular offerings, the College of Law will foster in its students a sense of stewardship in the community, the Commonwealth, the nation, and the world.

GOALS STATEMENT

Principles, Prospects, and Perspectives
(adopted November 20, 2002)

The Salmon P. Chase College of Law of Northern Kentucky University, led by its faculty, will strengthen its position as an excellent, learner-centered, dual-division (full and part time) college of law serving traditional and non-traditional students. Through teaching and by example, we will graduate individuals who possess the necessary knowledge, skills, and ethics required for the successful practice of law or for use in other disciplines. The College of Law will serve as a resource for the University, legal community, and the broader community as it continues its commitment to the advancement of legal knowledge. The College of Law faculty will increase and expand its professional engagement in the legal and legal education communities at the local, regional, and national levels, and produce scholarship that will strengthen the College of Law's contribution to the profession and enhance the College of law's professional reputation.

OUR SHARED BELIEFS

As we work together to achieve our goals, we will be guided by this set of shared beliefs that will inform our actions and bind us together as the College of Law.

Excellence in Teaching and Scholarship

We are committed to the development and advancement of excellence in teaching and scholarship.

Flexibility and Accessibility

We are committed to providing a flexible, practical opportunity for legal education (both full and part time) to applicants with potential for success. We will periodically evaluate the needs of our students and the extent to which the curriculum and support services meet their needs.

Public Engagement

We are committed to being a resource for the many communities we serve.

Learner-Centered

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We are committed to placing the learner at the center of all that we do.

Innovation and Creativity

We are committed to maintaining a creative, innovative and an intellectually challenging environment which encourages and supports stimulating discourse among faculty and between faculty and students.

Inclusiveness, Diversity, and Multiculturalism

We are committed to improving cultural, experiential and intellectual diversity, and inclusiveness among the faculty, staff, and student body, in our courses, programs and scholarship, and in our daily interactions.

OUR UNIQUE STRENGTHS

The College of Law is a small, dual-division law school which offers an opportunity, unique in the region, for students to participate in legal education programs, full and part-time. Classes are available year-round.

The College of Law has a distinguished history as the law school of choice for students pursuing second careers, first-generation professionals, and those who seek an affordable, high quality professional education. The College of Law's long history of educating excellent lawyers provides ample representation of its alumni in government, on the bench, as counsel in outstanding large and small law firms, as sole practitioners, in major corporate legal offices, in legal services, as well as in business and other disciplines.

The College of law has an experienced and accessible faculty which is dedicated to providing substantive and practical preparation for those who wish to enter the legal profession and for those who desire to use their degrees in other fields. The backgrounds of its students vary widely, thereby adding diversity to the traditional law classroom experience.

The College of Law is located on the main campus of Northern Kentucky University, a growing University which is situated in a metropolitan area with a population of nearly two million people. This setting allows the College of Law to serve not only the Commonwealth, but also Ohio, Indiana and other neighboring states, and offers students, faculty, and alumni the opportunity to live in a rich cultural and social environment. The vibrant legal community of the region includes the courts of three different states, three federal district courts, and one federal court of appeals, as well as numerous federal and state agencies, multi-national corporations, and numerous educational institutions, all of which provide diverse opportunities for students and graduates to serve the legal profession.

OUR STRATEGIC PRIORITIES

The following strategic priorities describe a program for which we will pursue between 2002 and 2007.

Enhanced and Expanded Curriculum

The College of Law embraces and reaffirms its historic mission to provide an opportunity for legal education in a dual division program. We are particularly committed to providing and

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expanding part time educational opportunities. To this end, we will investigate means to increase flexibility in scheduling courses to enhance the desirability of part-time programs.

In addition, we will seek to provide students with improved skills training and placement opportunities. Therefore we will investigate expansion of curricular offerings to meet the needs of students and the demands of the profession.

Enhanced Efforts to Recruit and Retain Qualified Students

We will strive to obtain more funds for scholarships, and tuition subsidy programs in an effort to keep legal education affordable and accessible.

We will further our efforts to recruit, prepare, and retain qualified students from diverse and varied backgrounds.

We will investigate expanding our academic support efforts to enhance our student recruiting and retention and to provide students with training needed to achieve greater success in legal education as a component of our support for success.

We provide better student support and administrative services during evening hours and other times when students routinely utilize our facilities.

We will investigate involving all faculty in the student recruitment process.

Support for Success

We will provide students with enhanced opportunities to improve their preparedness for the bar exam, for the practice of law and for other uses of their law degrees. In particular, we are committed to continuing to promote the opportunities for students to develop their critical thinking, writing, drafting, counseling, and negotiating skills, throughout their law school experience. In addition to the full time faculty, we utilize alumni, adjunct professors, and current Chase law students in this endeavor.

We will expand and enhance library resources, including electronic and traditional legal information, in order to provide a learning environment capable of supporting critical thinking and developing legal research and writing skills.

We will provide greater support for a broad range of activities designed to contribute to the intellectual development and scholarly efforts of the faculty as well as for the recruitment and retention of faculty members.

We will devote greater resources for the career development of our students and alumni.

We will continue to improve physical spaces for our students to study in groups, to gather socially, and to interact with faculty members.

We will provide encouragement and support to faculty in order to promote participatory, intellectually challenging classroom experiences.

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Provide a Physical Environment Conducive to Professional Legal Education

We recognize that the physical environment is a very important component of legal education as well as the College of Law's competitive position in the marketplace. Therefore, we will provide a user-friendly, physical atmosphere utilizing enhancements in technology, as appropriate, for learning, for communication with students, and for utilization of library resources.

We will provide adequate space, library resources and updated facilities to enhance the interaction of faculty and students in a comfortable setting.

We will have an appropriate, professional building. We will strive to obtain complete use of our building. We will seek to improve our technology infrastructure. We will investigate wireless technology to improve the use of laptop computers in classrooms and enhance student-faculty connectivity. We will seek to enable all teaching faculty to become technology-proficient. We will have an adequate, on-site technology staff.

Public Engagement

The College of Law is committed to increasing its engagement in and collaboration with Northern Kentucky University, the legal community, and the region. Although this engagement may take many forms, it should involve building closer ties with Chase alumni. We will seek to increase the frequency of communication with our constituents and otherwise improve communication with our constituents through use of technology.

The College of Law will strive to expand its relationship with its alumni beyond traditional bounds to include continuing contacts by providing ongoing library resource support, career development support, joint community services, and public outreach.

The College of Law is committed to innovative public outreach which includes a commitment to provide its students with the opportunity to engage in clinical experience and pro bono activities. Faculty will be encouraged to participate in bar association and law forum programs, CLE programs, legal education symposia and programs and other forums.

As part of its public outreach, the College of Law will offer joint degree programs, CLE programs, programs with corporate partners and undergraduate legal education, as complements to its traditional J.D. program.

MISSION STATEMENT AND GOALS

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The below Principles, Prespects, and Perspectives document was adopted November 18, 1998:

GOALS STATEMENT

The Salmon P. Chase College of Law of Northern Kentucky University will strive to become the preeminent, learner-centered, dual division (part and full time) college of law in the region serving traditional and non-traditional students. We will graduate ethical individuals who possess the necessary knowledge and skills required for the successful practice of law or for use in other disciplines. The College of Law will serve as a resource for the University, legal community, and the broader community as it continues its commitment to the advancement of legal knowledge.

OUR UNIQUE STRENGTHS

1. The College of Law offers an opportunity, unique in the region for students to participate in flexible legal education programs, including full and part-time programs. Classes are available in both the day and the evening.
2. The College of Law has a distinguished 104-year history as the law school of choice for students pursuing second careers, first-generation professionals, and those who seek an affordable professional education. The College of Law's long history provides ample representation of its alumni in government, on the bench, as counsel in large and small law firms, as sole practitioners, in legal services, as well as in other disciplines.
3. The College of Law is a small, dual-division law school with an experienced and responsive faculty which is dedicated to providing substantive and practical preparation for those who wish to enter the legal profession and for those who desire to use their degrees in other fields. The backgrounds of its students are as diverse as the region it serves, adding a layer of expertise to the traditional law classroom experience.
4. The College of Law is located on the main campus of Northern Kentucky University, a growing comprehensive University which is situated in a metropolitan area with a population of nearly two million. This setting offers students, faculty and alumni the opportunity to live in a rich cultural and social environment. The vibrant legal community of the region includes the courts of three different states, three federal district courts, and one federal court of appeals, as well as numerous federal and state agencies, multi-national corporations, and numerous educational institutions, all of which provide diverse opportunities for students and graduates to serve the legal profession.

Our Core Values

As we work together to achieve our goals, we will be guided by a set of core values that inform our actions and bind us together as a College of Law.

Flexibility and Accessibility

We are committed to providing an opportunity for legal education (both part and full time) to applicants with potential for success which is flexible, pragmatic, supportive and responsive to students' diverse needs.

MISSION STATEMENT AND GOALS

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Access with the Opportunity to Succeed

We are committed to providing access to a legal education to those individuals whose credentials indicate the promise of successful completion of the program and to ensuring that those students enrolled in the College of Law receive the preparation required to succeed.

Excellence and Professionalism

We are committed to the highest standards of excellence and professionalism in all we do and to a process of continuous improvement.

Public Engagement

We are committed to serving as a resource not only for the College of Law, but also for the legal community, the university community and the regional community.

Learner Centered

We are committed to placing the learner at the center of all that we do.

Innovation and Creativity

We are committed to innovative approaches for achieving our goals and will create an environment that encourages and rewards creativity and innovation while recognizing the fundamental tenets of intellectual and creative freedom.

Recognition and Dedication

We are committed to the recognition of past accomplishments and are dedicated to the success of the College of Law.

Inclusiveness, Diversity and Multiculturalism

We are committed to advancing inclusiveness, diversity and multicultural understanding within the College of Law.

Promotion of Legal Knowledge

We are committed to the development, advancement, and communication of legal knowledge.

OUR STRATEGIC PRIORITIES

The following strategic priorities describe the actions that we will pursue to achieve our core values with the support of Northern Kentucky University.

1. A Program for the 21st Century

The College of Law embraces and reaffirms its historic mission to provide an opportunity for legal education in a dual division program. We are particularly committed to providing and

expanding part time educational opportunities.

Consistent with this vision, the College of Law is committed to providing an opportunity for legal education to applicants with potential for success who seek an approach to legal education that is more flexible, pragmatic, and supportive due to the educational, economic, social, and professional diversity of their backgrounds.

The legal educational program at the College of Law will respond in innovative ways to the changing face of contemporary America in the 21st century in order to position itself successfully to adapt to emerging developments in the practice of law.

The College of Law believes that its ability to offer such a diverse and flexible legal program will continue to form its unique role in American legal education. Through such mechanisms as the expansion of the part time program, the scheduling of courses, joint degree program, and services to students.

2. Enhanced Efforts to Recruit and Retain Qualified Students

We will obtain more funds for scholarships, tuition reciprocity, loan forgiveness and other tuition subsidy programs in an effort to keep legal education affordable and accessible.

We will recruit, prepare, and retain students from diverse and varied backgrounds.

We will more firmly establish and expand an academic support program to recruit, retain and provide students with training needed to achieve success in legal education as a component of our support for success.

We will provide better student support and administrative services during evening hours and other times when students routinely utilize our facilities.

3. Support for Success

We will provide students with enhanced opportunities to improve their preparedness for the bar exam, for the practice of law and for other uses of their law degrees. In particular, we are committed to increasing the opportunities for students to develop their writing, drafting, counseling, negotiating, and critical thinking skills throughout their law school experience. These enhanced learning activities will be integrated into the existing law school curriculum (e.g. by use of learning labs). In addition to the full time faculty, we will utilize alumni, adjunct professors and current Chase law students in this endeavor.

We will more firmly establish and expand our current academic support program for students who are experiencing academic difficulties.

We will expand and enhance library resources, including expansion of the student computer learning center, in order to provide a learning environment capable of supporting critical thinking and developing legal research and writing skills.

We will provide greater support for a broad range of activities designed to contribute to the intellectual development and scholarly efforts of the faculty as well as for the recruitment and retention of faculty members.

MISSION STATEMENT AND GOALS

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We will devote greater financial resources to the placement of our students in law related jobs during law school and upon graduation.

We will provide more desirable physical spaces for our students to study in groups, to gather socially, and to interact with faculty members.

4. Provide a Physical Environment conducive to Professional Legal Education

We recognize that the physical environment is a very important component of legal education as well as the College of Law's competitive position in the marketplace. Therefore, we will provide a user-friendly, physical atmosphere utilizing enhancements in technology, as appropriate, for learning, for communication with students, and for utilization of library resources.

We will provide adequate space, library resources and updated facilities to enhance the interaction of faculty and students in a comfortable setting.

We will have an appropriate, professional building, which may include: (1) a new building on the NKU main campus in Highland Heights, (2) a new building on the Covington campus, or (3) appropriate renovations to Nunn Hall which may include (a) opening the link between the first and second floors of Nunn Hall via an atrium or open stairwell, (b) creating a Student Commons on the third floor of Nunn Hall, (c) refurbishing carpet and seating throughout Nunn Hall consistent with the need to provide a professional educational environment, (d) moving the reception area to the second floor, etc.

5. Public Engagement

The College of Law is committed to increasing its engagement in and collaboration with, Northern Kentucky University, the legal community, and the region. Although this engagement may take many forms, it should involve building closer ties with Chase alumni, beginning with recruitment of students, continuing with retention and preparation for success while at Chase, and culminating with improved post-graduate contacts.

The College of Law will expand its relationship with its alumni beyond traditional bounds to include continuing contacts by providing ongoing library resource support, placement support, joint community services and public outreach.

The College of Law hopes that its graduates come to view their legal education as a life-long process in which Chase will remain an integral part.

The College of Law endeavors to establish itself through its teaching, scholarship and public outreach, as the legal education hub of the region.

The College of Law is committed to innovative public outreach, which includes a commitment to provide its students with the opportunity to engage in clinical experience and pro bono activities.

As part of its public outreach, the College of Law will seek to offer joint degree programs, CLE and paralegal programs, programs with corporate partners and undergraduate legal education, as complements to its traditional J.D. program.

6. Celebration/Telling our Story

We will make a greater effort to celebrate our history, our present and our future.

We will celebrate and publicize on a consistent basis the accomplishments of our alumni, students, staff and faculty.

We will communicate more frequently, consistently, and effectively with our alumni,. The legal community, Northern Kentucky University, and other community organizations, about activities and developments at the College of Law.

1.2 VISION STATEMENT

(Adopted January 28, 1998.)

As a law school within a metropolitan university, the Salmon P. Chase College of Law has the mission of training a diverse complement of able and ethical legal practitioners to meet the varied legal needs of our community and the Commonwealth of Kentucky. To that end, it adopts this statement of its vision and function.

The vision statement of the College of Law embodies several basic values and principles. First, the College of Law shall be inclusive in all facets of its operation, from outreach and admission, through teaching and training, to continuing service to the region and the Commonwealth. Second, the College of Law shall emphasize excellence and practicality in instruction, along with strong support of research and scholarship. Third, the College of Law shall inculcate in its students, alumni, faculty, and staff, and manifest in its activity, a vibrant and lasting commitment to service, not only to the law school and the University, but also to the bar and to the larger community.

PRACTICAL LEGAL TRAINING

The College of Law's primary mission is the training of legal practitioners to provide the competent and ethical representation called for in the varied public and private legal positions found in this metropolitan region and the Commonwealth. To this end, the College of Law shall provide its students with the substantive principles of public and private law and the analytical skills necessary to pass the bar examination and to succeed in the practice of law. It shall foster an understanding and appreciation of the ethical principles and values that underlie and animate our legal system. It shall provide the practical opportunity needed for the development of practical skills and the provision of community service, through clinical programs, skills courses, and other related offerings. It shall encourage and develop an understanding of the theoretical underpinnings of our law and government, in part by supporting and rewarding scholarly research and writing. The College of Law reaffirms its ongoing commitment to the practical legal training of its graduates, including life-long legal learning, provision of quality legal services, and leadership in the communities where its graduates practice their profession.

INCLUSION

The College of Law reaffirms its proud history of providing opportunity to students from diverse backgrounds in order to foster greater inclusion, in all its activities, of individuals from groups and regions traditionally underserved by legal services and underrepresented in the legal profession. This commitment starts with an emphasis on outreach to and recruitment of student and faculty from these groups. It shall also include practical and innovative pedagogy, a supportive and welcoming environment, flexible administration, and a commitment to continued learning after graduation.

COMMUNITY SERVICE

In a larger sense, the mission and vision of the College of Law can be summed up in the words "community service." This aim underlies and directs our sense of educational purpose and constitutes the basis of our policy. "Community" is an all-encompassing term, which includes not only our metropolitan area, but our region and the Commonwealth as well. "Service" is also an all-encompassing term and includes public education and information, provision of clinical services, and public and pro bono activities.

SECTION 2

2.1 STUDENT HONOR CODE, PROFESSIONALISM & ANTI-DISCRIMINATION

THE COLLEGE OF LAW HONOR CODE: STUDENT RIGHTS AND RESPONSIBILITIES

[Compiler's Note: This version of the College of Law Honor Code was adopted by the faculty at the May 10, 2012 faculty meeting and was approved by the NKU Board of Regents on January 9, 2013.]

I. PREAMBLE

This document establishes an NKU Chase College of Law (NKU Chase) Honor Code (referred to as the Honor Code). The purposes of the Honor Code are to establish standards of academic integrity for students at the law school and provide procedures that offer assurances of fundamental fairness to any student accused of violating the Honor Code. This Honor Code also addresses ethical violations by NKU Chase students.

The procedures set forth in this document are specific to students at NKU Chase. As Northern Kentucky University students, NKU Chase students are also subject to the provisions of the NKU Code of Student Rights and Responsibilities as adopted by the Board of Regents. Where provisions or procedures set forth in the two documents differ or conflict, this document will prevail in cases involving NKU Chase students.

It is incumbent upon NKU Chase students to be aware of university regulations. Ignorance of these regulations does not excuse students from adherence to them.

II. DEFINITIONS

- A. Associate Dean for Academics – member of the law school administration primarily responsible for the academic program at the law school and the enforcement of academic policies at the law school.
- B. Chase Student – A student enrolled at NKU Chase, including a student who is either on a leave of absence, visiting another institution, or who, although still enrolled at NKU Chase, is not currently attending classes.
- C. Dean - senior academic affairs officer responsible for the administrative leadership of NKU Chase.
- D. Expulsion – a permanent dismissal from the College of Law. The expulsion will remain a permanent record and shall be reflected on the academic transcript.
- E. NKU Chase Honor Code Council - a standing committee appointed by the Dean to conduct formal proceedings regarding violations of the Honor Code. The Academic Standing Committee supplemented by two NKU Chase students selected by the SBA may constitute this committee, or the Dean may appoint a separate committee composed of at least three faculty members and two students.
- F. Policy - any published regulation of NKU Chase or of Northern Kentucky University.
- G. Provost - senior academic affairs officer responsible for the administrative leadership of academic programs and academic support services at Northern Kentucky University.
- H. Suspension - a temporary dismissal from the College of Law. If suspended for violations of the Honor Code, a student may not enroll in courses or be an active

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member of the university during the suspension period. The suspension will remain a permanent record and shall be reflected on the academic transcript.

- I. Working day - a day when the university is open for normal business, regardless of whether classes are in session.

III. NKU CHASE STUDENT HONOR CODE: Academic Integrity

A. Preamble and Honor Code Pledge

This Honor Code is a commitment by NKU Chase students, through their matriculation or continued enrollment at NKU Chase, to adhere to the highest degree of ethical integrity in academic conduct. It is a commitment individually and collectively that NKU Chase students will uphold professional standards of research, writing, assessment, and ethics in their area of study.

The purposes of the Honor Code are to establish standards of academic integrity for NKU Chase students and to provide a procedure that offers basic assurances of fundamental fairness to any person accused of violations of these rules. Each NKU Chase student is bound by the provisions of the Honor Code and is presumed to be familiar with all of its provisions.

Students must conduct themselves in a manner that is consistent with the highest degree of ethical integrity in all matters, whether covered in the Honor Code or not. The success of this commitment begins in the diligence with which students uphold the letter and the spirit of the Honor Code.

By enrollment at NKU Chase, all students accept and acknowledge the following pledge:

"I do hereby acknowledge the existence of the NKU Chase Honor Code. I understand that the Honor Code supports an environment that values integrity, honesty, and ethical conduct for all NKU Chase students. I understand that by my enrollment at NKU Chase, I confirm my agreement and understanding of the policies and procedures outlined in the Honor Code."

B. Academic Dishonesty

Behaviors that constitute academic dishonesty include, but are not limited to, the following and other similar behaviors:

1. Engaging in any conduct involving academic deceit, dishonesty, or misrepresentation, including conduct during the application process for admission to NKU Chase.
2. Committing plagiarism on any examination, assignment, or graduation requirement. Plagiarism is defined as taking the literary property or ideas of another and passing it off as one's own without appropriate attribution. Plagiarism is a "strict liability" offense; however, a student's

inadvertent or negligent failure to provide proper citation can be considered when determining the student's punishment for the offense. To avoid a charge of plagiarism, a law student must:

- a. Acknowledge direct use of someone else's words.
 - b. Acknowledge any words he/she paraphrases from any source.
 - c. Acknowledge his/her direct use of someone else's ideas.
 - d. Acknowledge his/her source when the student's own analysis or conclusion builds on that source.
 - e. Follow any plagiarism policy adopted by a faculty member for a course or program, of which the students in that course or program have been given adequate notice.
3. Writing, taking, researching, developing, preparing, assisting with, or creating an examination, assignment, or graduation requirement for another student, in whole or in part. This paragraph is in no way intended to prohibit group projects and assignments where the professor has specifically indicated that collaboration is permitted.
 4. Submitting an examination, assignment, or graduation requirement written, taken, researched, developed, prepared, or created by another person, in whole or in part. This paragraph is in no way intended to prohibit group projects and assignments where the professor has specifically indicated that collaboration is permitted.
 5. Preventing or interfering with the use of any course-related resource by other students or other users for the purpose of causing them a disadvantage.
 6. Damaging or impairing any library or course-related resources or another student's completed assignments.
 7. Taking or using the notes, papers, or other materials of another student or of a professor without express permission.
 8. Misrepresenting class or other activity attendance for oneself or another student.
 9. Misrepresenting information to postpone an examination, assignment, graduation requirement, or other deadline.
 10. Misrepresenting or distorting academic or biographical data in connection with an application for criteria-based placements, course or program honors, or awards.
 11. Engaging in any other fraudulent, deceptive, knowingly false, or misleading act, or other dishonest action or inaction involving academic endeavors for the purpose of obtaining an advantage.
 12. Failing to report any known violation of the Honor Code committed by another NKU Chase student. Throughout the investigation of the alleged Honor Code violation, the student who reported the alleged violation has the right to remain anonymous. If, however, the accused student requests a hearing (discussed later in this document), the reporting student will not be able to remain anonymous.
 13. Reporting a student for an alleged Honor Code violation without a good faith belief that the student has violated the Honor Code.

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These prohibitions shall not preclude a faculty member from assigning team projects, cooperative efforts, and other similar activities in a course or for a graduation requirement, nor shall they preclude students from preparing for classes or examinations together or in study groups.

C. Research Misconduct

The university is fully committed to the ethical conduct of research. Misconduct in research is a serious deviation from the Honor Code. Research misconduct is defined as fabrication, falsification, or plagiarism in proposing or performing research, or reporting research results.

Behaviors that constitute research misconduct include, but are not limited to, the following:

1. Falsifying or fabricating information or data.
2. Reporting results in a dishonest manner, whether by altering, revising, or selectively reporting data.
3. Representing another person's ideas, writing, or data as one's own.
4. Releasing the ideas or data of others when such data have been shared in confidence.
5. Misrepresenting the nature of creative material or its originality.
6. Adding or deleting the names of authors on publications without permission.
7. Listing oneself or another individual as an author when his/her contribution does not warrant authorship.

D. Ethical Violations

Students are expected to adhere to the ethical and professional standards associated with the practice of law. These standards include, but are not limited to, the obligation to timely disclose character and fitness issues during the law school application process and throughout law school. During the law school application process, this information must be disclosed to the Admissions Committee. Once the student has been admitted to the College of Law, the student must report any subsequent character and fitness issues (or previously undisclosed character and fitness issues) to the associate Dean for Student Services. For purposes of this provision, "character and fitness issues" is intended to incorporate the behaviors, definitions, and issues covered in the NKU Chase College of Law application. Unethical or unprofessional behavior may be treated in the same manner as academic dishonesty and research misconduct.

IV. Consequences for Academic Dishonesty, Research Misconduct, or Ethical Violations

- A. An NKU Chase student who violates the foregoing provisions may be subject to one or any combination of the following consequences imposed by either the Associate Dean for Academics or the Honor Code Council:

1. A requirement to re-do the assignment or re-take all or part of the course in which the conduct occurred.
2. An oral admonition or reprimand.

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3. A written admonition or reprimand.
4. A grade reduction or a grade of "F" in the course, examination, or assignment.
5. Suspension from the law school for the remainder of the current semester or session (with the word "suspension" included on the student's transcript).
6. Suspension from the law school for the semester or session following the current semester or session (with the word "suspension" included on the student's transcript).
7. Suspension from the law school for one year (with the word "suspension" included on the student's transcript).
8. Expulsion from the law school (with the word "expulsion" included on the student's transcript in order to prevent any reapplication). "Revocation of an offer of admission," for a student who has already matriculated, for failure to disclose character and fitness information during the application process shall be synonymous with expulsion.

- B. Information about prior or multiple Honor Code violations by an NKU Chase student is relevant and receivable in any hearing with regard to the consequences to be imposed for a violation of the Honor Code and is grounds for such additional or increased consequences as the circumstances may warrant.
- C. Withdrawal from a course or from the law school shall have no effect on the application of the Honor Code.

V. Procedures for Handling Alleged Violations of the Honor Code

- A. A faculty member or associate dean (hereinafter "faculty member"), or a student, who has sufficient information to believe that a student has violated the Honor Code shall notify the Associate Dean for Academics within seven (7) working days from the date of discovery of the alleged violation. The faculty member or student shall provide all appropriate documentation regarding the alleged Honor Code violation to the Associate Dean for Academics. If grades must be turned in during the meantime, the faculty member shall give the student a grade of "Incomplete."
- B. Within ten (10) working days of receiving the information from the faculty member or student, the Associate Dean for Academics will notify the accused student and attempt to resolve the matter with the accused student. If the Associate Dean and the student are unable to agree to an appropriate resolution to the matter, the Associate Dean will refer the case to the formal proceedings stage as set forth in the provisions below.

VI. Formal Proceedings

- A. The proceedings and hearing process set forth in this section are applicable when a faculty member, a staff member, or a student has referred the matter to the Associate Dean for Academics and the Associate Dean and the accused student could not agree to an appropriate resolution to the matter.
- B. For these proceedings, the matter will be heard by the Chase Honor Code Council.

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- C. A member of the Honor Code Council will be excused from hearing a matter when a conflict of interest exists. When a member or more than one member is removed because of a conflict of interest (or is not present due to absence), the Dean will appoint alternate members to serve on the panel. Each panel will consist of three faculty members and two students.
 - D. The Chair of the Honor Code Council, as designated by the Dean, will hold a preliminary meeting with the student and the Associate Dean within ten (10) working days of the matter being referred to the Chair. At this preliminary meeting, the Chair will explain the hearing process and the rights of the accused student. The Chair will convene a hearing within a reasonable time period (not to exceed 10 working days) after the preliminary meeting, unless extenuating circumstances prevent otherwise or unless the Associate Dean of Academics and the student both agree to a delay. The Chair of the Honor Code Council shall determine all procedural matters relating to the hearing process and will provide for due process for the accused student.
 - E. The student and the Associate Dean may address the Honor Code Council and provide testimony. Both the student and the Associate Dean may bring supporting witnesses to the hearing.
 - F. The student has the right to be represented by an attorney at the student's expense, who will be permitted to attend and advise the student. The attorney will not be allowed to provide any other type of assistance such as questioning witnesses, making opening or closing statements, or presenting evidence. The attorney will attend as an advisor only. If the student intends to appear with an attorney, the student shall so advise the Chair of the Honor Code Council so that University Counsel or such person's designate may be present. Students are reminded that the Northern Kentucky Bar Association and the Kentucky Bar Association have lawyer referral information.
 - G. The Honor Code Council will deliberate and vote on whether the violation has occurred and on the sanctions to be imposed, up to and including suspension or expulsion. A majority vote shall be required to sustain a violation (by a clear and convincing evidence standard) and to impose sanctions.
 - H. The Associate Dean for Academics shall provide the Honor Code Council with information about other Honor Code violations by the student in connection with its deliberations on any sanctions to be imposed.
 - I. The Honor Code Council will make a written report of its decision to the Associate Dean for Academics within ten (10) working days of the hearing, unless there is good cause for delay, in which case such delay shall be communicated and justified to, and approved by, the Associate Dean.
 - J. The Associate Dean will provide written notification of the decision to the student and the faculty member within five (5) working days of the Honor Council's decision.
 - K. The Honor Code Council's decision will be final with the exception of cases involving the sanction of suspension or expulsion. There shall be no further appeal in any case not involving suspension or expulsion.
 - L. In a case where the Honor Code Council determines that a violation of the Honor Code has not occurred, all parties shall be bound by that determination.
- VII. Appeals
- A. In cases of suspension or expulsion, the student may appeal to the Dean, limited to the questions of whether (1) suspension or expulsion is warranted; (2) the student was afforded a fair hearing; and/or (3) significant newly discovered evidence is shown on appeal that was not available at the time of the hearing,

could not have been obtained for presentation during the hearing by the student's exercise of reasonable diligence, and materially affects the finding of a violation or the imposition of the sanction. The appeal to the Dean must be in writing. The appeal must be submitted within ten (10) working days of the student's receipt of the decision of the Honor Code Council. Upon receiving the appeal, the Dean will obtain the entire file from the Associate Dean of Academics and make his or her decision based solely on the documentation provided. No new evidence is admissible (subject to (3) above). The Dean will review the appeal within fifteen (15) working days of receipt of the file and determine whether to uphold the recommended sanction or impose a lesser sanction. The Dean will notify the Associate Dean for Academics of his/her decision in writing and will return the file to the Associate Dean. The Associate Dean will communicate the Dean's decision to the student. The communication will be in writing.

- B. If the Dean affirms the decision to suspend or expel the student, the student may file an appeal to the Provost, limited to the questions outlined in section VII(A), above. The appeal to the Provost must be in writing. The appeal must be submitted within ten (10) working days of the student's receipt of the decision of the Dean. Upon receiving the appeal, the Provost will obtain the entire file from the Associate Dean for Academics and make his or her decision based solely on the documentation provided. No new evidence is admissible (subject to (3) noted above in section VII(A)).
- C. The Provost will review the appeal within fifteen (15) working days of receipt of the file and determine whether to uphold the recommended sanction or impose a lesser sanction. The Provost will notify the Dean and the Associate Dean for Academics of his/her decision in writing and will return the file to the Associate Dean for Academics. The Associate Dean for Academics will communicate the Provost's decision to the student. The communication will be in writing with a copy to the Dean. The Provost's decision shall be final and binding unless the student submits a timely appeal to the Board of Regents.
- D. If the student is dissatisfied with the Provost's decision in a case of suspension or expulsion, the student may appeal to the Board of Regents. The appeal to the Board of Regents must be in writing. The appeal must be submitted within ten (10) working days of the student's receipt of the Provost's determination. Upon receiving the appeal, the full record shall be transmitted to the Board of Regents for final resolution. The Board of Regents' determination will be final and binding.
- E. In a case where the Dean, Provost, or the Board of Regents determines that a lesser sanction (other than suspension or expulsion) should be imposed, all parties shall be bound by that determination.

VIII. Confidentiality

- A. All proceedings under the Honor Code shall be confidential, and information about a student shall be provided only to a person or persons who have responsibilities for the proceedings in a case involving that student and/or to professional licensing authorities (including State Boards of Bar Examiners).
- B. Nothing in the above paragraph is intended to prevent the posting of Honor Council proceedings and results, as long as the document is drafted in such a way that the accused student remains anonymous.

2.2 PROFESSIONALISM POLICIES

In recognition of the importance of introducing law students to the importance of professionalism, the NKU Chase College of Law faculty hereby adopts the NKU-Chase First Year Professionalism Program. The program will consist of six mandatory meetings of all first year Chase students to be held throughout the academic year. When possible, separate sessions of the programs will be scheduled so as to accommodate the differing schedules of day division and evening division students. It is the intent of the faculty that the program involve members of the judiciary and leaders of the practicing bar. This program will be implemented annually beginning with the fall of 2009.

The topics to be covered will be determined each year by the Associate Dean for Student Affairs and will be dependent upon the availability of speakers. Topics to be discussed may include one or more of the following:

1. Lawyer as Professional: Introduction to the Concept of Professionalism. Questions to be explored include how the concept of law as a profession differs from the concept of law as a business. Emphasis will include the obligation of service.
2. The Role as Change Agent vs. Lawyer as Guardian of Values. Discussion of the sometimes conflicting roles lawyers play as agents of change and their role as guardians of individual rights and societal values.
3. Courtesy and Civility within the Profession. Emphasis on the difference between the role of lawyers as presented in popular culture media and the role of lawyers as viewed by members of the bench and bar.
4. Lawyers in Literature and Humor – Views of the Profession from the Ground. A discussion ranging from “The first thing we do, let’s kill all the lawyers” to “Why does a hearse horse shicker hauling a lawyer away?” to “How many lawyers does it take to ...?” A discussion of why the public appears to have such a negative view of lawyers and the legal profession.
5. The Role of an Independent Judiciary in the American Democracy. Discussion to include discussion of the importance of an independent judiciary in our society and threats, perceived and real, to that independence.
6. The Problem of Substance Abuse by Lawyers and Law Students. Discussion to describe the problem of substance abuse within the profession and within law schools and to discuss the ways lawyers and law students can address the problem.

[April 23, 2009]

The Law School [will] cooperate with the bar and its governing body to implement the recommendation of both the American Bar Association [[that] law schools should adopt Codes of Student Conduct, possibly based on the Model Rules of Professional Conduct. They should report convictions of serious infractions of law school rules to the Character and Fitness Committees, or their equivalent, of states in which the student applies for admission to the bar.] and the Kentucky Bar Association in establishing guidelines and procedures consistent with the state and federal law with the ultimate goal of the improvement of the profession.

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October 26, 1988

Faculty members shall cover ethical and professionalism issues in each course. These issues shall be interwoven into the content of the course to assist students to learn how the issues arise and how they should be resolved. The Dean shall monitor implementation of this policy as part of performance review.

October 26, 1988

That the law school cooperate with the bar and its governing body to implement the recommendation of both the American Bar Association and the Kentucky Bar Association in establishing guidelines and procedures consistent with the state and federal law with the ultimate goal of improvement of the profession.

October 26, 1988

That the College of Law continue to maintain high admission standards and grading standards in order to obtain and train the most highly qualified individuals for admission to the legal profession.

October 26, 1988

Certain articles pertaining to the history of the legal profession should be included in the registration packets that are mailed to incoming first year students.

October 26, 1988

The faculty approved utilization of a composite picture of the entering class to facilitate identification of the students by the faculty.

April 28, 1978

2.3 Prevention of Cheating

For Fall Semester, 1994, these suggestions were adopted for faculty members:

All faculty members are strongly urged to generally strengthen their monitoring of examinations and to consider adopting these specific measures:

1. Provide a sign-out sheet at the examination, and to require all students leaving the room to sign out and back, specifying both the time of leaving the room and of returning.
2. Limit the number of students who can leave the room at any one time.

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3. Prohibit students from leaving the floor on which the examination is being held, without express permission from the professor.
4. If not staying in the room, to periodically monitor the room.
5. If not able to proctor the examination themselves, to notify the Administration in advance as to who will be proctoring the examination.

In addition, the faculty asked that a way be devised to investigate all incidents of cheating and outstanding issues that have occurred and refer to the Academic Standing Committee.

The faculty also asked the Student Bar Association to work with the Academic Standing Committee in order to develop an Honor Code.

2.4 ANTI-DISCRIMINATION POLICIES**Minority Recruiting Policy**

The following plan to enhance minority presence at the College of Law was adopted November 30, 1988.

INTRODUCTION

In order to meet the challenge of attracting more minority students and to comply with the provisions set forth in ABA Standard 212, the Dean and faculty of the Salmon P. Chase College of Law have approved the following Minority Recruitment Plan. In developing this plan, the committee had input from a number of interested individuals, including Albert Burton, Minority Affairs Coordinator for Northern Kentucky University; Sandra Moore, Director of Minority Affairs, Eastern Kentucky University; Karl Price, President of the Salmon P. Chase Chapter of BALSAs; Deborah Canada, Chase Alumnus; Jennifer Bishop, member BLAC and adjunct faculty member at Chase; Joann Unger Marksberry, Development Director, Salmon P. Chase College of Law; and Gilberto de Jesus, Executive Director of CLEO. The committee also utilized a number of published resources, including the LSAC Questionnaire on Special Law School Programs for Minority Students; "Report on the LSAC Minority Enrollment Challenge Grant Program," Strategic Marketing for Educational Institutions by Kotler and Fox, as well as information obtained at the 1988 LSAS Newcomer's Workshop and a variety of other sources.

BACKGROUND**ABA STANDARD 212**

Consistent with sound educational policy and the Standards, the law school shall demonstrate, or have carried out and maintained, by concrete action, a commitment to providing full opportunities for the study of law and entry into the profession by qualified members of groups (notable racial and ethnic minorities) which have been victims of discrimination in various forms. This commitment would typically include a special concern for determining the potential of such applicants through the admission process, special recruiting efforts and a program which assists in meeting the unusual financial needs to many such students, provided that no school is obligated to apply standards for the award of financial assistance different from those applied to other students.

ABA RESOLUTION ON STANDARD 212

The Council (of the Section of Legal Education and Admissions to the Bar), acting on the recommendation of its Affirmative Action Committee, suggests to the law schools that the following are the kinds of concrete actions that will demonstrate a school's commitment to providing equal opportunities for the study of law and entry into the profession by qualified members of groups that have been the victims of discrimination in various forms:

- a. Participation in job fairs and other programs designed to bring minority students to the attention of employers.
- b. Establishment of procedures to review the experiences of minority graduates to determine whether their employers are affording equal opportunities to members of minority groups for advancement and promotion.

- c. Intensifying law school recruitment of minority applicants, particularly at colleges with substantial number of minority students.
- d. Promoting programs to identify outstanding minority high school students and college undergraduates, and encouraging them to study law.
- e. Supporting the activities of the Council on Legal Education Opportunity (CLEO) and other programs that enable more disadvantaged students to attend law school.
- f. Creating a more favorable law school environment for minority students by providing academic support services, supporting minority student organizations, promoting contacts with minority lawyers, and hiring minority administrators.
- g. Encouraging, and participating in, the development and expansion of programs to assist minority law graduates to pass the bar.
- h. The development and implementation of specific plans designed to increase the number of minority faculty in tenure and tenure-track positions by applying a broader range of criteria than may customarily be applied in the employment and tenure of law teachers, consistent with maintaining standards of quality.
- i. Developing programs that assist in meeting the unusual financial needs of many minority students, as provided in Standard 212.

Law schools should be advised that Standard 212 does not specify the forms of "concrete action" that a school should undertake to "...demonstrate a commitment to providing full opportunities for the study of law and entry into the profession..." by members of minority groups; nor is the Council suggesting that all of the above actions are required in order to demonstrate compliance with Standard 212. It is contemplated that the Accreditation Committee, and the Council, will review the totality of concrete actions of the school in order to determine whether, on the basis of its total performance, it is in compliance with Standard 212 and the recommendations of the Task Force.

PLAN

I. Recruiting Minority Student Applicants

The Minority Recruitment Plan is multifaceted to address the many challenges facing our institution in regard to recruiting minority student applicants. This Plan addresses the special needs of minority students in the areas of admissions, tuition and scholarships, preparedness for the LSAT, career development, faculty and administrative activities, and community involvement and recognizes the need to aggressively attract minority students from the limited number of Kentucky minority applicants.

The Recruitment Plan is based on the maxim that the larger the minority applicant pool, the higher the number of minority applicants to Chase. Consequently, the Plan focuses on deepening that pool. To that end, we are taking the following steps.

A. Supporting Minority Career Days

Plan: We will continue to support minority career days.

Comment: The Admissions Office representatives will continue to attend minority career fairs at Eastern Kentucky University, Indiana University, and the University of Cincinnati.

B. Attracting Black Students from Predominantly Black Institutions

Plan: The law school will target Kentucky minority students.

Comment: The law school will continue its relationship with Kentucky State University, a predominantly black university, to enhance students' chances of being admitted to law school. Pursuant to a desegregation agreement between The Commonwealth of Kentucky and the Federal Office of Civil Rights, Chase reserves up to 3% of its entering class to students who successfully complete KSU's Cooperative Law Admissions program without regard to a student's LSAT score.

Plan: The law school will target Ohio minority students.

Comment: The Admissions Office will continue to schedule recruiting visits to Wilberforce and Central State University, two predominantly black Ohio institutions.

C. Subscribing to the Candidate Referral Service (CRS) and Black Graduates of Kentucky

Plan: The Admissions Office will continue to subscribe to the CRS to target minority applicants.

Comment: The Admissions Office will continue to send minority applicants invitations to open-houses, as well as make follow-up phone calls in some instances. A sample letter is included.

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Plan: The admissions Office will target students from Black Graduates of Kentucky and letters will be sent to them advising them of Chase's programs.

D. Contacting Undergraduate Prelaw and Minority Advisors

Plan: The Admissions Office will work with minority advisors.

Comment: In the case of minority students, the minority advisor is often times more accessible to the minority student than is the traditional pre-law advisor. Therefore, the Admissions Office will develop working relationships with the minority affairs directors at universities.

E. Conducting LSAT Preparation Courses

Plan: For 1988/89, the Law School will sponsor LSAT Preparation classes.

Comment: According to the LSAC/LSAS National Statistical Report, released March 18, 1988, the mean LSAT for black applicants was 22.6 and the mean GPA was 2.7. This compares with a mean LSAT of 32.5 and mean GPA of 3.07 for Caucasian applicants. For purposes of our index, this translates into a score of 82 for black students and 102 for white students. As is evident, the largest differential in this equation is the discrepancy in LSAT scores.

To help ameliorate the LSAT problem, Chase sponsored three LSAT preparation workshops. Sessions were held in Louisville, Highland Heights, and Lexington, Kentucky.

Special arrangements were made for black enrollees. (For example, the \$70 charged for the Louisville session was waived for minority applicants.)

Currently enrolled student members of Balsa wrote letters to minority student applicants notifying them of the workshops and attended sessions to answer questions.

F. Attracting Local Minority Students

Plan: The law school will focus efforts to attract minority students from the immediate area.

Comment: Because there are several hundred minority students enrolled at Northern Kentucky University, the University of Cincinnati, Thomas More, and other local colleges, Chase is making a concerted effort to attract applicants from this pool.

The Assistant Dean will work with the minority advisors at local universities to advise them of our aggressive efforts to attract minority

students.

Direct mail and advertising in student newspapers will be used to inform minority students of our efforts.

An open-house will be held for minority students.

A follow-up reception to discuss financial aid, quality of life, and other minority issues, will be scheduled after the open-house.

G. Coordinating Alumni Recruitment Activities

Plan: The Law School will draw on the resources of the Alumni Office to attract minority students.

Comment: The Admissions Office will work with the Alumni Affairs Director to organize a phone-a-thon at which BALSA members and alumni will call prospective applicants to discuss the programs Chase has to offer.

Letters will continue to be sent to black alumni by the Associate Dean asking those alumni to identify potential minority students who might have an interest in attending law school.

II. Financial Assistance

The second major area addressed by the Plan is financial assistance. Because many minority students simply do not have the financial resources to attend law school, their decision on where to attend is strongly influenced by which school can offer the most financial aid.

Plan: Revenue will be sought for minority students.

Comment: The College of Law will continue to offer two Minority Educational Opportunity Grants per year.

The Assistant to the Dean for Admissions will write grant proposals to secure minority funding. Currently, the Assistant Dean is working with the Grants and Contracts Office and is investigating a variety of grants, including the Earl Warren Legal Training Program, the Martin Luther King, Jr. Fellowships, and the National Scholarship Services and Fund for Negro Students, Inc. (SERO).

Minority applicants will be notified by the Admissions Office of scholarships that are available to them, if not from Chase itself, then by national, regional, and local organizations.

III. Minority Student Retention Programs

In addition to increasing the number of minority applicants and the amount of financial assistance available to minority students, the College of Law will endeavor to retain minority students by strengthening minority student retention programs.

- A. Increasing the Availability and Effectiveness of Tutorial Assistance
Plan: The Dean and the Associate Dean will continue working with a member of BLAC and adjunct professors at Chase to provide tutorial assistance to black students.

Comment: Members of BLAC will be actively involved in the program. A special effort will be made to provide tutorial help to incoming students during the first term of law school to avoid academic difficulty at a later date. Additional new students will continue to be paired with 'veteran' students as mentors.

- B. Establishing the Balsa Library

Plan: For 1988/89, the law school established a library to assist minority students.

Comment: The Balsa library was established to provide minority students with books and supplemental material they might otherwise be unable to obtain. The Dean has also made funds available to purchase basic hornbooks where they have not been received through donations.

Faculty and alumni have been requested to donate hornbooks, casebooks and other pertinent information that may be of use to the students.

Minority students may check out the material pursuant to the rules established by Balsa.

IV. Promoting Career Development

Plan: Special placement assistance will continue to be provided to minority students.

- A. Minority Career Access Day

Comment: Chase College of Law will continue to co-sponsor, with the University of Cincinnati and the University of Dayton, an annual Minority Career Access Day to introduce law students to potential employers.

Sixteen employers participated in the 1988 Access Day. All minority students from the three law schools are encouraged to participate in the program.

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- B. "Employment & Career Opportunities for BALSA Members and Alumni"

Plan: BALSA and the placement office will continue to publish career information for minority students.

Comment: The "Employment & Career Opportunities for BALSA Members and Alumni" newsletter will continue to be published monthly and will be circulated to minority students and alumni. The newsletter highlights job opportunities for minority students.

V. Faculty and Administrative Activity

A. Faculty Involvement

Plan: Faculty members will continue to participate in minority student recruitment.

B. Law School Committee Administrative Involvement

Plan: The Deans of the law school will continue to participate in minority student recruitment.

Comment: The Dean of the law school will continue as the co-chairperson of the law school committee of the Round Table, a cooperative establishment to bolster the minority presence in the Cincinnati legal community.

The Dean will continue to attend workshops and seminars that focus on minority issues.

The Associate Dean will continue to correspond with minority attorneys on a regular basis for the purposes of student recruitment and recruitment of faculty.

VI. Recruiting Minority Faculty

There have been no full-time tenure track teaching positions available since 1987. However, when positions are available, the following actions will continue to be taken.

Plan: Chase will review all resumes included in the Appointments Registry of the American Association of Law Schools, as well as all resumes sent directly to Chase.

Comment: Black applicants will continue to be singled out by the Chase Faculty Recruitment Committee. Personal telephone calls will be made and interviews will be scheduled at the AALS National Conference.

Qualified black applicants who have subject interest that match Chase's needs, and who are interested in Chase ordinarily will be invited to campus for interviews.

Special efforts will continue to be made to market Chase to black applicants. For example, the last black applicant to interview on-campus brought his family with him, at law school expense. Special tours of the city were conducted by a black law student, and housing needs and school possibilities were investigated. (An offer was made to the applicant, but was rejected by him.)

Plan: Intensive efforts will continue to be made to draw black adjunct faculty from the limited available pool.

Comment: Because competition for black faculty is intense, Chase will continue its program wherein promising black students and local black lawyers are encouraged to consider teaching as a career possibility. During the past 18 months, Chase has employed four new black adjunct professors through this program, one of whom is a recent Chase graduate.

CONCLUSION

No single effort will increase the number of minority applicants and faculty at Chase. Rather, a multifaceted effort is needed to address the complexities of minority issues. The combination of recruitment, scholarship, tutorial, career development, faculty, administrative, and community programs outlined will assist in attaining the goal of improving the minority experience at the Salmon P. Chase College of Law.

November 30, 1988

2.5 Disability Policy [*Cross Reference Part 3: Academic Assistance Programs.*]

1. Chase College of Law provides reasonable accommodations to its students with disabilities who have special needs.
2. It is the student's responsibility, if he or she has a permanent or temporary disability which may require special accommodation, to notify the Associate Dean for Academic Affairs in writing with appropriate documentation of the need for accommodation and the facts concerning his or her disability. This notification must be made not later than 30 days prior to the need for the accommodation. If a disability, however, is identified within the 30 day period prior to the need for the accommodation, the requesting student must notify the Associate Dean immediately. Students with disabilities who need accommodation are urged to notify the Associate Dean as early as possible.
3. A student seeking special accommodation is required to meet with the Associate Dean to discuss the request. The Associate Dean will consult and exchange information with the NKU Coordinator for Students with Disabilities in connection with the latter's decision on the request.
4. Within no more than ten (10) days after receiving the Coordinator's decision, and in any event prior to the time the accommodation is needed, any student who disagrees with the decision may resubmit the request with additional information to the Associate Dean for Academic Affairs, and the decision will be reviewed in light of that additional information.

April 18, 2001

1. It is the College of Law's responsibility, in the first instance, to give all entering and continuing students notice of the possibility of having reasonable accommodations made for physical and/or learning disabilities. To ensure that all students are made aware that if they have a physical and/or learning disability they are entitled to all reasonable accommodations necessary, the Associate Dean will include a notice in the fall and Spring registration materials sent to all entering and continuing Chase students.
2. It is then the student's responsibility, if he or she has a physical and/or learning disability which may require special accommodation, to notify the Associate Dean of the facts of his or her case. Students who seek accommodation are required to present their documentation to the Associate Dean for Academic Affairs.
3. The Associate Dean will forward the documentation in regard to learning disabilities, and where appropriate, physical disabilities, to the NKU Coordinator of Student Support Services for review and advice on what reasonable accommodations should be provided. The Chase Academic Support Specialist will be copied on all such communications.
4. The Associate Dean, when appropriate, will consult with the NKU Coordinator for Students with Disabilities as to whether the student has a cognizable disability and, if so, what reasonable accommodations need to be made to address this disability. The Associate Dean may also contact a medical or other expert who has supplied documentation concerning the disability for further information about the disability and/or suggestions as to what accommodations are appropriate.
5. Where there is an obvious disability and a request for relatively limited accommodations, no group consultation with the student may be held. In more complicated cases, the Associate Dean, the Chase Academic Support Specialist, the student and other interested parties will meet as a

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group.

6. The Associate Dean for Academic Affairs will send a letter to each student who has documented a disability which merits accommodations. The letter will set out the accommodations which will be provided. The Academic Support Specialist and the Student Development Center Secretary will be copied.
7. Each faculty member who has such a student in class will be asked to provide the necessary accommodation, assisted by the faculty member's secretary if necessary. Where necessary, the Student Development Center Secretary and the Secretary to the Associate Dean for Academic Affairs will make the necessary arrangements and will proctor examinations. Faculty member requests for assistance should be made to the Secretary to the Associate Dean for Academic Affairs, preferably in writing with copy to the Student Development Center Secretary.
8. Faculty should be aware that there are two rooms in the Student Development Center which can accommodate some students who take examination with these accommodations.
9. A student who wishes to appeal the Associate Dean for Academic Affairs determination that the student is not entitled to any accommodations under the American With Disabilities Act, or the decision that the student is not entitled to one or more specific requested accommodations, shall appeal to the Dean of the College of Law.
10. The NKU Dean of Students is available to provide advice about the appeal process to and beyond the Dean of the College of Law.

As amended October 28, 1998

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SECTION 3 SCHEDULING & CURRICULUM

3.1 SCHEDULING GENERALLY

A study group should be appointed to study the possibility of having 50 minutes classes [FT] on Mondays, Wednesdays and Fridays in combination with 75 minute classes on Tuesdays and Thursdays, to report to the faculty prior to preparation of the Fall 1998 schedule.

April 30, 1997

The "Shafer Plan" was adopted. The Fall Semester will begin on a Monday. There will be an additional day off at Thanksgiving [Wednesday]. Introduction to Law will be scheduled to finish before the first Monday classes. Spring Semester classes begin on Monday. The Monday Reading Day is eliminated in the Spring Semester.

[The example calendar is omitted.]

September 25, 1991

Repealed March 25, 2010

The Summer School Schedule is Monday, Tuesday, Wednesday and Thursday evenings.

November 29, 1989

Classes normally scheduled to meet on Memorial Day are to be rescheduled to meet on Wednesday of that week. [Note: The current Summer School schedule was not then in place.]

November 30, 1983

Classes scheduled to meet on Presidents' Day will meet that day with required attendance.

November 30, 1983

The last day of class in spring semester shall be a Monday. This will provide for the [Martin Luther King Day] holiday.

April 18, 1983

There shall be an 8 week summer session, seven weeks of classes and one exam week.

March 30, 1983

Scheduling of day classes should be spread over a period of time from 9:00 AM - 4:15 PM Monday through Friday (Wednesday afternoon may be retained as the faculty meeting time).

March 7-8, 1981

First and second year evening classes will meet on Monday/Tuesday/Thursday.

March 25, 2010

Electives will meet primarily on Monday, Tuesday, Wednesday and Thursday evenings, to the extent feasible. Friday evenings will be used for 1 hour classes and the fourth hour of 4 hour classes. The Administration shall determine the four Friday evenings for each 4 hour course plus 90 minutes of a fifth Friday evening at the time the schedule for each semester is prepared.

March 7-8, 1981

The length of classes in the Day and Evening Divisions is retained as presently scheduled.

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March 7-8, 1981

All classes missed by class cancellation must be made up.

March 1, 1976

[Dean's Memo]

No professor will, without prior permission of the Dean, unilaterally or with class permission, reschedule a class session because of holiday or vacation reasons.

March 1, 1976

[Dean's Memo]

Evening classes begin at 6:30 PM.

April 4, 1975

Course Loads and Cross Enrollment of Day and Evening Students

The present policy that the administration have discretion to allow part-time students to attend day classes on an ad hoc basis is to be continued. Such students are not admitted to the day program, but are simply allowed to attend some day classes.

April 20, 1994

Day Division students beginning with the entering class in the fall of 1981 shall take at least 12 and no more than 16 credit hours except by permission of the Dean for good cause shown. Evening students entering on or after that same date shall be required to take at least 8 credit hours and no more than 11 credit hours except by permission of the Dean for good cause shown. In administering this policy, express desire to graduate early, standing alone shall not constitute good cause.

March 7-8, 1981

Evening students are required to take at least 8 credit hours per semester, except by permission of the Dean.

April 1, 1981

1. Day and evening sections of electives should be offered where anticipated enrollment warrants. In that event, no cross enrollment will be permitted.

2. If anticipated enrollment from both divisions will fill only one section, that elective should be scheduled at a time accessible to both day and evening students.

3. If enrollment in any elective exceeds the stated limits, preference should be given to students who will probably graduate before the elective is offered again. Priority within any group should be decided on a first come-first served basis at registration.

4. Any deviation from the above requires the prior approval of the Dean.

November 5, 1976

3.11 Class Size

The following policy related to small sections was passed in place of all prior policies on the subject:

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At least one substantive course other than Basic Legal Skills taught in the actual first year in each division, full time and part time, should be divided into two or more sections of approximately equal size. Additional courses may be divided as faculty resources are available.

May 18, 2005

The policy of preference for small group sections in the second year is suspended until the Curriculum Committee completes its project related to faculty staffing.

February 16, 2000

The College of Law should endeavor, consistent with its vision and available resources, to experiment with small class experiences across the curriculum, a writing program across the curriculum, and a teaching approach that includes more feedback and interaction between teacher and student.

April 8, 1998

The College of Law should endeavor, consistent with its vision and available resources, to experiment with small class experiences across the curriculum.

April 8, 1998

There should be a small section experience for all first year students.

April 30, 1997

First year students shall have at least one small class experience, if possible.

March 31, 1982

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[Repealed October 25, 2012]

3.2 REQUIRED COURSES AND SEQUENCING GENERALLY

[adopted February 26, 1992, as the permanent curriculum]

Students will be required to take the 41 hours of courses set forth below:

Course	Hours
Introduction to Legal Studies**	1
Contracts	6
Torts	6
Property	6
Constitutional Law	6
Civil Procedure	6
Legal Skills	5
Professional Responsibility	3 -- amended January 26, 1994
Criminal Law	3
Evidence	4
Criminal Procedure	3
Federal Tax IA**	3
 Total	 52* -- amended January 26, 1994 and April 8, 1998

* Students also will be required to fulfill the advanced writing requirement.

** Tax – Basic Tax Concepts was changed from a required to a core course effective with students in the Fall 2006 entering class. [May 9, 2007]

Evidence, Criminal Procedure and Federal Tax IA need not be taken in any particular sequence.
October 28, 1998

Full-time students will take all required courses in the following sequence, subject to a waiver from the Associate Dean for good cause shown:

First Year Full-Time Program

Introduction to Legal Studies	1**		
Contracts	3	Contracts II	3
Torts I	3	Torts II	3
Property I	3	Property II	3
Civil Procedure I	3	Civil Procedure II	3
<u>Basic Legal Skills I</u>	<u>2</u>	<u>Basic Legal Skills II</u>	<u>3</u>
Total Credit Hours	15	Total Credit Hours	15

Second Year Full-Time Program

Constitutional Law I	3	Constitutional Law II	3
Criminal Law	3	Professional Responsibility	3*
Total Credit Hours	6	Total Credit Hours	6

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* Effective with students entering the College of Law in the Fall 1999 Semester, full-time division students are expected to take Professional Responsibility in the spring semester of the second year. A student may petition the Associate Dean to take Professional Responsibility at a later time and receive an admonition from the Associate Dean that he or she is expected to take Professional Responsibility the next time it is offered in his or her division.

April 21, 1999

Part-time students will take all required courses (with the exception of Professional Responsibility which can be taken anytime prior to graduation) in the following sequence, subject to a waiver from the Associate Dean for good cause shown.

**Introduction to Law was changed to Legal Analysis and Problem Solving

First Year Part-time Program

Introduction to Legal Studies**	1		
Contracts I	3	Contracts II	3
Torts I	3	Torts II	3
<u>Basic Legal Skills</u>	<u>2</u>	<u>Basic Legal Skills</u>	<u>3</u>
Total Credit Hours	9	Total Credit Hours	9

First Summer

Criminal Law	3
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Second Year Part-time Program

Property I	3	Property II	3
Civil Procedure I	3	Civil Procedure II	3
<u>Constitutional Law I</u>	<u>3</u>	<u>Constitutional Law II</u>	<u>3</u>
Total Credit Hours	9	Total Credit Hours	9

Third Year Part-Time Program

Professional Responsibility	3*
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* Effective with students entering the College of Law in the Fall 1999 Semester, part-time division students are expected to take Professional Responsibility in the fall semester of the third year. A student may petition the Associate Dean to take Professional Responsibility at a later time and receive an admonition from the Associate Dean that he or she is expected to take Professional Responsibility the next time it is offered in his or her division.

April 21, 1999

The faculty voted to treat Professional Responsibility in the same manner as other doctrinal courses such that it need not be taken in any particular sequence and its final exam should conform with the "50% policy," such that 50% of the final exam score should be based on performance on an essay question.

May 7, 2003

The administration will continue to offer a voluntary tutorial course in the spring semester for

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first year students who are in academic difficulty.

March 27, 1991

A second year full-time or third year part-time student be allowed to defer a required course for other academic career reasons only in exceptional cases.

January 25, 1984

A second year full-time student may not defer Criminal Law.

January 25, 1984

Article Two of the Uniform Commercial Code will be included in Contracts as it impacts and changes common law concepts.

March 30, 1983

Professional Responsibility is a graded course.

January 13, 1982

3.22 Part Time Day Program

Students will typically register for nine credit-hours during the fall and spring semesters and between 3-6 credit-hours during the summer semester. All students must complete their studies within seven years.

Students in the part-time day program will follow the same course sequence as the students in the part-time evening program. In the first year, the students will take Torts, Contracts, and BLS (plus LAPS). In the second year, the students will take Property, Civil Procedure, and Constitutional Law. Students would be allowed to take Criminal Law in the evening during the first or second summer, or during the day of the third year.

Transfers: Students would be able to transfer into either the full-time program or the evening program after they have completed at least thirty-nine (39) credit-hours. The students will be able to transfer earlier if they can demonstrate good cause for doing so. Full-time students wishing to transfer to the part-time day program will not be able to do so until after they have completed their first full year of study.

Ranking: Students will be ranked with the class with which they graduate. There will be no separate ranking for the part-time day division. If a student moves to the evening division, he will be ranked with the division in which he earned to majority of his credits.

Admission: The admission standards shall be the same for this program as they are for the other programs. Also, students applying for the part-time day division will be asked to explain why they are applying for the part-time day division rather than the part-time evening division.

Teaching: Adding this part-time day division will not require adding any additional sections of doctrinal courses during the fall or spring semesters. It could, however, result in offering day sections of some core/required courses during the summer.

Requirements: Students in the part-time day program will have the same graduation requirements as all Chase students.

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Warnings: Students in this program will be placed on academic warning if, after attempting at least eighteen (18) credit-hours, their GPA is between a 1.60 and a 1.99. Students will be dismissed at this point if their GPA is below a 1.60. All other warning/probation rules in place for all other Chase students, including the rule of not making dismissal or probation determinations after the summer semester, will be the same for the part-time day students.

Out-of-Division: Students in this program will be required to take all traditional first-year courses (including Constitutional Law) during the day. This rule will not apply during the summer. Students will be able to petition to take other Core and Required courses out of division.

Class size: Students selected for the part-time day division will count as “part-time students”. As a result, if the goal for the entering class is 130 full-time students and 60 part-time students, the part-time day students will count toward the “60” number.

Start date: Fall 2012 semester

[April 28, 2011]3.23 LEGAL ANALYSIS AND PROBLEM SOLVING

Retitled from Introduction to Legal Studies, April 19, 2012]

This course includes the study of legal method and legal systems designed to teach the role and function of courts, legislative bodies, and administrative agencies; techniques of legal argument and reasoning; and sources of law. This course is scheduled during the first two weeks of class for the part-time division and during the first week of class for the full-time division.

[Repealed April 19, 2012]

A graded essay question should be brought back into the regular one week Introduction to Legal Studies course, also teaching about review, and preparation and taking of examinations. The examination should be part of the course.

May 13, 1998

Introduction to Law should be concerned solely with academic matters. Non-academic events should be completely segregated from introduction to law.

April 30, 1997

[January 18, 2013]

Introduction to Law should concentrate on teaching students skills they will use in the first semester of law school, including how to brief a case, how to answer questions about a case, how to respond in a Socratic discussion and how to argue new facts by analogy.

April 30, 1997

Background lectures on Introduction to Civil Procedure, History and Overview of Anglo-American Law, Common Law Analysis, and Sources of Law should be reduced or eliminated or converted in order to allow more time for interactive teaching. Normally small groups should meet at least ½ of the available time of any class day.

April 30, 1997

Grading is –Pass/Fail

August 24, 1983

[January 18, 2013]

3.3 BASIC LEGAL SKILLS (RESEARCH AND WRITING)

Legal Research will be a one semester course, and its grade should be entered when the course is completed. Legal Writing is a two semester course. Early work for this course is typically weighted less heavily in the final course grade and later work is typically weighted more heavily in the final course grade. No grade need be entered for the 0 hours of credit for the Fall Semester even though course work will be done during that semester. The grade for Legal Writing shall be entered upon completion of the course at the end of the Spring Semester when all 3 credit hours are completed. This will also simplify the work of the Chase Registrar.

April 6, 2005

Basic Legal Skills – Research will be taught entirely in the Fall semester rather than extended over the Fall and Spring.

April 6, 2005

Students shall register for BLS – Legal Research, 2 cr. Hr., in the Fall Semester. The grade shall be entered at the end of the Fall Semester.

April 6, 2005

Students shall register for BLS – Legal Writing, 0 cr. Hr., in the Fall Semester. For students who complete that semester, a grade of CW shall be entered.

April 6, 2005

Students shall register for BLS – Legal Writing, 3 cr. Hr., in the Spring Semester. The course grade shall be entered at the end of the Spring Semester. The CW for the Fall Semester shall remain unchanged.

April 6, 2005

The process approach shall be used in the Legal Writing course; two additional full-time tenure track Legal Writing professors should be hired; one additional Academic Support specialist should be hired; both Academic Support specialist positions should become tenure-track positions; the Legal Research and Writing professors should continue to coordinate their sections with each other.

April 15, 2001

1. The Dean shall have the authority to appoint a Legal Research Coordinator.
2. The Legal Research Coordinator shall have the responsibility and authority to:
 - (a) Oversee the development of a comprehensive syllabus in consultation with the Legal Writing Instructors. This provision does not require all of the Legal Research sections do precisely the same research exercises at precisely the same time. The timing and/or content of research

exercises may be varied to avoid having too many students using limited research materials at the same time.

- (b) Assist in the selection of adjunct faculty to teach the individual sections of the Legal Research component of the Basic Legal Skills course.
- (c) Provide an orientation for the adjunct faculty to explain the common program and to develop common expectations of student performance.
- (d) Provide an explanation of the program and of the faculty's common expectations to the students.
- (e) Monitor the performance of legal research faculty teaching the individual sections, including observing a meeting of each section at least once each year.
- (f) Establish common examinations and common grading guidelines for the individual sections of the Legal Research component.
- (g) Assist in trying to minimize any significant discrepancy in grading between Legal Research sections in the same division.

Repealed March 25, 2010

A. Basic Legal Skills will be a five hour first year course for both day and evening divisions. It will be divided into Basic Legal Skills I for which students will receive two credits in the Fall Semester and Basic Legal Skills II for which students will receive three credits in the Spring Semester. The additional (fifth) hour awarded may be used to expand coverage to a number of topics, such as the research process, formal reasoning, and statutory interpretation.

B. The credit hours earned in Basic Legal Skills I and Basic Legal Skills will reflect the amount of work undertaken by the student rather than the time in formal lecture. The professors, on the basis of their experience, will have the flexibility to schedule and allocate instruction time and assignments during the year and to assign evaluation weights as best motivates and benefits the students in the attainment of skills.

C. Basic Legal Skills may consist of instruction, practice, and evaluation in legal research, formal reasoning, memorandum writing, statutory interpretation, and written and oral advocacy, including the use of documents of record. Legal research would continue to be taught by the Library faculty. All other areas would be taught by the Legal Writing faculty.

D. It is anticipated initially that the course may begin with instruction in legal research and formal reasoning, continue with instruction in writing closed universe and open universe legal memoranda, progress to canons of statutory interpretation, and conclude with written and oral advocacy. Schedule adjustments by the professors will be made as the need arises.

E. Evaluation may be based upon exercises and examinations in formal reasoning, the closed universe memorandum, the open universe memorandum, the written advocacy assignment, the oral advocacy performance, and such other quizzes or evaluation means as the teachers find necessary and effective.

F. The professors may from time to time choose to use an appropriate motion rather than an

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appellate exercise to instruct in written and oral advocacy.

G. A grade will be given each semester. A student who fails Basic Legal Skills I is not precluded from taking Basic legal Skills II.

H. This proposal will take effect for all students in the Fall of 1992.

December 4, 1991

The course will be taught in the first year of the part time program. Property will be moved to year 2. Professional Responsibility will become a graduation requirement instead of being rigidly scheduled. This takes effect Fall 1992.

December 4, 1991

The teachers in Legal Writing and Appellate Advocacy courses [the courses Basic Legal Skills replaces] should cooperate and coordinate to the extent that where possible the materials and problems should be identical and/or relate to the same subject area and subject matter.

August 28, 1985

The issues in Legal Writing and Appellate Advocacy [the courses Basic Legal Skills replaces] problems, assignments and briefs, shall bear a substantial relationship to one subject matter of one or more of the substantive law courses that have been previously or are contemporaneously being studied by the legal writing students.

April 25, 1984

Reaffirmed, September 24, 1986

3.4 ADVANCED WRITING REQUIREMENT - Initially adopted September 25, 1991

[NOTE: At the February 24, 1993 and April 28, 1993, Faculty Meetings, proposals concerning this requirement were tabled "until next year". The Administration was authorized to implement the requirement to the best of its ability at the February 24, 1993, Faculty Meeting.]

[Note: At the March 2005 meeting, Enrollment caps for both parts of the Advanced Writing Requirement were amended to allow 20 students to enroll in courses in which the AWR requirements may be satisfied. However, a faculty member may impose a lower limit on the number of students who may complete the Advanced Writing Component in a class, but not less than 15 students. A faculty member may also agree to supervise AWR for more than 20 students in a class. The number of students a professor agrees to supervise for AWR should not be the enrollment cap for the course unless the professor requests that number as the cap. Students should be able to take AWR courses without fulfilling an AWR requirement. Faculty members may limit the number of students in seminars as permitted by other policies.]

I. Basic Explanation

The Advanced Writing Requirement is a graduation requirement which does not generate any separate credit hours. The requirement consists of a research component and a drafting component and can be met as follows:

- (1) Research Component: Completion of a research paper prepared in conjunction with (A) a designated small-enrollment (~~fifteen~~ **20** student maximum) elective course or seminar *which, in fact, has twenty or fewer students. The research paper shall be prepared under the supervision of the full-time professor teaching that course or seminar. Enrollment in courses designated as satisfying the AWR-Research requirement is not necessarily capped. A professor may cap AWR availability in a particular course, but that cap can be no fewer than 15 students* (B) an elective or seminar which in fact has ~~fifteen~~ **20** or fewer students. **A faculty member may impose a lower limit for the number of students who may complete the AWR Research Component in a particular course, but not lower than 15 students per course. A faculty member may allow more than 20 students into the class, including a larger number of students than those who plan to fulfill the AWR requirement. Faculty members may limit the number of students in seminars as permitted by other policies.** The research paper shall be prepared under the supervision of the full time professor teaching that course or seminar. *Supervised Independent Study; or (C) Law Review. A student who writes a research paper as a member of the Northern Kentucky Law Review may receive credit for AWR-Research under the supervision and approval of a full-time professor in consultation with a faculty advisor for the law review.*

Italic language added May 10, 2012

- (2) Drafting Component: Completion of a substantial drafting assignment prepared as part of (A) an advanced skills course **which have a maximum enrollment of 20 students**, or (B) a designated elective or seminar which in fact has ~~fifteen~~ **20** or fewer students. **A faculty member may impose a lower limit for the number of students who may complete the AWR Drafting Component in a particular course, but not lower than 15 students per course. A faculty member may allow more than 20 students into the class, including a larger number of**

students than those who plan to fulfill the AWR requirement. Faculty members may limit the number of students in seminars as permitted by other policies. The drafting assignment shall be prepared under the supervision of the full time or part time professor **teaching that course or seminar.**

The following language was amended in the Student Handbook

Drafting Component: Completion of a substantial drafting assignment prepared as part of (A) a designated upper-level skills course, or (B) a designated elective or seminar with fifteen or fewer students. The drafting assignment shall be prepared under the supervision of the full-time or part-time professor. The professor must offer the AWR opportunity to no fewer than fifteen students and no more than twenty students. If the course has fewer than fifteen students, the professor must offer AWR-Drafting credit to all students. Subject to approval of the Associate Dean, the professor may increase the number of students allowed to receive AWR-Drafting credit.

April 23, 2009

(3) Students must have successfully completed Legal Research and Writing and Appellate Advocacy before undertaking the Advanced Writing Requirement. The research component and drafting component must be satisfied in separate courses.

[The remainder of the Policy is omitted.]

March 2, 2005

II. Requirements for Satisfactory Completion of the Research Component.

(1) The student must notify the supervising professor at the beginning of the term in which he or she will be undertaking the project. To this end, the student should: fill out the attached Form #1 and have the supervising professor sign the form. Both the student and the professor shall retain a copy. The form shall include a schedule for the submission of the (A) abstract, (b) outline, (C) bibliography, (D) first draft, and (E) final draft.

(2) A paper submitted to satisfy the research component must be a minimum of 6000 words inclusive of foot-notes. The paper must contain footnotes appropriate to the subject matter of the paper. Compliance with the citation form set out in the BLUEBOOK is mandatory.

April 23, 2009
(to take effect Fall 2009)

(3) The student must also obtain the supervising professor's written certification of satisfactory completion of the paper at the end of the term when the paper has been completed. To this end the student should make sure that the supervising professor fills out and signs attached form #1. Both the student and the supervising professor shall retain a copy. If the student completes the research paper as a member of the Northern Kentucky Law Review, the faculty advisor for the law review must have no objection, based on the quality of the research paper, to the student using the paper to satisfy the AWR-Research component. The student must have the faculty advisor for the law review sign the form in the appropriate space and return the form to the

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supervising professor. If there is more than one faculty advisor the law review, only one of them needs to sign the form. On or before the last day when grades are submitted for the semester, the supervising professor shall supply the Records Specialist with copies of form #1. Rules applying to "Incompletes" for courses shall apply to completion of the advanced writing requirement.

[Amended May 10, 2012]

(4) Since the Advanced Writing Requirement is a graduation requirement which does not of itself generate any separate credit hours, satisfactory completion of the research component does not necessarily constitute satisfactory completion of the course. At the professor's discretion, compliance with the aforementioned research component may satisfy all, part, or none of the requirements for satisfactory completion of the course.

III. Requirements for Satisfactory Completion of the Drafting Component.

(1) The student must notify the supervising professor at the beginning of the term in which he or she will be undertaking the project. To this end, the student should: fill out the attached Form #2 and have the supervising professor sign the form. Both the student and the professor shall retain a copy. The form shall include a schedule for the submission of at least one preliminary draft and a final draft.

(2) A submission to satisfy the drafting component must be a minimum of 15 double-spaced 8 1/2 x 11 pages with one inch margin exclusive of footnotes. A submission may take the form of a brief, motion with supporting memorandum, set of pleadings, or documents of record (will, deed, contract, settlement agreement) or some combination thereof consistent with the professor's class project. The professor may accept marginally fewer pages if he or she certifies on Form #2 that the submission is of an extraordinary and compensating degree of complexity. Compliance with the Rules of a specified state or federal jurisdiction is mandatory. A submission must be of a quality conforming to exemplary professional standards in the practice of law.

(3) A drafting submission must receive the written certification of the supervising faculty in order to satisfy the upper level writing requirement. To this end the student should make sure that the supervising professor fills out and signs attached form #2. Both the student and the professor shall retain a copy. On or before the last day when grades are submitted for the semester, the professor shall supply the Records Specialist with copies of form #2. Rules applying to "Incomplete" for courses shall apply to completion of the advanced writing requirement.

(4) Since the Advanced Writing Requirement is a graduation requirement which does not of itself generate any separate credit hours, satisfactory completion of the drafting component does not necessarily constitute satisfactory completion of the course. At the professor's discretion, compliance with the aforementioned research component may satisfy all, part, or none of the requirements for satisfactory completion of the course.

IV. Scheduling

The Administration shall schedule classes so that a sufficient number of seminars, advanced skills courses, and designated small enrollment classes are offered each semester.

February 24, 1993

As part of the consideration of the Curriculum Committee's report at the February 24, 1993,

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Faculty Meeting, it was moved, seconded and passed to table the Curriculum Committee report on the Advanced Writing Requirement until next year, and to allow the Associate Dean to implement the Requirement to the best of the Administration's ability.

February 24, 1993

Proposals to alter the Advanced Writing requirement were tabled and referred to the Curriculum Committee at the February 24, 1993 and April 28, 1993, Faculty Meetings. At the April 28, 1993, Faculty Meeting, the Curriculum Committee was directed to call for faculty input to prepare for its consideration of the matter.

April 28, 1993

In order to receive AWR certification, the quality of a student's AWR work must be at least of B-quality. To meet this requirement, the paper shall demonstrate substantial research and original analysis. This change is to become effective Summer 2006.

March 15, 2006

Amended April 23, 2009

(to take effect Fall 2009)

[Repealed October 25, 2012]

NOTIFICATION AND CERTIFICATION
Form 1
OF SATISFACTORY COMPLIANCE WITH
THE ADVANCED WRITING REQUIREMENT RESEARCH COMPONENT

NOTIFICATION

_____, will submit a research paper which is intended to
 (student)

satisfy the Research Component of the Advanced Writing Component. The undersigned student has familiarized himself/herself with all requirements attendant to the Advanced Writing Requirement and will submit a research paper which comports with those requirements. The undersigned professor has explained any additional requirements beyond those expressly stated in the Research Component as adopted by the faculty at its September 25, 1991 meeting. The student further agrees to comply with the following schedule for submission of assignments to satisfactorily comply with the Research Component. Failure to comply with any of these assignments may result in failure to satisfactorily meet the Research Component.

<u>Assignment</u>	<u>Agreed Date</u>	<u>Date Submitted</u>
Abstract	_____	_____
Outline	_____	_____
Bibliography	_____	_____
First Draft	_____	_____
Final Draft	_____	_____

 Supervising Professor

 Student

 Date

CERTIFICATION

I hereby certify that _____ has satisfactorily completed the Research
 Component in _____.
 (course name)

Professor _____

 Date

NOTIFICATION AND CERTIFICATION
Form 2
OF SATISFACTORY COMPLIANCE WITH
THE ADVANCED WRITING REQUIREMENT DRAFTING COMPONENT

NOTIFICATION

_____, will submit a drafting exercise which is
 (student)

intended to satisfy the Drafting Component of the Advanced Writing Component. The undersigned student has familiarized himself/herself with all requirements attendant to the [Advanced Writing Requirement] and will submit a drafting assignment which comports with those requirements. The undersigned professor has explained any additional requirements beyond those expressly stated in the Drafting Component as adopted by the faculty at its September 25, 1991 meeting. The student further agrees to comply with the following schedule for submission of assignments to satisfactorily comply with the Drafting Component. Failure to comply with any of these assignments may result in failure to satisfactorily meet the Research Component.

<u>Assignment</u>	<u>Agreed Date</u>	<u>Date Submitted</u>
Mandatory Preliminary Draft	_____	_____
Additional Drafts or Other Assignments	_____	_____
Final Draft	_____	_____

 Supervising Professor

 Student

 Date

CERTIFICATION

I hereby certify that _____ has satisfactorily completed the Drafting
 Component in _____.
 (course name)

The submission is (check one) ____fifteen pages or longer
 ____fewer than fifteen pages in length but of
 extraordinary and compensating complexity.

 Date

 Supervising Professor

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3.5 CORE COURSES [*Cross Reference Section 4: Low Grade Policies*]

The number of core hours a student not in the structured curriculum is required to take is reduced from 20 to 12. That will increase the number of elective hours for those students from 18 to 26. This change took immediate effect. [*Cross Reference: Memorandum from Professor Schneider to All Faculty, All Deans, and Student Bar Association President Re: Proposed Amendment to Core Curriculum Requirements* dated April 9, 2000.]

August 16, 2000

Students will be required to take 20 hours out of the 29 hours of core courses set forth below. [as amended April 8, 1998] Students entering the College of Law beginning in the Fall Semester 1998 will be required to take 12 hours of core courses. This change will be retroactive.

Course	Hours
Corporations	3*
Wills & Trusts	3*
Agency, Partnership and Limited Liability Entities	3
Administrative Law	3
Family Law	3
Remedies	3
UCC: Payment Systems	3
UCC: Sales and Secured Transactions	3
Basic Tax Concepts	3
Total	27*

The new core course model will be implemented with the 1992-1993 academic year and will apply to all students enrolled in the College of Law at that time. [It should be noted that any senior who chooses to simply stick with the old scheme of 63 required hours will automatically fulfill the new course scheme involving a total of 60 hours of required and core courses.]

During the transition Required and Core courses generally will be offered on the same schedule as in past years.

[**Compiler's Note: This course was removed from the core curriculum February 22, 2006, which would reduce the total number of core courses credits to 26.*] [*Corporations and Wills and Trusts were reduced from 4 to 3 credits September 23, 2008, effective the end of the Spring 2009 semester.*]

August 16, 2000

The number of core hours a student not in the structured curriculum is required to take is reduced from 20 to 12. That will increase the number of elective hours for those students from 18 to 26. This change took immediate effect. [*Cross Reference: Memorandum from Professor Schneider to All Faculty, All Deans, and Student Bar Association President Re: Proposed Amendment to Core Curriculum Requirements* dated April 9, 2000.]

August 16, 2000

Property I and II are prerequisites to Remedies and to Wills and Trusts.

October 29, 1980

3.6 ELECTIVES

[Compiler's Note: A prior Faculty Committee compiled faculty policies in the 1978-1979 academic year. A list of approved courses contained in the compiled policies put together by that committee, as of April 4, 1979, was the starting point for this list. If no date is given in this list, the course was approved as of April 4, 1979. Most courses on the list of required and core courses are omitted from this list - they are approved in those contexts. Most course descriptions are omitted because many changes have been made over the years, even where course description were approved by faculty action.] [As part of the 2011 revisions, elective courses which have not been taught for at least five years were removed from this list. The most current course descriptions are available on the College of Law website.]

Accounting for Lawyers..... 2 hours [January 25, 1984] This course is open only to students who have had less than two semesters of accounting courses prior to entering law school. [April 1, 1980]
Approved for 2 or 3 hours [February 26, 2009]

Advanced Appellate Advocacy..... 3 hours [December 9, 2010]; graded Pass-Fail; Advanced training in (a) advanced techniques and strategies for conducting legal research, (b) advanced legal writing emphasizing stylistic consideration in advocacy writing, (c) skills required for effective team collaboration, (d) basic word processing training (waivable for students having comparable training) and (e) forensic skills training. Approximately 3 class hours per area. Satisfactory completion required of all students seeking to register for Inter-School competition as members of a moot court team. (May be waived by the Moot Court Advisor for those with actual experience.) Offered once per year in week prior to start of classes in Fall Semester. Open to all interested students who have successfully completed Appellate Advocacy.

Advanced Legal Analysis Strategies [October 13, 2009]
Credit hours increased from two to three[January 26, 2012]

Advanced Legal Research..... 2 hours [February 4, 2004]
Increased to 3 hours [September 19, 2007]

Advanced Online Legal Research (Distance Education) [December 6, 2006]
Increased to 3 hours [September 19, 2007]

Alternate Dispute Resolution..... 3 hours; 12 student enrollment limit [October 25, 1989] [April 29, 1992]
Changed to Mediation [May 14, 2009]
Changed from pass/fail to graded [April 28, 2011]

Arbitration Law & Practice [May 14, 2009]

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Arbitration Team [March 24, 2009]

Art Law [January 26, 2012]

Bankruptcy..... 3 hours. This course shall emphasize personal bankruptcy (Chapters 7 and 13 of the Bankruptcy Act of 1978) and shall also survey creditor remedies, consumer credit protective legislation and Chapter 11 of the Bankruptcy Act of 1978. [January 25, 1984]

Broadcast/Telecommunications/Internet Law3 hours [April 6, 2005]

Business Technology and Regulation Seminar 2 or 3 hours; umbrella course [January 25, 1984, October 23, 1985]

Business Basics for Lawyers 1 or 2 hours [March 24, 2009]

Chase National Trial Team.....This course is open to students who have completed at least 30 hours of credit, including Evidence unless the instructor authorizes that Evidence be taken concurrently. [April 17, 2002]

Clinical Internship Program (Local Government Center)... 2, 3, or 4 semester hours...A Local Government Law Center intern: (1) researches and drafts answers to requests for legal advice received by the Center from local governments and other practitioners of local government law; and (2) assists in the development and drafting of model ordinances for cities and counties. An intern additionally may have the opportunity to (1) research and write short legal articles for the Center's newsletter exploring issues of interest to the student; and (2) assist in the development and production of local government law practice guidelines. Local Government Law Center provides legal information and advice to local governments in varied subject areas, including contracts, franchising and business regulation, employment, environment, constitutional law, land use and zoning, criminal law, administrative land, and others. [October 8, 1997]

Clinical Externship Program (Local Government Center)... 2, 3, or 4 semester hours...A Local Government Law Center works with an attorney supervisor in a city, county, area development district, state agency, or local government organization in northern or central Kentucky during the regular school year and throughout the state during the summer. An extern will gain practical legal experience in issues affecting local governments in a variety of areas including governmental structure and procedures, state and local legislation and legislative bodies, contracts, franchising and business regulation, employment, environment, constitutional law, land use and zoning, criminal law, administrative law, and others. Prerequisites: Generally - (1) Completion of two-thirds of the credit hours for graduation; and (2) completion of or currently enrolled in Professional Responsibility. These may be waived. [October 8, 1997]

Clinical Program, Extern Policies..... see Section 3: *Clinical Extern Programs*

Constitutional Law Seminar..... 2 or 3 hours; umbrella course [January 25, 1984]

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- Taxation are prerequisites. [March 28, 1980]
- Ethics for Transactional Lawyers 1 or 2 credits [April 23, 2009]
- EU, WTO and US Trade Law (Online) [March 17, 2011]
- Facts, Storytelling & Persuasion 3 hours [April 19, 2012]
- Federal Jurisdiction..... 2 or 3 hours; prerequisites are Civil Procedure and
Constitutional Law I [October 29, 1980, as amended October 20, 1999]
- Federal Taxation IB..... 3 hours, follow-up to Federal Taxation IA prerequisite Federal
Taxation IA [February 22, 1989]
- Federal Taxation II..... 3 hours, Federal Taxation I is prerequisite [October 29, 1980]
- Health Policy and Law..... hours not designated [April 26, 1989]
- Immigration Law and Policy..... 3 hours [October 12, 2005]
- Insurance..... 3 hours, offered in all years in regular academic year [January
25, 1984]
- Intellectual Property.....This course surveys the three basic areas of intellectual
property law, with particular emphasis on trademark and copyright law and, to a lesser
extend, patent law. Students will read and analyze illustrative cases and will study
fundamental doctrines and statutory provisions regarding these three areas of intellectual
property law. This course also explores the historical development of trademark,
copyright and patent law in England and the United States.
Topics covered: The Nature of United States Intellectual Property Law (approximately
5% of the course); Trademark and Unfair Competition Law (approximately 40% of the
course); Copyright Law (approximately 40% of the course); and Patents (approximately
15% of the course).
- April 21, 1999
- Inter-School Competition..... 2 hours; Credit for interscholastic competition for Trial
Advocacy, Client Counseling, and Negotiation shall be for one hour unless a paper or a
brief is required by the competition. [November 20, 1985]
- International Engagement – Taiwan [November 10, 2011]
- International Intellectual Property [November 10, 2011]
- Interviewing, Counseling and Negotiation... 3 hours [April 1, 1980] Enrollment limited to 12
unless funding is available to provide additional teaching staff. [March 27, 1985]
Changed from pass/fail to graded [April 28, 2011]

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Introduction to Kentucky Juvenile Law. 2 credit hours, a one week intensive course during August, prior to the start of Fall Semester classes. The course may be offered in May, prior to Summer Term. Students may take both this course and Juvenile Law, but only one may apply towards the hours required for graduation. This course will not be subject to the 10 student minimum enrollment requirement. Students enrolling in the clinic will have preference for enrollment. Maximum enrollment is 16 students. January 26, 1994

Jurisprudence.....3 hours [April 1, 1980]

Juvenile Law.....3 hours

Juvenile Law Clinic..... 2 - 6 hours, see page 53 et seq.

Labor Relations..... 3 hours [December 9, 1999]

Law Review..... 1 to 6 hours [as determined by Faculty Advisor, October 13, 1972]

Law Review Editorship..... 1 to 6 hours; only editors of the Law Review may register for and receive credit for this course. Credit for this course is in lieu of credit for law review during the time the student serves as an editor on the law review staff. [March 7-8, 1981]

Law and Social Problems Seminar... 2 or 3 hours; umbrella course [January 25, 1984] [October 23, 1985]

Legal Drafting..... 2 hours; graded course [March 25, 1987] Enrollment limit is 20 students; students will automatically fail the course if a "F" grade is received on any two (2) of the six (6) required papers [April 18, 1983]

Legal Drafting – Litigation 3 hours [April 19, 2012]

Legislation and Statutory Interpretation..... 3 hours [May 17, 2006]

Litigation Technology

Mediation (see Alternate Dispute Resolution)

Modern Real Estate Transactions.....3 hours, prerequisites: Property I and II; enrollment limited to 24 students. [October 29, 1980]

Moot Court II..... 2 or 3 hours

Moot Court Board..... 3 hours Fall, 3 hours Spring, up to 16 students per year; 45 hours of work, at a minimum, shall be required for each hour of credit received for the

Moot Court Board. Credit for membership on the Moot Court Board is conditioned upon full participation in at least one intra-school or inter-school competition which requires both presentation of a brief and oral argument either prior to or during the semester for which credit is sought. In all other respects the faculty policy governing Moot Court Board shall be carefully applied. [March 7-8, 1981]

Municipal Corporations.....[see State and Local Government]

National Trial Advocacy Board March 3, 1999 commitment for three years

National Trial Advocacy Team March 3, 1999 commitment for three years

The Board and the National Trial Advocacy Team will be selected through an intra-school competition in August/September of each year. The top four students from the intra-school competition will make up the National Trial Advocacy Team. The top twelve students from the intra-school competition will make up the Trial Advocacy Board.

The National Team will compete in an intra-state competition in September/October, and in one or two national competitions during the spring semester. The National Team shall receive two (2) credit hours for participation in the state competition and one (1) additional credit hour for participation in one or both national competitions. Alternates to the National Team will receive one(1) credit hour for participation in one or both national competitions. December graduates will have their state competition credit (2 credits) reflected on their fall semester transcript. December graduates may participate in the national competition, but will not receive credit for the national competition. All this is subject to the 12 hour rule.

Members of the Trial Advocacy Board who do not compete in a competition will not receive credit. Their responsibilities as members of the Board would include coordination of Board activities, hosting the state competition once every three years, serving as witnesses/jurors of national Team practice, coordination of the intra-school competition, and promotion of trial advocacy skills among the student bar.

Students must complete 30 hours of credit before becoming eligible for participation in Trial Advocacy Team, and Evidence as a co-requisite. The Evidence course is to be treated just as it is for the Trial Advocacy course. This change was to become effective after the Spring 2006 semester. [October 12, 2005]

April 21, 1999

Natural Resources Law..... 2 hours, enrollment limit of 25 students. Open to all students. [February 27, 1991]

Patents.....3 hours [November 30, 1983] [April 21, 1999]

Pretrial Litigation..... 3 hours [April 19, 1995] Case simulation model; will follow a complex-litigation case from inception to beginning of trial; NITA case, Doyle v. NITA Power & Light Company, or similar case, will be used; students will act as litigation associates, one-half representing plaintiffs and one-half representing defendants; skills course, will include drafting.

Changed from pass/fail to graded[April 28, 2011]

Products Liability.....3 hours [April 1, 1980]

Professional Responsibility [*Compiler's Note: Many changes have been made in regard to this course over the years.*]

Race, Racism and American law.....3 hours [February 23, 1983]

Real Estate Financing..... 3 hours

School Law..... 3 hours [April 27, 1982]

Securities Regulation..... 3 hours [April 1, 1980]

Seminar on Federal Trial Practice....2 or 3 hours; graded Pass-Fail; 1 class session per week(50 minutes), jointly taught by the faculty member (who is expected to be present for each class) and a federal judge (who should be accorded adjunct faculty status), 1 hour credit for class sessions; the general subject matter of these classes will be federal trial court practice, including without limitation such topics as how a court works, jurisdiction, motion practice, discovery, decision making, and other relevant topics; 60 hours work in court placement required for each additional hour credit. The court placement will provide research and writing for the judge, but should include opportunity to observe proceedings in chamber and in court. Students will maintain time sheets or a log of activities in court, summarizing time spent, nature of activities and writing samples of a non-confidential nature. Four times per semester the students, either individually or in groups, will have supervisory conferences, conducted by the judge, with the faculty member present. [April 26, 1989] Enrollment limited to maximum of 6 students per judge, each of whom shall be students who are in their final year of study at the College of Law, provided, however, that the latter condition shall not apply to enrollment for the Spring, 1991, semester. Placement hours may be performed only during the semester in which the student is enrolled in the classroom component, except to make up an "Incomplete." A grade of "Incomplete" will be given only in exceptional circumstances, on petition to the faculty instructor stating the grounds relied upon, and must be made up within 10 weeks of the end of the semester or summer term for which the grade of "Incomplete" was given. Enrollment will be by permission of the faculty instructor with input from the judges. If more than 6 students register, priority shall be given to those students who have not previously been enrolled in the course. No student may enroll in the Seminar on Federal Trial Practice for more than 6 hours credit. [November 28, 1990] [April 26, 1989]

Seminar on Non-Profit Corporations...3 hours [November 2, 1979]

Small Business Non-profit Clinic [November 10, 2011]

State and Local Government3 hours [October 8, 1997] Addresses state and local government structure, authority, and responsibilities, as well as legal issues affecting local government units, including constitutional law, contracts, franchising and business regulation, employment law, environmental law, land use and zoning, criminal law,

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administrative law, ethics, and others. Compliments an internship or externship with the Local Government Law Center, but not required for either.

State and Local Taxation.....3 hours [April 1, 1980] Federal Tax I is prerequisite.
[October 29, 1980]

State Constitutional law.....A study of American state constitutional law which considers general principles embodied in cases and materials from all states, as well as Kentucky, and the relationship of the state and federal systems. [November 20, 1996]

Supervised Independent Research.....A paper must be submitted for Supervised Independent Research and should normally be at least 20 pages for two hours credit and 30 pages for three hours credit, excluding footnotes. A professor may require more than the minimum number of pages. A page is defined as one 8 1/2 by 11 inch pages with 1 inch margins at the top, bottom and each side. 10 cpi type and at least 26 lines per page. If 12 cpi type is used, 5/6 the number of pages are required. The paper must contain footnotes appropriate to the subject matter of the paper. Compliance with the citation form set forth in the BLUEBOOK is mandatory. [February 23, 1994]

Tax - Advanced Income Tax Concepts [Tax IB]

Tax - Basic Income Tax Concepts [Tax IA]

Tax - Business Entities Taxation

Changed to Tax – Business Organizations and Business Planning [March 24, 2009]

Tax - Estate and Gift Tax

Tax - Estate Planning

Tax - IRS Legal Counsel Externship

Tax - Tax Moot Court Inter-school Competition

Tax Policy Seminar..... 3 hours [April 6, 2005]

Tax - State and Local Taxation

Tax - Tax II..... 3 hours. Prerequisite: Tax IA. [April 6, 2005]

Tax - Tax Writing Workshop..... 1 hour. Co-requisite: Tax 1B or Tax II. [April 6, 2005]
Deleted [March 24, 2009]

Trademark Law & Unfair Competition [November 10, 2011]

Transacational Law Externship2-3 hours
Pass/fail

[March 24, 2009]

Trial Advocacy.....3 hours [April 1, 1980] Evidence and Civil Procedure must

be taken either before or concurrently. [January 25, 1984] Student enrollment is limited to ratio of 6 students to 1 faculty member. [April 27, 1982] All sections of Trial Advocacy offered at the Chase College of Law in any semester, including summer term, shall be taught by at least one regular member of the Chase College of Law faculty. [January 25, 1984] In the event a full time faculty member is not available to be one instructor in a Trial Advocacy section, a full time faculty member must be appointed as coordinator for the program to assist the adjunct faculty with administration responsibilities for the course and to insure the course is taught consistently with NITA objectives. [January 27, 1988] [This policy was to have been reviewed by the Curriculum Committee prior to the 1989-1990 academic years][Trial practice should not be offered again. It is not an approved course. It is substantially like Trial Advocacy. March 27, 1996.]
 Changed from pass/fail to graded [April 28, 2011]

Voir Dire Strategies

1 hour

[April 19, 2012]

3.61 Scheduling of Electives

Courses to be offered in both Divisions:

Accounting for Lawyers	Day/Fall	Summer
Administrative Law	Day	Summer
Agency/Partnership and Employment	Day	Evening
Conflict of Laws	Day	Evening
Family Law	Day	Summer
Federal Estate and Gift Tax	Day	Evening
Sales	Day	Summer
Trial Advocacy	Day	Summer

Courses to be offered every year:

Bankruptcy
 Estate Planning Spring
 Federal Tax II (Corporate) Fall
 Interviewing, Counseling and Negotiating
 Land Use Planning
 Labor Law I
 Labor Law II
 Municipal Corporations
 Modern Real Estate Transactions
 Remedies

Notes:

Bankruptcy: While offered every year, it alternates between evening and summer.

Remedies is to be offered every other summer in addition to once per year in the evening.

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Courses to be offered at least every other year:

Closed Corporations	Spring year A
Securities Regulation	Spring Year B

Coal Law I	Fall Year A
Coal Law II	Spring Year A
Environmental Law	Fall Year B
Advanced Federal Taxation	Spring Year A
State and Local Taxation	Spring Year B

Workers' Compensation (KY)	Fall or Spring Year A
Workers' Compensation (OH)	Summer Year B

Juvenile Law	Fall or Spring
Legal Drafting	Fall or Spring
Patents, Trademarks and Copyrights	Fall or Spring
Admiralty	Summer
Products Liability	Summer
Insurance	Fall or Spring
School Law	Spring Year B

Closely related courses are put together to show how they would be sequenced.

Courses to be retained in the Catalog:

[to be offered when there is faculty available and sufficient student interest]

Federal Jurisdiction
Future Interests Seminar
Land Financing
Medical-Legal Problems

January 25, 1984

Umbrella courses/seminars are intended to allow individual faculty members great leeway in choosing specific topics for coverage in any given year. At least three are to be offered per calendar year. 2 or 3 hours [October 23, 1985]

January 25, 1984

3.62 Distance Education

1. The NKU Chase College of Law policy on distance education incorporates by reference ABA Standards for Approval of Law Schools 306.
2. The NKU Chase College of Law policies that pertain to new classes apply to distance education classes. Thus a professor may offer a distance education class on experimental basis twice prior to submitting the course to the Curriculum Committee for approval, and then the course must be approved by the full faculty.
3. In accordance with Interpretation 306-8 of the ABA Standards for Approval of Law Schools, until such time arrives that the College offers more than an incidental amount of credit for distance education courses, the current method of evaluating and approving courses at the College of Law will apply equally to distance education courses with no additional reporting requirements on said courses.

3.63 Pro Bono Requirement and Coordinator**Preamble – Professionalism and Pro Bono Values in our Law School**

Public service is a fundamental aspect of the role of lawyers as members of a profession and as officers of the court. As the ABA has expressed this idea, all lawyers should aspire to render some legal services without fee or expectation of fee for the good of the public. See ABA Model Rules of Professional Conduct Rule 6.1 (“A lawyer should aspire to render at least (50) hours of pro bono public legal services per year.”) This responsibility to render pro bono services, it is said, sets the legal profession apart from other professions.

The aspiration of engaging in pro bono activity is also echoed in the Preamble to the ABA Standards which states that a law school must “provide an educational program that ensures that its graduates ... understand the law as a public profession calling for performance of pro bono legal services.” In concert with this value, Section 302(b)(2) of the ABA Standards for Approval of Law Schools was recently amended to require law schools “to offer substantial opportunities for student participation in pro bono activities.”

In recognition of this public and educational aspiration, the Pro Bono Proposal seeks to make the pro bono program a significant part of the law school’s educational program. As we endeavor to give our students a coherent view of the law and the purposes of law practice, the Pro Bono Proposal will allow us to renew our emphasis on the role of law schools in the service of the public interest. Additionally, as an educational program, a pro bono placement program has the great potential to provide students with a vehicle to gain legal skills, expose them to substantive areas of the law, and enhance our students’ contact with the bench and bar.

As an overarching goal, it is hoped that the pro bono program proposed below will enrich the law school experience of our students while at the same time contributing to the public interest legal community and to the profession at large.

Motion

This motion is brought before the faculty (i) for the purpose of re-affirming the related concept proposal (dealing with the Director of Clinical and Public Engagement Programs) approved by the faculty in the spring of 2006 and (ii) for the purpose of implementing the Pro Bono Proposal as outlined below.

Pro Bono Proposal

The proposal calls for the law school:

1. To establish a position of Pro Bono Coordinator, to be filled by July 1, 2007, or as soon as possible thereafter.
2. To establish a mandatory program requiring students to provide 50 hours of pro bono service during their law school tenure, effective with the Fall 2008 entering class.
3. Explore institutional support for faculty who implement significant aspects of the pro bono program.

Pro Bono Program and Position DescriptionA. Definition of Pro Bono

For purposes of this Proposal, pro bono is defined as: (i) uncompensated and (ii) adequately supervised (iii) law-related work by students (iv) in the representation of and advocacy for the poor, the elderly and other constituencies with limited access to justice and public institutions. It will be the task of the Pro Bono Coordinator to revisit this definition in light of available placements.

B. Expectations of Pro Bono Coordinator – Responsibilities

The following list of responsibilities and areas of involvement of the office of the Coordinator is offered as a guide. The Coordinator will not have faculty status.

The Pro Bono Coordinator will”

1. Supervise current pro bono placements;
2. Investigate ways in which to expand pro bono opportunities for students, especially in the part-time program;
3. Develop new or enhanced placements as are required to assist students in pro bono placements;
4. Look into and report to the faculty on the issues and possibility of a mandatory pro bono program;
5. Help maintain a pro bono website to inform our students (and the public) of available pro bono opportunities;
6. Implement a program of formal recognition of outstanding student pro bono service;
7. Help the Chase Public Interest Group administer the Public Interest Summer Fellowship Fund;
8. Assist the law school in its compliance with ABA Standard 302(b)(2);
9. Investigate ways to partner with the local bars and with Chase alumni;
10. Explore ways to enhance the environment within the law school to foster public interest and public service and to instill in our graduates a life-long commitment to community service;
11. Explore how the Pro Bono Program could fit in any Advocacy Center the law school may establish;
12. Be supportive of, and participate in, the University’s commitment to outreach and public engagement;
13. Provide support for faculty and administrators who are involved with specialized public engagement programs to (a) facilitate the continuation and enhancement of

these programs, and (b) to ensure that the programs comply with ABA, AALS, and other applicable professional standards;

14. Serve as a resource person for faculty, administrators, and students who are in the process of developing new programmatic ideas, and work with other appropriate law school constituencies in seeking grants and other external funding support for public interest and pro bono programs;
15. Provide expertise, not only to faculty, administrators, and students involved in specific projects, but to the law school as a whole, in order to keep us abreast of new concepts and programs; based on this evaluation, develop proposals for improvement and/or enhancement of our pro bono and public engagement programs for consideration by the faculty and administration, including a possible Public Law Concentration Program.

May 9, 2007

3.64 Miscellaneous

Tax Courses in the catalog shall be listed under the same prefix introduction for ease of reference and search by users of the course catalog. Thus:

- Tax – Basic Income Tax Concepts [Tax IA]
- Tax – Advanced Income Tax Concepts [Tax IB]
- Tax – Business Entities Taxation [Tax II]
- Tax – Tax Policy Seminar
- Tax – Estate and Gift Tax
- Tax – Estate Planning
- Tax – Tax Moot Court Inter-school Competition
- Tax – IRS Legal Counsel Externship
- Tax – State and Local Taxation

April 6, 2005

Advanced Legal Skills is to be offered as an experimental on-line course Summer 2005.

December 8, 2004

Whether Natural Resource Law should be listed in the new Course Planning Guide and course descriptions as a three-hour course instead of a two-hour course because it was taught as a three-hour course was referred to the Curriculum Committee for resolution.

February 21, 2001

There should be continued planning of a Patent Bar Program, subject to later approval.

October 16, 1996

The Curriculum Committee is charged in 1992-1993 to look at the following courses:

- (a) Alternative Dispute Resolution
- (b) Interviewing, Counseling & Negotiation
- (c) The Negotiation Workshop

and to consider the following issues in regard to these courses:

- (i) The possible overlap in coverage among these courses;
- (ii) Which of these courses should be designated as courses in which the drafting component of the Advanced Writing Requirement can be fulfilled and which of these courses should be designated as courses in which the Research Component of the Advanced Writing Requirement can be fulfilled; and
- (iii) What are the appropriate caps on enrollment.

April 29, 1992

The Curriculum Committee is charged in 1992-1993 to look at the following courses:

- (a) Alternative Dispute Resolution
- (b) Interviewing, Counseling & Negotiation
- (c) The Negotiation Workshop

and to consider the following issues in regard to these courses:

- (i) The possible overlap in coverage among these courses;
- (ii) Which of these courses should be designated as courses in which the drafting component of the Advanced Writing Requirement can be fulfilled and which of these courses should be designated as courses in which the Research Component of the Advanced Writing Requirement can be fulfilled; and
- (iii) What are the appropriate caps on enrollment.

April 29, 1992

Beginning with the entering class of the fall of 1981, each student shall take and successfully complete one elective course where the course of study is primarily concerned with a comprehensive statutory scheme. Such courses include income taxation courses, Coal Law II, Environmental Law, Labor law, Workmen's Compensation, and Bankruptcy. [Compiler's Note: This requirement was fulfilled by the mandatory curriculum adopted after March, 1981. The problem to which it was addressed is present with the required/core curriculum adopted February 26, 1992.]

March 7-8, 1981

Faculty Policy regarding prerequisites, enrollment by Instructor's permission and limited enrollment courses.

1. No prerequisite shall be established for any elective course except by vote of the Faculty after report to it by the Curriculum Committee.
2. No course shall be designated as one in which enrollment is allowed only by permission of the instructor except by vote of the Faculty after report to it by the Curriculum Committee.
3. No course shall be designated as one in which enrollment is limited to a specific number of students except by vote of the Faculty after report to it by the Curriculum Committee.
4. All approvals by the Faculty under the preceding paragraphs shall be reflected in the Law School catalog as soon as feasible after action by the Faculty.
5. These provisions do not apply to: Inter-School Competition, Law Review, and Supervised Independent Research.
6. Effective Spring, 1981, and thereafter.

April 18, 1980

3.7 ACADEMIC ASSISTANCE PROGRAMS

1. Academic Assistance Programs for students should be available to all students who need assistance. Student participation should be voluntary.

2. The overall academic assistance program for first year students should have flexibility to allow any student to seek assistance at any time during the first year. Thus more than one program will be necessary.

3. Academic Development Program

A. Participation in this program should be voluntary, by a process of self-application, and selection of the actual participants made by the instructors as appropriate.

B. A variety of ways should be used to reach out to students to invite them to apply for this program:

For example, a general mailing to all students, from the Dean, could invite those who are interested to apply. That letter could identify categories of persons who might benefit from the program, including undergraduate GPA below ##, LSAT below ##, an undergraduate major which did not require essays and compositions, a sense that the student's writing skills were not as good as they should be, an undergraduate school or major that the student does not think gave a strong foundation for studying law, a sense that the student's educational background may be lacking in some fashion, a period of ten or more years since the student last formally studied for a degree, and any health concern which the student thinks might impede law study. This letter could suggest that students who fit into one or more of these categories should seriously consider applying for the program.

The Associate Dean may write a letter to every student who the Associate Dean has identified as especially likely to benefit from assistance in order to be successful in law study. The Associate Dean, in conjunction with the Assistant Dean and using advice from the Admissions Committee, could review transcripts and writing samples used in the law school application process, and any other relevant information available to the Associate Dean in selecting the persons to whom this letter would be sent. This letter would indicate it was sent to the student because the Associate Dean believed the student should carefully consider applying for the program.

The instructors of Introduction to Law could identify persons who might need special assistance; they or the Associate Dean could invite those persons to apply for the program. None of these letters would come from the instructors of the program.

C. The program would begin on the Saturday prior to the start of Introduction to Law. This would probably be an all day session, and be devoted to: Learning in Class, Successful Study Methods, Law School Examinations, and other matters as there is time.

D. Students who joined the program after Introduction to Law would have received instruction on these subjects during Introduction to Law, and they could join without need for special "catch-up" work.

E. The program would continue throughout the first semester, meeting regularly to cover topics such as: How Do We Learn Best, Understanding and Using Effective Legal Analysis, Managing Stress, Preparing for Class, Outlining, Preparing For Examinations, and Taking Examinations. Special attention would be given to taking sample examinations on materials covered in the substantive courses which the students were taking. Attention should be given to the fact that

part-time students do not take all the courses taken by full-time students; repetitive exercises in their courses could be substituted for exercises in the full-time students' courses.

F. The program should continue during the second semester, but with a different group invited to participate. Those first year students who are in academic difficulty after the Fall Semester would be the group to be invited to participate. Study and organization skills would be taught, and considerable time would be devoted to preparing for and taking examinations. Sample/practice examination questions using materials studied that semester would be utilized.

G. Probably two persons should team-teach this program. Ideally they would be paid, but the program may have to be staffed with volunteers.

4. The Committee is concerned that students who seek assistance after the above program has begun should be able to receive assistance. Those students could be prompted by any of a variety of factors, including difficulty on a mid-term exam. Because of the structure of the Academic Development Program, it would be difficult to integrate new participants into it once the work began in earnest. Thus the Committee recommends that the present program of tutors should be continued. Any student should be able to seek the assistance of tutors to overcome a particular problem or to improve their ability to learn and perform in class and on examinations. The tutoring program should have the flexibility of allowing student to join and leave at will.

5. Faculty members teaching first year students should be strongly encouraged to give a mid-term examination using true exam-like conditions. This should be a meaningful experience for the students in the class.

6. Faculty members should continue to be available to work with students in all courses they teach.

7. Tutorial assistance should be available to students during the Summer Term.

8. Title III Funds, or other funds, should be sought to fund and possibly expand the assistance programs.

April 20, 1994

Academic Support, adopted February 4, 1998

This proposal is for continuing and expanding academic support for students at Chase College of Law.

Background Principles

Chase College of Law exists to provide a high-quality professional legal education that prepares men and women to be competent, involved, and ethical members of the legal profession.

The faculty of the College of Law reaffirms its historical mission to recruit and prepare qualified non-traditional students for the study of law. Non-traditional students include those who in earlier periods would not have been welcome at law schools: people of racial, ethnic and religious minorities, and those who, because of economic or familial obligations, are unable to study full-time. Because of educational disadvantages, some non-traditional students may not have the depth or scope of academic preparation that is traditionally used as the predictor of success in the study of law.

This historical mission is consistent with the mission of this contemporary, learned-centered, regional metropolitan university, which seeks to provide educational opportunity to a diverse student population. The majority of the students who graduate from the College of law remain in the region, making significant contributions to the community as attorneys for individuals, government, and corporations, and as judges, business persons and legislators. Each takes back to the community the values of an institution which offered the opportunity for professional education not offered by other institutions in the state or region.

Recognition of Problems and Responsibilities

These background values and missions create an institutional responsibility to provide non-traditional students with the tools necessary to develop the skills necessary for success in the study of law. It would be unethical to admit non-traditional students, accept their money, and abandon them knowing that some may not have the skills to succeed. Instead, it is the responsibility and the goal of the law school to identify to the best of its ability every at-risk non-traditional student who is admitted to the study of law and to provide each with the opportunity to develop the skills necessary for academic and professional success. Meeting this responsibility will not ensure that each Chase law student will complete the academic program and pass a bar examination. However, it will ensure that each will have been afforded a reasonable opportunity, and will probably increase retention rates and improve bar results.

In providing reasonable academic support (which is defined here to mean support that is designed to provide non-traditional students with the opportunity to develop the skills necessary for the successful study of law), the law school is presented with several types of student deficiencies. Some students are simply inexperienced in reading, writing, and reasoning and only need more experience to come up to the competitive skill levels. Other students have learning disabilities (which may be diagnosed or undiagnosed); these students require both diagnostic testing and highly specialized training. Academic support that may be meaningful or helpful for one typed of student may not be so for the other; yet each is owed an equal opportunity.

Proposal

In order to meet these complex responsibilities, the following proposals are made.

1. A full-time academic support position should be established. The position should include the following responsibilities:

- Teach “enriched” (academic support) classes of the required course Basic Legal Skills - Writing
 - teach upper-level writing course(s) that incorporate academic support components (particularly during the summer
 - Help identify and accommodated students with disabilities
 - Coordinate, advice, and participate in other academic support programs provided by the school such as the Academic Development Program
 - Meet individually with students having academic difficulty to provide counseling, refer for testing, or directly work on skills
 - Keep statistics and evaluate academic support programs and disability services provided by the College of Law
 - Study and keep up-to-date on academic support literature and learning theory, particularly the growing body of formal studies and surveys on the efficacy of academic support programs

- Advise the Dean's office and faculty concerning academic support and disability issues
- Contribute to scholarship through publishing and/or presentations.

2. A commitment should be made to continue the academic support position for three years at a minimum. The position should be a long-term (rather than year-to-year) contract, and should be filled by one who has experience in teaching legal writing and in providing academic support. The three-year minimum is necessary to achieve several goals. First, it will provide continuity in the academic support program. This will allow a fair amount of time to create a program that can then be evaluated. Second, it will allow retention of a single faculty member who can establish long-term ties with students in the program. Third, it will allow the general faculty to determine how the academic support program is to fit in with other curricular and programmatic changes to be accomplished in the coming years.

3. Steps should be taken immediately to make changes in scheduling that improve the development of student analytical and legal skills. These changes should be implemented for the Fall 1998 academic year and should be used immediately in recruitment of the 1998 entering class.

A. All first-year student should continue to be provided the benefit of a small-group section in at least one substantive required course. Small group sections offer the opportunity for more direct interaction between professor and student, more frequent writing assignments and evaluations, and the use of pedagogical techniques that are not feasible when the entire entering class is in a single section. (Small group sections were scheduled on an experimental basis in academic year 1997-98, and there has been excellent feedback from students on the value of the experience.)

B. Second-year students should be provided the benefit of a small group section in at least one required or core course. This experiment will be possible because of the return of a faculty member on leave, the addition of a new faculty arriving in Fall 1998, and because faculty members are willing to take on a new course preparation if necessary. This change has been discussed by the faculty for some time, and its success will be carefully evaluated. The intent here is to draw aspects of academic support into the upper level of law study and thus to improve bar passage rates. Additional faculty lines may be necessary in the future to continue this experiment of small-group scheduling and extend it throughout the curriculum. The faculty will evaluate the need for additional faculty support to sustain small sections in core and required courses in the 1998-99 academic year.

C. Faculty should discuss the proper configuration for academic support in the long-term future. Issues that must be resolved include:

1. Whether upcoming faculty vacancies should be staffed at least in part with academic support personnel.
2. Whether academic support faculty should remain contract personnel or should be tenure track. If tenure track, should the academic support faculty teach substantive courses or legal writing as well? The relationship between academic support and legal writing faculty should be clarified and the present compensation levels evaluated.
3. Whether general faculty should presumptively teach one additional course per academic year (15 credit hours). This issue has profound implications (both positive and negative) for the collegial community, the production of scholarship, and the image of the University in the community at large.
4. Whether the physical space of Nunn hall must be reconfigured to provide a flexible, user-friendly and comfortable space for teaching and learning that helps promote learned-centered education.

Collateral Benefits

It must be noted that the proposals make significant progress in resolving concerns about academic support and bar passage rates that arose during the recent American Bar Association and Association of American Law School accreditation processes. As mentioned above, expanding the academic support program into the upper levels will make Chase unique and be a good recruitment tool. This proposal includes programmatic changes which are similar to those suggested by the committee chaired by Prof. Nacev to analyze bar passage problems, such as small class experiences and extending academic support across the curriculum. It also implements elements of our institutional vision statement.

February 4, 1998

3.8 CLINICAL-TYPE PROGRAMS

The faculty approved a recommendation to hire a Director of Externships as a tenure-track position.

October 17, 2007

The faculty approved a proposal to rename the following externship courses “Field Placement Clinic”:

- Civil Practice Externship
- Kentucky Criminal Justice Externship/Criminal Justice Externship
- Energy, Environment & Utilities Externship
- Federal Prosecution & Defense Externship
- Federal & State Judicial Externship
- Transactional Law Externship

The existing Advanced Externship will be renamed “Advanced Field Placement Clinic”. The Local Government Law Externship and the IRS Chief Counsel Externship will remain unchanged.

[September 27, 2011]

3.81 Clinical Extern Program

Clinical Extern Program Guidelines

Objectives of the Clinical Extern Program

The purpose of the Clinical Extern Program is to aid law students in development of practical legal skills and knowledge through work on actual cases in supervised governmental and non-profit organization legal settings. These areas of skill and knowledge include legal writing, legal argument, witness examination, and professional responsibility. The Clinical Extern Program also aims to maximize the range of student clinical opportunities, including placement with state and federal agencies, prosecutors and public defenders, legal aid programs, and various governmental agencies. Supervised field placement experience shall be supplemented with weekly seminar meetings devoted to development of legal skills and the review of placement experience. In addition, where appropriate for the placement, students shall comply with the relevant student practice rules.

Part I

Duties and Responsibilities of Clinical Director and Field Instructors

1. The statement and Objectives of the Clinical Extern Program shall be communicated to students, supervisor and faculty alike.
2. The Clinical Extern Program at the Chase College of Law shall consist of the following components:
 - a. The Chase Clinical Extern Program, which shall provide student placements at various courts, agencies and organizations, either State or Federal, that provide legal representation and services to the public in both Northern Kentucky and Southwestern Ohio;
 - b. The Local Government Clinical Program which shall provide student placements for

local and state governmental agencies and departments in the Commonwealth of Kentucky;

c. The Children's Law Clinical Program which shall provide student placements for the purpose of juvenile representation in Northern Kentucky.

d. The Federal Trial Practice Seminar course which provides extern clerkships to the federal courts in southern Ohio and eastern Kentucky.

3. The Chase Clinical Program shall provide, from time to time, student placements in other fields of legal assistance, service and education as may be approved by the faculty and administration at the College of Law.

4. A Clinical programs offered at the College of Law shall be overseen and coordinated by the Director of the Clinical Extern Program of the College of Law.

5. The Director shall be a full-time faculty member and shall serve as a faculty instructor and coordinator. This position shall be a one-half (½) teaching load in which the Director should devote an average of at least 20 hours per week to the operation of the clinical program.

6. The Clinical Director shall develop, in conjunction with the faculty instructors, a set of general and specific educational goals and objectives for each placement, subject to the approval of the Clinical Committee. The faculty instructor should maintain the goals and objectives in a notebook available to all prospective clinical students.

7. The Clinical Director and/or faculty instructor shall periodically evaluate student placement performance and field supervisor performance through a variety of methods including written reports, time sheets, interviews and field visits.

a. Established and regular communication shall occur among the faculty instructor, the student, and the field instructor during the field placement experience. An on-site visit by the faculty instructor during the course of each field placement is referred. The field instructor should participate with the faculty instructor in the evaluation of a student's scholastic achievement.

b. In conducting this evaluation the Clinical Director shall also implement the Standards of paragraph (d) of Interpretation 2 of Standard 305 [ABA Standards]. This includes consideration of the time devoted by the students to the field placement, the tasks assigned to the student, selected work products of the student, and the field instructor's engagement of the student on a regular basis in a detailed evaluation of the student's field experience.

8. The Director or faculty member shall provide to each field instructor a manual, handbook or guidelines which shall contain a statement of all policies applicable to the clinical program and the responsibilities of the field instructor.

9. The Clinical Director shall make a detailed annual report to the Dean and to the Clinical Committee evaluating the program, including its compliance with ABA Standards and policies and criteria developed by the faculty.

10. No new field supervisor may supervise students without first attending an orientation either at the law school or on site.

11. Throughout the school term, the field instructor and faculty instructor shall continually engage in a critical evaluation of the student's experience.

12. The field instructor should submit a written evaluation of the student to the faculty instructor at the end of the semester. These evaluations will be based upon the general and specific goals

for the placement. The field instructor should discuss the evaluation with the student before submitting it to the faculty instructor.

Part II

Placements and Student Requirements

1. The number of students per half-time faculty instructor should be limited to no more than 15 per semester or summer term in the first year of operation of the program, and to no more than 20 thereafter.
2. Chase Clinical Extern placements shall be initially limited to locations less than 50 miles from the Chase College of Law. Local Government clinical placements may extend beyond 50 miles at the faculty instructor's discretion and in consultation with the Chase Clinical Director. Children's Law clinical placements shall be limited to the Children's Law Center, Inc. of Northern Kentucky and placements shall be made at the discretion of the faculty instructor in consultation with the Chase Clinical Director.
3. All clinical placements shall be in governmental or non-profit public agencies or organizations. Faculty instructors and the clinical director should strive for diverse placement opportunities. The faculty instructors shall initiate all clinical placements.
4. Because of the nature of this course, permission of the faculty instructor is required for registration. The faculty instructor may grant permission only after a full disclosure of the nature of the program, the governing policies, and the responsibilities and obligation of students enrolled in the program.
5. Summer clinical placements must be offered in the eight (8) week for ten (10) week formats and may be limited to placements through the Local Government Clinical Program and the Children's Law Clinical Program.
6. A student may enroll in any clinical program for a minimum of two (2) and a maximum of four (4) credit hours in any semester and a maximum of three (3) credit hours in a summer term. A student may participate in the clinical program more than one semester or summer session. However, a student may not receive credit for more than six (6) credit hours from the clinical program during his/her law school.
7. In order to participate in any clinical program, a student must have completed at least thirty (30) credit hours and must have a cumulative grade point average of at least 2.4. In addition, in order to participate in clinical placements requiring a limited license to practice law, a student: (a) must have completed at least sixty credit hours; and (b) must have completed, or currently be enrolled in, Professional Responsibility.
8. All clinical programs shall be graded Pass-Fail. The faculty instructor may submit a grade of "Incomplete" in exceptional circumstances beyond the student's control. To receive a grade of "Incomplete," the student must petition the faculty instructor in writing, setting forth the reasons relied upon as grounds for the "Incomplete." The student must make up a grade of "Incomplete" within 10 weeks of the end of the semester or summer term for which the grade of "Incomplete" was received.

Beginning in the fall of 2012, Chase College of Law shall award letter grades to students enrolled in the following clinics directly supervised by full-time Chase faculty members: (1) the

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Constitutional Litigation Clinic; (2) the Indigent Defense Clinic; (3) the Children's Law Center Clinic; and (4) the Small Business and Nonprofit Law Clinic.

[Amended May 10, 2012]

9. The clinical program falls within the constraints of the "12 Hour Rule."

10. Students shall not receive compensation for any work done in a clinical placement. However, students enrolled in the Local Government Law Clinic who are placed in government agencies, either state or local and beyond the 50 miles limit referred to in paragraph 2 herein, may receive travel and other expenses at the discretion of the field instructor, and with the approval of the faculty instructor and the Clinical Director.

11. Students shall participate in a fourteen (14) hour classroom component. They will receive a separate grade for this 1.0 hour beginning in the Fall Semester 2013.

[Amended October 25, 2012]

12. A student must spend at least 50 hours of work for each hour of credit earned. The fourteen (14) hours of classroom time shall be credited to the first 50 hours of work. Commuting time shall not count toward hours required per credit hour.

13. Placement hours may be performed only during the semester or term in which the student is enrolled in the classroom component of the course, except to make up an incomplete grade.

14. Each student shall be assigned specific working hours in the clinical placement and shall maintain a time journal verified by the field instructor. The time journal or log shall contain descriptions of assignments and work done, non-confidential writing samples, and other information helpful to show the nature of the work done. The faculty instructor may require additional classroom component requirements at his/her discretion. The time journal or log shall be submitted for review by the Director upon demand.

15. The confidentiality rules of attorney's professional responsibility shall be observed in all instances.

16. Students placed in externships involving courtroom activity, consultation with clients, or extensive advice to the public sector, shall maintain a student limited license to practice law.

17. Appropriate insurance may be required by the placement and must be in place before the placement begins. The cost of malpractice insurance for the Clinical Director and faculty instructors should be paid by the College of Law. Each student participate shall be required to pay for the cost of his/her own malpractice insurance.

18. At the discretion of the Clinical Director, one or more students may fulfill the Advanced Writing Requirement - Drafting Component in the course under the direction of the Clinical Director or the appropriate faculty instructor.

August 1999

The faculty abolished the GPA requirement for participation in clinical externships.

March 15, 2006

Students enrolled in either a Clinical Externship program (Law 979) or in Federal Trial Practice

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Seminar (Law 909) must work 50 hours for each credit hour they register for. Students may register for 2 or 3 academic credit hours. Students who register for 2 academic credits in either program will have to put in 100 hours of work during the semester at the externship or clerkship. Students who register for 3 academic hours in either program will have to put in 150 hours of work during the semester at the externship or clerkship.

April 21, 1999

The Clinical Director, in consultation and agreement of the Administration, has the authority to waive part of the professional responsibility requirement for a specific placement.

August 27, 1997

3.82 Children's Law Clinic

Professor Schechter's proposal for a Children's Law Clinic was approved "in principle."

Introduction to Kentucky Juvenile Law, 2 credit hours, is a prerequisite to entering this clinical program. It will be offered as a one week intensive course during August, prior to the start of Fall Semester classes. The course may be offered in May, prior to Summer Term. Students may take both this course and Juvenile Law, but only one may apply towards the hours required for graduation. This course will not be subject to the 10 student minimum enrollment requirement. Students enrolling in the clinic will have preference for enrollment. Maximum enrollment is 16 students.

Juvenile Law Clinic is the regular classroom component of the Children's Law Clinic. Students in the program are required to attend weekly 2 hour classroom sessions during their clinical experience. The hours spent in class count toward the 50 hours required for each hour of non-classroom credit awarded.

Third year full-time students and fourth year part-time students willing to make a full year commitment will have preference for enrollment in the clinic. Second preference will be given to the same students willing to make a one term commitment.

Students may receive 2 to 6 credits by working 100 to 300 hours in the program. They may earn this credit during a summer term. Students are expected to work a minimum of 150 hours for 3 clinical hour's credit during the fall or spring semesters, but with permission of the clinical supervisor, may work a minimum of 100 hours for two hours' credit. Students working in the summer will be eligible for IOLTA or other funds or fellowships or partial tuition remission or compensation. A student may not apply more than six hour's clinical credit toward the 90 hours graduation requirement; credit for Introduction to Kentucky Juvenile Law is not restricted by this limitation.

The program will be funded by grants and staffed by a full-time clinical from the College of Law and two part-time staff attorneys from the Children's Law Center. The classroom component will be developed jointly by a Chase faculty member, the Director of the Children's Law Center, and the full-time clinician.

January 26, 1994

3.83 SEMESTER IN PRACTICE – EXTERNSHIP PROGRAM

Scope, Purpose and Evaluation

The Semester in Practice (SIP) – Externship Program is a field-based external clinic in which students apprentice (without pay) with lawyers in all areas of practice or in judicial chambers. The SIP provides an opportunity - through observation, participation, practice, and reflection - to improve students' legal knowledge and skills and to inform and expand their vision of what the practice and profession of law can be. The overarching goal of the SIP Program is to provide opportunities for students to develop lawyering skills, learn substantive law, and engage in critical reflection about the legal profession, their legal career, and their priorities and values as lawyers and individuals through supervised field experiences and the contemporaneous seminar.

Students are expected to work diligently and professionally in this program. The practice of law requires the development and exercise of good personal and professional judgment, and students become conscious of how their decisions and performance fulfill the direction of the Attorney Mentor and serve the needs of the client.

There are two different components to the SIP program: a field placement component and a classroom component. Students are provided supervision on each aspect of the program. For the field placement component, students are designated an on-site attorney supervisor. The attorney supervisor is the person at the work site who has the responsibility to oversee student work and complete the program requirements. For the classroom component, each student is assigned a faculty supervisor. The faculty supervisor or the Director of Externships/Field Placement & Clinics is the person who will be reviewing the various classroom requirements throughout the semester and is also the person who will conduct any required site visits.

The attorney supervisor will be contacted periodically by the Director or faculty supervisor to monitor the student's work performance throughout the program. Among the areas in which students may be evaluated by the attorney supervisor, faculty supervisor or Director are the ability to:

- function in a new situation,
- understand organizational structures,
- work independently and/or under supervision, as appropriate,
- understand the world through the eyes of others,
- complete necessary paperwork in a timely fashion,
- manage stress effectively,
- conduct oneself with honesty and integrity,
- use initiative to deal with problems,
- communicate information and ideas effectively, and
- apply knowledge and theory in practice.

In addition, each student will be evaluated on performance of individual tasks encountered in the practice setting, which may include:

- client interviewing and counseling,
- investigation,
- legal research and writing,
- drafting documents,
- litigation preparation,
- courtroom observation,
- legal analysis,
- practice management,
- problem solving, and
- professional responsibility obligations

The faculty supervisor or Director will evaluate each student's performance in required classroom participation and activity.

The Director will review each student's overall performance in light of the evaluations by the attorney supervisor and/or faculty supervisor. The Director or faculty supervisor will ultimately grade each student's overall performance on a pass/fail basis at the end of the term.

Prerequisites and Credits

1. Prerequisite or Concurrent Requirements

A variety of placements will be offered in various subject areas and settings. Not all field placements are offered each semester. All field placements have limited enrollments.

Students seeking enrollment in the semester-in-practice program must contact the professor in charge of the program. An application will be required. Students may not enroll in a particular clinical or externship program for more than one semester or summer session except with the approval of the supervision professor. Students should note that the regulations governing receipt of credit for non-classroom hours apply to participation in the SIP Externship program. Enrollment priority will be given to students who have not yet participated in a clinical or externship program, and among those students to those who have fewer credits remaining prior to graduation.

Any student who has a minimum GPA of 2.0 and has completed thirty (30) credit-hours may apply to participate in a clinical or externship program. Any student who has a minimum GPA of 2.0 and has completed sixty (60) credit-hours may apply to participate in clinical and externship programs that require a student license to practice law. Normally, participation in any program requires completion of Professional Responsibility. In some placements, concurrent enrollment with Professional Responsibility may be permitted.

2. Program Credits**SOCP:**

Currently, students in the SOCP must work a minimum of fifty (50) hours for each credit-hour earned. Classroom time shall be credited to the first fifty (50) hours of work.

Commuting time shall not count toward hours required per credit-hour. Placement hours may be performed only during the semester in which the student is enrolled in the classroom component of the course. Faculty supervisors may grant an exception from this rule when appropriate and submit an incomplete grade.

Each student must maintain an activity log of his or her clinical and externship work and classroom hours. Consistent with the appropriate professional responsibility rules, the activity log shall contain descriptions of assignments and work completed. Students will complete journals, participate in the classroom component and meet all other requirements set by the professor.

SIP Program:

All enrolled students must complete work begun even if this would require more than the minimum number of hours for academic credit. All hours of work, as well as all other program requirements, must be completed by the last day of regularly scheduled exams. Students who complete their minimum hours early must still complete classroom requirements. Attorney supervisors may not vary this requirement; exceptions may be granted only by the Director or faculty supervisor in rare cases and for causes beyond control of the student.

The SIP program provides a more extensive internship experience, allowing for 4-12 credits, depending on the unique nature of the placement job tasks, not merely the student's wish to obtain added hours of credit. Registration requires advance approval by the Director, who makes the final decision regarding the appropriate placement and corresponding credits. Enrollment is very limited and highly selective, and placements may not be available every academic year.

This program may involve a single semester or year-long placements. Each extended program includes a two-credit classroom component and fieldwork equal to a minimum of 50 hours for every credit awarded (beyond the classroom component). Students taking a 12-credit field placement can split the experience between two consecutive semesters, or between 1 semester and the summer term (6 credits each).

The 2-credit classroom component is a graded course that must be enrolled in concurrently with the field placement. Depending of the size of the program, there may be a single course for all SIP participants or there may be multiple sections which emphasize fields of practice in addition to the skills development related to the program. Sections of the classroom component may be taught through distance education to afford students located outside the region to participate fully.

For the extended program, the fieldwork experience must equal at least 50 fieldwork hours for each credit. The fieldwork hours break down as follows:

- 4-credit Extended Field placement: 200 hours (4 X 50)
- 5-credit Extended Field placement: 250 hours
- 6-credit Extended Field placement: 300 hours
- 7-credit Extended Field placement: 350 hours
- 8-credit Extended Field placement: 350 hours
- 9-credit Extended Field placement: 450 hours
- 10-credit Extended Field placement: 500 hours
- 11-credit Extended Field placement: 550 hours
- 12-credit Extended Field placement: 600 hours (or 300 hours per semester over two consecutive semesters)

In actuality, students often work beyond the course-hour minimum as client and placement demands require.

Administrative Requirements

To participate in a field placement, the college, the student and the field supervisor must enter into a “three-way agreement” which sets for the expectations and obligations of each party. The Director must assure that each field placement is of sufficient academic rigor that the hours invested by the student will assure a meaningful academic experience. The higher the credit hours, the more rigorous and diverse the experience must be.

The field placement supervisor agrees to provide this meaningful academic experience by agreeing to monitor the type of work that the student performs to insure diversity in assignments; to meet regularly with the student and be available for the student on an as-needed basis; and to provide meaningful feedback to the student about his or her progress.

The field placement supervisor must also submit a mid-term and final evaluation to the Director.

Each placement will be visited at least annually by the Director or a full-time faculty member, so the field placement supervisor must be available to meet with the faculty supervisor at a mutually convenient time.

SIP - Externship Program Academic Requirements

In addition to the minimum field hours, each student also must fulfill the following requirements:

1. Administrative Meetings:

- a. Each student is required to confer individually with the Director or faculty supervisor during the first two weeks of the SIP registration period and after registering on line in order to preference three placement locations for fieldwork;
- b. Each student is required to participate in a mid-semester interview as scheduled by the Director;
- c. Each student is required to participate in an exit interview at the end of the semester as scheduled by the Director after submission by the student of all written material required (see #3 below).

2. Classroom Component:

- a. Information Session. Students are required to attend a one-time information session with the Director and/or faculty supervisor. This is a required class. If a student cannot attend, he or she must notify the Director in advance to arrange an alternative.
- b. Classroom sessions. Students are required to attend the classroom component of the field placement.

3. Written Work:

All items a) through f) required for completion of the field placement:

- a. Three-Way Agreement: Students are required to prepare a Three-Way agreement specifying the terms and conditions of the placement for approval of both the field placement supervisor and the Director or faculty supervisor of the field placement.
- b. Goals Statement: Students are required to write a 1-2 page statement focusing their personal goals for their development during their placement.
- c. Ethics Paper: Students are required to write a 3-4 page essay on the ethical responsibilities of working for an attorney in their type of placement. This essay should address the kinds of issues that an attorney might encounter in such a law practice and how the student anticipates an attorney should deal with them.

- d. Journals: Students are required to keep reflective journals throughout the semester, on a daily or weekly basis. The journals should include not only descriptions of events observed but also detailed critical analysis of the lawyers, judges, and legal processes involved in the events as well as what the student is learning, where the student's experience might be leading the student in terms of a career, how the student's education is being used in practice, etc. The journals must be typed. The journals must be turned in on a regular basis and at a minimum must be e-filed with the Director or faculty supervisor prior to the mid-term evaluation and again at the end of the semester prior to the final evaluation meeting with the Director.
- e. Time Cards: Students must submit time cards signed by the student and the attorney supervisor to the Director or faculty supervisor each week. Billable time does not include travel time to and from the placement location.
- f. Written Field Work: Students must submit at a minimum ten pages total of work product from their placement. Multiple written pieces totaling ten or more pages are permitted. Students in placements that will not generate sufficient written work product should contact the Director as soon as possible in the semester to set up an alternate writing assignment.
- g. Evaluation Forms: Evaluation forms will be emailed to students mid-semester as well as at the end of the semester. Each form must be completed and emailed back to the Director or faculty supervisor prior to scheduling of the mandatory mid-semester and final interviews with the Director.

Other Important Information

Computerized Research: Research on WESTLAW and LEXIS may be done for an attorney supervisor on student-authorized numbers if done as part of the field placement experience. Otherwise, the mentor's LEXIS or WESTLAW account must be utilized.

[April 19, 2012]

3.84 Local Government Law Center

Revised Draft Position Descriptions for the
Restructured Local Government Law Center

Position #1. Visiting Professor of Law and Executive Director of the Local Government Law Center

The individual appointed as a member of the Salmon P. Chase of Law faculty and Executive Director of the Local Government Law Center shall serve as the chief administrative office [sic] of the Center and shall be responsible for carrying out the purposes of the Center as dictated by the Memorandum Agreement between the Department of Local Government and Northern Kentucky University, Salmon P. Chase College of Law.

Qualifications for the Position:

1. The individual must have a juris doctor degree and either be admitted to the practice of law in the Commonwealth of Kentucky or have sufficient experience elsewhere to be admitted on motion.
2. The individual must have a minimum of three years in the actual practice of law. Extensive experience in local government and related areas of law is preferred.
3. The individual must have the qualifications and experience necessary to be appointed as a regular faculty member of the teaching faculty of the College of Law and to teach substantive law courses.

Prior experience in developing and administering education programs and prior success in obtaining grants and other funding support are also desirable.

RESPONSIBILITIES

The Executive Director will have the following responsibilities in addition to serving as the chief administrative officer of the Center:

1. To oversee the expansion of legal services to include county as well as municipal governments;
2. To assume overall responsibility for the supervision of law students as interns at the Center and as externs with county and municipal governments;
3. To develop programs for graduate students in conjunction with other colleges at NKU;
4. To consider additional programming to meet Department of Local Government and College of Law objectives and to pursue grants and other funding to support this additional programming; and
5. To teach one substantive law course per semester at the College of Law related to issues dealt with at the Local Government Law Center (such as State and Local Government Law, land Use Planning, Civil Rights Litigation and Property).

Salary: {Los sixties}(full-time, twelve month contract)

Position #2. Assistant Director of the Local Government Law Center and Clinician

Qualifications:

1. The individual must have a juris doctor degree and either be admitted to the practice of law in the Commonwealth of Kentucky or have sufficient experience elsewhere to be admitted on motion.
2. The individual must have a minimum of two years experience in the actual practice of law. Extensive experience in local government and related areas of law is preferred.
3. The individual must have the qualifications and experience to be appointed as a clinician at the Chase College of Law; and
4. Significant experience in clinical education is strongly preferred.

Responsibilities:

The Assistant Director will have the following responsibilities in addition to assisting the Director in carrying out Center activities:

1. To assist in the expansion of legal services to include county as well as municipal governments, and
2. To assist in directly supervising the law students working as interns in the Center and in also maintaining proper supervision of law students placed as externs with county and municipal governments.

Salary: {up to \$40,000}{full-time, twelve month contract}

April 23, 1997

3.85 SMALL BUSINESS AND NONPROFIT TRANSACTIONAL LAW CLINIC

The faculty hereby approves the creation of a new *experimental* course, the **Small Business and Nonprofit Transactional Law Clinic**, to begin operation during the Fall 2010 term and to run for two years until and including the Spring of 2010 under the following conditions:

The Curriculum Committee will regularly meet with the director of the clinic.

At the August 2011 faculty meeting the director of the clinic will report on the activities and progress of the clinic.

At the March 2012 meeting of the faculty, the director will update her report to include the activities of the clinic during the 2011-2012 academic year.

At the April 2012 faculty meeting, the Curriculum Committee will make a recommendation to the faculty on whether to continue the clinic as a regular part of the academic program.

[The faculty voted at the November 10, 2011 meeting to make the course permanent.]

The Dean's memo to Professor Valauri, Chair. Clinical & Externship Strategic Planning Taskforce (dated March 17, 2020) is not part of this proposal.

1. The name of the proposed course

Small Business and Nonprofit Transactional Law Clinic

2. **Credit hours proposed for the course:** 3 credit hours
3. **Course description for the College of Law's Catalog and in the College of Law's Student Handbook**

The Small Business and Nonprofit Transactional Law Clinic ("SBN Clinic") will provide students an opportunity to provide legal advice to local small-business entrepreneurs and non-profit organizations. The work in the SBN clinic is transactional in nature and does not include dispute resolution. Students may have the opportunity to work on a variety of business law matters, including: choice of business organization; business entity taxation issues; business licenses; contract drafting; entity dissolution; lease negotiations; non-profit incorporation; intellectual property; etc. Students will typically work with several clinic clients during the course of a semester, under the supervision of the Director of the SBN Clinic and/or a volunteer attorney. Students are expected to meet with their clients, to communicate with their clients regularly and effectively, to maintain their client's files in an organized and professional manner, and to regularly attend the seminar classes and participate in various seminar exercises.

The Clinic includes a weekly two-hour seminar, which addresses relevant substantive law, ethical issues and pragmatic lawyering skills, such as drafting, negotiating and counseling clients. Participation in the SBN Clinic requires both a significant time commitment (a minimum of 8 hours per week, in addition to the time in the seminar class), as well as a certain degree of flexibility in the student's schedule.

Students will be evaluated on the performance of their work for their clients as well as attendance and class participation in the weekly seminar class. The course is graded on a pass-fail basis.

Students need permission of the Director of the SBN Clinic to take this course.

[March 25, 2010]

CENTERS

The faculty endorsed in principle the development of an Advocacy Center and a Transactional Center.

May 9, 2007

TRANSACTIONAL LAW CENTER

A motion was approved to appoint an Interim Director and Ad Hoc Advisory Committee for the Transactional Law Center.

March 26, 2008

CENTER FOR EXCELLENCE IN ADVOCACY

3.86 Non-Classroom Hours

A total of not more than 18 hours of non-classroom work may apply toward the graduation requirement. Such hours may include, but are not limited to, moot court, law review, clinical courses, and supervised independent research. Non-classroom hours is defined as courses or programs that permit or require student participation in studies or activities away from or outside the College of Law or are in a format that does not involve attendance at regularly scheduled class sessions, but do not include hours awarded for Distance Education, approved study abroad programs (except as the study abroad program includes non-classroom hours), nor credit hours transferred from an approved law school (except as that study includes non-classroom hours). Students may take additional non-classroom hours that will not count toward graduation requirements.

February 27, 2008

GUIDELINES FOR STUDY OUTSIDE THE CLASSROOM PROGRAM**Article I. GOALS AND OBJECTIVES**

Section 1.0 The Chase College of Law Study Outside the Classroom Program (SCOP) develops students' legal knowledge, skills, and values while preparing students to represent clients successfully and professionally. The goals of the SOCP are (1) to teach students to solve legal problems, (2) to provide students appropriate writing and drafting opportunities not typical in the classroom setting, and (3) to teach students to become responsible and ethical practitioners. Students participating in SOCP clinics and externships learn and practice complex lawyering skills under the close supervision and training of experienced, licensed practitioners. Faculty and Field Supervisors provide informative feedback and reflection on student performances. SOCP students strengthen their learning through on-going self-assessment.

Section 1.1 Each SOCP experience teaches students skills in specialized areas of the law, including criminal law, civil law, local government law, tax law, and transactional law. In each clinic and externship, students engage in fact gathering, client counseling, managing workload, managing files, legal analyzing, communicating, writing, self-assessing, critiquing techniques, and working with different people and organizations in the legal field.

Article II. Types of Clinical and Externship Programs (From September 2009-December 2009)

Section 2.-0 SOCP consists of the following clinical and externship programs:

2.0.1. Chase Externship Program, which includes placements at state and federal agencies, and organizations that provide legal representation and services to the public;

2.0.2. Children's Law Externship;

2.0.3. Constitutional Litigation Clinic;

2.0.4. Federal Trial Practice Seminar

- 2.0.5.** Indigent Defense Clinic;
- 2.0.6.** IP and Business Law Externship;
- 2.0.7.** Kentucky Criminal Justice Externship;
- 2.0.8.** Kentucky Innocence Project;
- 2.0.9.** Local Government Law Center Externship;
- 2.0.10.** Local Government Law Center Internship;
- 2.0.11.** Tax – IRS Office of Chief Counsel Externship.

Article II. Types of Clinical and Externship Programs (Effective Jan. 1, 2010)

Section 2.0. SOCP consists of the following clinical and externship programs:

- 2.0.1.** Advanced Externship;
- 2.0.2.** Civil Practice Externship; which includes placements at state and federal agencies, and organizations that provide legal representation and services to the public;
- 2.0.3.** Constitutional Litigation Clinic;
- 2.0.4.** Energy, Environment, and Utilities Externship;
- 2.0.5.** Federal Prosecution and Defense Externship;
- 2.0.6.** Federal and State Judicial Externship;
- 2.0.7.** Indigent Defense Clinic;
- 2.0.8.** IRS Chief Counsel Externship
- 2.0.9.** Kentucky Criminal Justice Externship
- 2.0.10.** Kentucky Innocence Project
- 2.0.11.** Local Government Law Externship
- 2.0.12.** Transactional Law Externship
- 2.0.13.** Semester in Practice (SIP) (Effective August 1, 2012)
[April 19, 2012]

Section 2.1. SOCP may provide, from time to time, student placements in other fields of legal assistance, service, and education upon approval by the faculty.

Section 2.2. SOCP shall provide both full-time and part-time students with reasonably comparable study outside the classroom opportunities. [See ABA Standard 302].

Article III. Duties and Responsibilities of SOCP Director, Faculty Supervisors, and Field Supervisors

Section 3.0. SOCP shall be taught and administered by the SOCP Director, Faculty Supervisors, and Field Supervisors.

Section 3.1. The SOCP Director shall oversee and coordinate the clinical and externship programs. The SOCP Director shall also chair the Clinical Committee.

Section 3.1.1. The SOCP Director shall be a full-time faculty member and shall serve as a faculty supervisor and coordinator of the clinical and externship program.

Section 3.1.2. The SOCP Director shall meet with the Faculty Supervisors, gather quality assurance information, and present an annual report to the Clinical Committee in November of each year. The report shall include consideration of the time devoted by the students to the field placement, the tasks assigned to the students, selected work products of the students, and the Field Supervisors' engagement of the students on a regular basis.

Section 3.1.3. The SOCP Director shall coordinate the Faculty Supervisors' goals and assessment presentation to the faculty each academic year.

Section 3.1.4. The SOCP Director shall periodically evaluate each placement and field supervisor for consistency with the SOCP goals and objectives. In courses taught by full-time Faculty Supervisors, the SOCP Director may rely on reports from the respective Faculty Supervisors.

Section 3.1.5. In courses where full-time faculty members serve as the Faculty Supervisors, the SOCP Director may indirectly supervise compliance, and the Faculty Supervisors will have primary responsibility for compliance.

Section 3.1.6. The SOCP Director shall coordinate training of the Field Supervisors each academic year, including student evaluation, performance assessment, and critiquing students. The SOCP Director may provide training through manuals, Continuing Legal Education programs, or other programs coordinated with the Clinical Committee and Faculty Supervisors.

Section 3.1.7. The SOCP Director may serve as a Faculty Supervisor.

Section 3.1.8. In the case of SIP or any field placement involving more than four (4) credit hours, the SOCP Director or designated full-time faculty member shall conduct a physical inspection of the location of the field placement at least once per academic year.

[April 19, 2012]

~~~~~**Section 3.2.** Faculty Supervisors shall supervise the specific clinical and externship courses listed in Article II, Section 2.0.

**Section 3.2.1.** Faculty Supervisors for each SOCP shall be listed in the Program Outline in the *Student Guidebook for Study Outside the Classroom*.

**Section 3.2.2.** Faculty Supervisors shall have overall responsibility for their

SOCP course. The Faculty Supervisor teaching a specific clinical or externship course shall clearly articulate the method of evaluating the student's performance in the course syllabus and the Program Outline in the *Student Guidebook for Study Outside the Classroom*.

**Section 3.2.3.** Faculty Supervisors shall provide opportunities for contemporaneous student reflection through a classroom component, seminar, regularly scheduled tutorials, or other means of guided reflection.

**Section 3.2.4.** Faculty Supervisors shall select and oversee Field Supervisors for their specific SOCP. Throughout the semester, Faculty Supervisors shall meet with their Field Supervisors to critically evaluate each student's experience. Faculty Supervisors shall provide the SOCP Director with copies of the Field Supervisors' evaluations to ensure SOCP goals and objectives are met.

**Section 3.2.5.** Faculty Supervisors, under the guidance of the SOCP Director, shall evaluate their courses' goals and assessments each academic year and present their findings to the SOCP Director in September.

**Section 3.2.6.** Faculty Supervisors shall fully participate on the Clinical Committee.

**Section 3.3.** Field Supervisors shall have the responsibility for supervising and mentoring student work at the work site. They shall give the student externs assignments, review legal writings, advise on professional skills, and evaluate student performance. Field Supervisors must be licensed practicing attorneys in good standing. They must be practicing in an approved placement and be certified as a field supervisor.

**Section 3.3.1.** Field Supervisors shall critically assess student performance, meet regularly with students to discuss those assessments, and report those assessments throughout the semester to the appropriate Faculty Supervisor and SOCP Director.

**Section 3.3.2.** Field Supervisors shall submit written mid-term and final student evaluations to their Faculty Supervisors. Faculty Supervisors shall submit a copy of each evaluation to the SOCP Director.

**Section 3.3.3.** All new Field Supervisors shall be selected, certified, and evaluated by the SOCP Director or, at the SOCP's discretion, Faculty Supervisors pursuant to ABA Standard 305(e)(4).

**Section 3.3.4.** The Field Supervisor for SIP or any field placement involving more than four (4) credit hours shall, in addition to the foregoing requirements, enter into a three-way agreement between Chase, the participating student and the Field Supervisor in a form provided by the SOCP Director which specifies the terms and conditions of the placement, including the goals of the placement identified by the student and the learning objectives of the SOCP Director.

[April 19, 2012]

**Section 3.4.** The SOCP Director and Faculty Supervisors shall constitute the Clinical Committee. The Clinical Committee, chaired by the SOCP Director, shall develop a set of goals and objectives for the SOCP. These goals and objectives shall be maintained in the *Student Guidebook for Study Outside the Classroom Program*.

**Section 3.4.1.** The SOCP Director shall gather the Clinical Committee to share new ideas and developments about clinical teaching.

**Section 3.4.2.** The SOCP Director, with the assistance of the Clinical Committee, shall maintain and provide a copy of the Field Supervisors' handbook that states the policies applicable to the SOCP, and the responsibilities of the Field Supervisors.

**Article IV. Clinical and Externship Placement Requirements**

**Section 4.0.** Clinical and externship placements may be in governmental office, non-profit agencies, law offices, and corporate legal departments.

**Section 4.1.** SOCP placements are offered only during 8- and 14-week sessions.

**Section 4.2.** All clinical and externship programs shall be graded Pass/Fail.

**Section 4.4.** Each clinical and externship program shall offer a concurrent classroom component or apprenticeship program. Programs in which students earn four or more credits per semester shall meet for a minimum of fourteen (14) hours.

**Section 4.5.** Advanced Externship shall offer an alternative classroom component for any student repeating an externship program for course credit.

**Article V. Student Requirements**

**Section 5.1.** Students seeking enrollment in any SOCP must complete a *Common Application for Clinical and Externship Programs*. Students requesting placement in some programs must also complete additional specific applications for those programs.

**Section 5.2.** Subject to the specific requirements established by a clinic or externship, students may enroll in a clinical or externship program for a minimum of two (2) and a maximum of ~~four (4)~~ twelve (12) credit hours during the fall and spring semesters. During the 8-week summer sessions, students may enroll in a minimum of two (2) and a maximum of ~~three (3)~~ six (6) credit hours.

[Amended April 19, 2012]

**Section 5.3.** Students may not enroll in a particular clinical or externship program for more than one semester or summer session except with the approval of the SOCP Director and Faculty Supervisor.

**Section 5.4.** The regulations governing receipt of credit for non-classroom hours apply to participation in the SOCP.

**Section 5.5.** Any student who has a minimum GPA of 2.0 and has completed thirty (30) credit hours may apply to participate in an SOCP.

**Section 5.5.1.** Participation in any SOCP requires completion of or contemporaneous enrollment in Professional Responsibility.

**Section 5.5.2.** Any student who has a minimum GPA of 2.0 and has completed



## SCHEDULING & CURRICULUM

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sixty (60) credit hours may apply to participate in an SOCP program that requires a student license to practice law.

**Section 5.6.** Students may not receive compensation for any work done in a clinical or externship placement. At the discretion of the field supervisor, students may receive reimbursement from the placement for reasonable out-of-pocket expenses.

**Section 5.7.** Students may not be placed in a clinical or externship placement with their employers or with a relative, unless they have prior approval from the SOCP Director. “Relative” means a person related by consanguinity or affinity within the sixth degree.

**Section 5.8.** Students must work a minimum of fifty (50) hours for each credit hour earned. *For SOCP of three (3) credits or less, classroom time shall be credited to the first fifty (50) hours of work. In the case of SIP or any field placement involving more than four (4) credit hours, classroom time shall not count towards hours required per credit hour.*

[ Amended April 19, 2012]

**Section 5.8.1.** Commuting time shall not count toward hours required per credit hour.

**Section 5.8.2.** Placement hours may be performed only during the semester in which the student is enrolled in the classroom component of the course. Faculty Supervisors may grant an exception for this rule when appropriate and submit an incomplete grade.

**Section 5.9.** Each student must maintain an activity log of his or her clinical and externship work and classroom hours. Consistent with the appropriate professional responsibility rules, the activity log shall contain descriptions of assignments and work completed. The activity log shall be attested to by the Field Supervisor’s signature.

**Section 5.10.** Each student must submit to the SOCP Director and faculty supervisor a sample of written work products generated from his or her work in the clinical or externship placement. The student must prepare the document for actual use in a particular client matter, reviewed by the field supervisor, and attested to by the field supervisor’s signature.

**Section 5.11.** The applicable rules of professional responsibility, particularly confidentiality requirements, apply.

[September 15, 2009]

**3.9 LAW REVIEW**

*[Cross Reference Section 3: Interscholastic Competition (concerning a number of credits)]*

The faculty approved a course entitled Law Review Editorship. Only editors of the Law Review may register for and receive credit for this course. Credit for this course is in lieu of credit for law review during the time the student serves as an editor on the law review staff.

March 7-8, 1981

The grades to be received for participation in Law Review shall be determined by the Faculty Advisor to the Law Review using the following criteria:

1. Those members who do the obligatory staff work as assigned by the Editorial Board including but not limited to subciting, proofreading, committee work, meetings, AND who submit to the Law Review an article of publishable quality, as defined in subparagraph 5, will merit a grade of A.
2. Those members who submit an article of publishable quality but who fail to do the obligatory staff work, as defined above, to the same extent as a majority of the staff members, as determined by the Faculty Advisor, will merit a grade of C.
3. Those members who submit an article of publishable quality but who fail to do a minimum of the obligatory staff work, as determined by the Faculty Advisor, will merit a grade of F.
4. Those members who fail to submit an article of publishable quality notwithstanding the completion of any amount of obligatory staff work as defined above, will merit a grade of F.
5. Publishable quality shall be determined by the Editorial Board with a right of appeal to the Faculty Advisor. Publishable quality shall be determined by such criteria as substance, form, grammatical style, footnote form, accuracy, Bluebook form, and originality.
6. Each staff member who merits a grade of A or C will receive up to three hours credit as set forth in subparagraph 10.
7. Those members who wish to receive credit and a grade in December must submit an article during the first semester. Failure to do so will result in those members receiving an incomplete for the first semester. Credit and a grade will then be given during the second semester.
8. Decisions concerning grades will be made by the Faculty Advisor using data concerning the above criteria supplied by the Editorial Board. However, the Editorial Board will not make recommendations regarding the specific grade to be assigned.
9. If it comes to the attention of the editors that it is possible that a staff member may receive a grade below A, written notice of such a possibility, including reasons therefore, will be given to the staff member at the earliest possible opportunity. The Editorial Board will review each member's standing in light of the above criteria monthly.

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10. Credits - Those students who complete the candidates program in the fall are eligible for two (2) credits for the following spring term. Those students who complete the candidates program in the spring will be eligible for three (3) credits during the next academic year. The following chart illustrates how credits may be earned:

#### Day Students

| <u>Candidacy</u> | <u>Spring 2d yr.</u> | <u>Spring or Fall 3rd yr.</u> |
|------------------|----------------------|-------------------------------|
| Spring/1st yr.   | 3 cr.                | 3 cr.                         |
| Fall/2d yr.      | 2 cr.                | 3 cr.                         |
| Spring/2d yr.    | ----                 | 3 cr.                         |

#### Evening Students

| <u>Candidacy</u> | <u>Spring 3d yr.</u> | <u>Spring or Fall 4th yr.</u> |
|------------------|----------------------|-------------------------------|
| Spring/2d yr.    | 3 cr.                | 3 cr.                         |
| Fall/3d yr.      | 2 cr.                | 3 cr.                         |
| Spring/3d yr.    | ----                 | 3 cr.                         |

Those students who have completed two academic terms exclusive of the summer term as a member of the Law Review staff but who plan to graduate in December may still receive three (3) credits in the fall term provided, however, those persons are to contribute additional work during the preceding summer and fall terms to compensate for not working on the staff during the Spring Semester of their final year. Those students who do not contribute this additional work will received only two (2) credits.

October 29, 1980

**BYLAWS OF THE NORTHERN KENTUCKY  
LAW REVIEW-CHASE COLLEGE OF LAW**

The purpose of the Northern Kentucky Law Review (hereinafter the Review) is to provide a legal learning experience for the student member and to provide a positive contribution to the legal community. Specifically, members and editors of the Review are primarily responsible for the publication of three issues of the Northern Kentucky Law Review annually.

**I. Organization, Rules and Responsibilities of Members and Editors**

**A. The Editor-in-Chief shall:**

1. Have the ultimate responsibility for publishing three issues of the Review annually. If, for any reason, an issue of the Review is not published within a reasonable time after the established deadlines, the Editor-in-Chief will not receive law review credit for the year in which he or she has served in that position, and will be required to assist the following Editor-in-Chief in publishing the tardy issues;
2. Administer, according to sound discretion, the policies of the Review;
3. Have supervisory responsibility over the selection and content of each issue of the Review;
4. Call and preside over meetings of the staff;
5. Oversee all staff operations;
6. Serve as the official representative of the Review;
7. Serve as liaison with the printer of the Review;
8. Appoint committees as deemed necessary; and
9. Be required to keep the faculty advisor(s) informed on a regular basis about the current status of the Review, its activities, and progress of each issue.
10. The Editor-in-Chief may be removed by an affirmative vote of 2/3 of the membership with the concurrence of the faculty advisor(s).

**B. The Executive Editor shall:**

1. Have the ultimate responsibility for distributing three issues of the Review annually. If the Executive Editor should fail to do so, he or she will not receive law review credit for that year, and will be required to assist the following Executive Editor in distributing those issues;
2. Be responsible for maintaining accurate and up-to-date budgetary, subscription and accounting records and for fulfilling subscription and

individual issue requests as quickly as possible; and

3. Work with the Editor-in-Chief in carrying out his or her duties and responsibilities.
4. The Executive Editor may be removed by an affirmative vote of 2/3 of the membership with the concurrence of the faculty advisor(s).

**C. Board of Editors**

1. The Board of Editors shall consist of the Editor-in-Chief, the Executive Editor, and those other members who have been appointed by the Editor-in-Chief as Editors.
2. The Editor-in-Chief shall be responsible for selecting other Editors. Appointed Editors must be chosen for their excellence in writing, editing and managerial ability. Each appointed Editor must be assigned specific, objective duties which serve to further the purposes of the Review. All proposed appointments must be approved by the faculty advisor(s) prior to the announcement of the appointment. All appointed Editors must have at least one full year of law study remaining after his or her appointment. No one shall be appointed to an editorial position if he or she plans to graduate mid-year.
3. Members serving on the Board of Editors shall be exempt from writing an article during the year in which they are on the Board. Except for this requirement, appointed Editors shall be subject to the same requirements as members when applying for law review credit and in receiving grades.
4. Appointed Editors shall be removed at the discretion of the Editor-in-Chief, subject to review by the faculty advisor(s).

**D. Staff Members shall:**

1. Do all obligatory work as assigned by the Editor-in-Chief or, if the Editor-in-Chief is unable to carry out his or her responsibilities, by that Editor chosen by the Editor-in-Chief to undertake the latter's responsibilities. Obligatory work includes but is not limited to sub citing, proofreading, committee work and special projects.
2. Submit to the Editor-in-Chief an article of publishable quality each year;
3. Maintain records necessary for the faculty advisor(s) to make a decision concerning his or her grade; and
4. Attend all meetings, unless excused by the Editor-in-Chief prior to the meeting, which are properly called.
5. Members will be required to relinquish their membership on the Review after receiving a grade of F for previous law review work. If the member's cumulative G.P.A. should fall below that necessary to continue placement in the top 1/3 of his/her class for two consecutive semesters, that member may be

removed by the faculty advisor(s). Removal of members for other reasons must be approved by a majority consisting of at least 2/3 of the members, with the concurrence of the faculty advisor(s).

## II. Membership

In order to qualify for membership on the Review, students must:

1. Have completed or be in the process of completing either two semesters of the full-time program or four semesters of the part-time program (excluding summers); and
2. Have attained a cumulative grade point average of 2.65 or that which places the candidate in the top third of his or her class; and
3. Have successfully completed the Candidates' Program.
4. The requirements of the Candidates' Program are discussed in detail in the Candidates' Program pamphlet. The Candidates' Program shall be offered each Spring only.

## III. Grades and Credit

Members and Editors must register for three hours of law review credit each year. In order to receive that credit, members must have submitted the final draft of the writing requirement. The member may submit his or her article during any time of the academic year, but credit can only be registered for and received in the Spring Semester. A member may earn a maximum of six hours of law review credit. The grades to be received for participation on the Review shall be determined by the faculty advisor(s) using criteria stated in sections 1-4.

1. Those members who do the obligatory staff work as assigned, attend all properly called meetings, and who submit to the Editor-in-Chief an article of publishable quality will merit a grade of A.
2. Those members who submit an article of publishable quality, but who fail to do the obligatory staff work to the same extent as a majority of the staff members, as determined by the faculty advisor(s), will merit a grade of C.
3. Those members who submit an article of publishable quality but who fail to do a minimum of the obligatory staff work, as determined by the faculty advisor(s), will merit a grade of F.
4. Those members who fail to submit an article of publishable quality as required, notwithstanding the completion of any amount of obligatory staff work, will merit a grade of F.
5. Any member who receives a grade of F shall be removed from the Review for the following year.

6. Decisions concerning grades will be made by the faculty advisor(s) using data concerning the above criteria supplied by the Editor-in-Chief. The Editor-in-Chief, however, has no power to assign grades.

7. Publishable quality shall be determined by the Editor-in-Chief with a right of appeal to the faculty advisor(s). A memo concerning the standards for publish ability is attached to these Bylaws.

8. The article can be used to fulfill the Upper Level Writing Requirement if approved by a faculty advisor. It is the member's responsibility to contact the advisor in order for the article to be considered for the Upper Level Writing Requirement and it is required that the member contact the advisor before beginning work on the article.

9. A member may not register for more or less than three credits each year. For every credit hour earned, the member must have contributed and documented 45 hours of law review work. Time spent in meetings may be included in member's list of hours. Transportation time, however, may not. A member will automatically be given 45 hours toward credit for the completion of a publishable article. Credit can only be registered for and received in the Spring Semester.

IV. Meetings [2006 Compiler's Note: Added "IV. Meetings" & altered numbering of below paragraphs, which seemed misnumbered]

Members shall meet at least once per month and preferably twice per month during the academic year. Meetings shall be called by the Editor-in-Chief or on written petition to the faculty advisor(s) by not less than three members. Members shall be provided at least one week's notice of each meeting.

In order to take action at a meeting, a quorum consisting of 51% of the membership must be present.

Any member may nominate himself or herself for the position of Editor-in-Chief or Executive Editor at the last meeting of the Fall Semester. The member shall be prepared to answer questions by other members concerning his or her qualifications for one of these positions. During the month of January, the nominees will meet and be interviewed by the faculty advisor(s). Also during this month, the members, by secret ballot, will elect those nominees who the members have chosen as most suitable for the two positions. The faculty advisor(s) shall have veto power over those selections. However, that veto can be overridden by a 3/4 majority vote of the membership with the concurrence of the Dean of the Law School. The new Editors shall take office on April 1.

V. Miscellaneous

1. These Bylaws shall be amendable by a majority vote of the entire membership of the Review.
2. The following is the calendar for publication of the three law review issues:

Issue One: Submission Deadline-August 1;  
Publication-December.

Issue Two: Submission Deadline-December 1;  
Publication-April.

Issue Three: Submission Deadline-April 1; Publication-August.

Amended By-Laws adopted  
February 23, 1983



**3.10 INTERSCHOLASTIC COMPETITIONS**

*[Cross Reference Section 3 Course Descriptions and Memorandum from Professor Kathleen Hughes to Lowell Schechter, Chair, Curriculum Committee, Re: Proposal for Amendment to the 12-hour Rule, dated January 29, 2003.]*

The faculty adopted a policy that all competition team members be evaluated on a pass/fail basis, effective Fall 2011. This supercedes any previous grading policies.

[November 11, 2010]

The below three inter scholastic competitions were approved:

**Trial Advocacy**

The trial advocacy team will be chosen by mock trials judged by two or three members of the faculty (competent in the area of trial work). The team will be coached by one or more members of the faculty who will meet with the team at regular intervals to assist them in perfecting skills, etc., in preparation of the participation in the competition. A faculty member will monitor the team's performance and accompany them to the actual competition.

A final grade will be based on performance and not on the results of the competition. The grading will be the same as Moot Court--A, Pass or Fail.

Grading was changed to letter grading beginning with the Fall 2008 semester.

[April 30, 2008]

The credit for such work will be one (1) hour for those on the team, and two hours for those on the trial team who combine to write a brief [or] paper required by the terms of the competition. The brief will not satisfy the upper level writing requirement.

The one (1) or two (2) hours of credit granted to participating students will be the maximum credit obtainable by these students for that competition in any academic year regardless of the number of semesters of work performed during that year.

**Client Counseling**

The client counseling team will be chosen by two to three practicing lawyers, arbitrators, or faculty members who are competent in the area. The team will be coached by one or more members of the faculty who will meet with the team at regular intervals to assist them in perfecting skills, etc., in preparation of the participation in the competition. A faculty member will monitor the team's performance and accompany them to the actual competition.

A final grade will be based on performance and not on the results of the competition. The grading will be the same as Moot Court--A, Pass or Fail.

The credit for such work will be one (1) hour for those on the team, and two hours for those on the trial team who combine to write a brief or paper required by the terms of the competition. The brief will not satisfy the upper level writing requirement.

The one (1) or two (2) hours of credit granted to participating students will be the maximum credit obtainable by these students for that competition in any academic year regardless of the

number of semesters of work performed during that year.

**Negotiating**

The negotiating team will be chosen by two or three practicing lawyers, arbitrators, or faculty members who are competent in the area. The team will be coached by one or more members of the faculty who will meet with the team at regular intervals to assist them in perfecting skills, etc., in preparation of the participation in the competition. A faculty member will monitor the team's performance and accompany them to the actual competition.

A final grade will be based on performance and not on the results of the competition. The grading will be the same as Moot Court--A, Pass or Fail.

The credit for such work will be one (1) hour for those on the team, and two hours for those on the trial team who combine to write a brief or paper required by the terms of the competition. The brief will not satisfy the upper level writing requirement.

The one (1) or two (2) hours of credit granted to participating students will be the maximum credit obtainable by these students for that competition in any academic year regardless of the number of semesters of work performed during that year.

Credit for any and all of these courses falls within the 12 hour credit limit for non-classroom work.

January 29, 1986

Trial Advocacy will fall under the umbrella of the rule allowing students to receive up to twelve hours of credit for practical skills/non-classroom hours along with the following previously categories previously established under the umbrella: (1) Clinical; (2) Independent Study; (3) Law Review; and (4) Moot Court. This removes the National Trial Advocacy from the Moot Court category such that students may choose to receive credit for both National Trial Advocacy Team and Moot Court participation.

February 19, 2003

Credit for interscholastic competition for Trial Advocacy, Client Counseling, and Negotiation will be for one hour unless a paper or brief is required by the competition.

November 20, 1985

**3.11 MOOT COURT** [Cross Reference Section 3: Inter Scholastic Competition (concerning number of credits)]**3.11.1 Moot Court Board**

1. An initial Moot Court Board be established at Chase in this Spring semester of 1977.
2. The initial board should consist of six to eight members.
3. The initial Moot Court Board shall be chosen by the faculty advisor to Moot Court on the basis of demonstrated ability and interest in Moot Court. All subsequent boards would be chosen by the members of the Moot Court Board themselves using the same criteria.
4. The members of the Board will elect a Chief Justice and Administrative Justice. All other members will be Associate Justices.
5. The term of service for members of the Moot Court Board shall be one year.
6. The duties of the Moot Court Board shall include the following:
  - a. Each associate justice shall be required to research and write two original Moot Court problems, including a transcript of record and bench memorandum, to be used in the required Moot Court courses and in intramural and interscholastic competition.
  - b. The Chief Justice and Administrative Justice shall be charged with the organization and administration of the board. In addition, the Chief Justice and Administrative Justice will be required to research and write one original Moot Court problem.
  - c. All members of the Moot Court Board will be required to assist the faculty advisor to Moot Court with both Moot Court courses and competitions. Their chief duties shall include being available to give assistance to students who require help in researching and writing and helping to judge practice oral arguments. This will greatly facilitate the giving of individualized attention to those students who need such attention to become effective advocates.
  - d. Each member of the board should be given two credits for each semester served on the board up to a maximum of six. It is anticipated that a typical board will be elected at the end of the Spring Semester by the outgoing board. The incoming board members could then receive two credits if they work on the board during the summer semester, two for the fall and two for the following spring. Each board member will be required to work on the board for at least two semesters. A board member will not receive credit for Moot Court Board for any semester in which he or she is also receiving credit. Grades for Moot Court Board will be assigned by the faculty advisor to Moot Court based on the quality of the original problems researched and written by each member and the extent to cooperation and participation by the individual member to the Moot Court program.

A superior Moot Court program here at Chase would result in a myriad of benefits, both the student and to the school. For the student, participation in Moot Court enables him to gain confidence and expertise in the three chief skills of legal practice: research, writing and orating. For the law school, a quality moot court program, can result in the prestige and recognition of the academic community, accorded a school which wins a regional or national Moot Court competition, and the prestige and recognition of the bar and the profession given to a law school which is consistently producing highly skilled advocates. A superior and comprehensive Moot Court program is a goal which can be achieved here at Chase and with a competent, hard working Moot Court board it will be achieved.

March 4, 1977

Approved Course: Moot Court Board - 45 hours of work, at a minimum, shall be required for each hour of credit received for the Moot Court Board. Credit for membership on the Moot Court Board is conditioned upon full participation in at least one intra-school or inter-school competition which requires both presentation of a brief and oral argument either prior to or during

the semester for which credit is sought. In all other respects the faculty policy governing Moot Court Board shall be carefully applied.

March 7-8, 1981

**3.11.2 Moot Court Grading Criteria**

Assignment of credit and grades for participation on the Moot Court Board shall be carried out by the Faculty Advisor according to the following criteria:

1. Participation in a competition requiring a brief is a prerequisite to receiving credit for Moot Court Board.
2. Forty-five hours of work are required for each hour of credit earned for Board participation. Each student is responsible for keeping a specific and accurate record of hours worked toward this credit hour requirement. The Chief Justice will certify these records to the Faculty Advisor at the completion of each semester.
3. Members shall do board work as assigned by the Justices. Board work includes, but is not limited to, committee work, attendance at all meetings, judging appellate advocacy, administering competitions, assisting competing teams, and preparing and judging practice rounds.
4. Meritorious performance of all assigned work will merit a grade of A. Failure to perform assigned work will result in a grade of F. Merely satisfactory performance of assigned work will result in a grade of C.
5. Decisions concerning grades will be made by the Faculty Advisor based upon the Advisor's own observations of the work of the Board as supplemented by data supplied by the Justices.

October 28, 1981

**3.11.3 1982 Plan for Revitalization of the Moot Court Board**

- I. Credit for membership on the Moot Court Board shall be available only to students in their last full year of law school.
- II. Candidates for membership on the Board must participate satisfactorily in the Fall Bettman Intramural Competition. This competition shall require a 15 page brief as well as oral arguments, and it will afford participants one hour of graded credit. To be eligible to participate in this competition, a student must have received a grade of C or higher in Appellate Advocacy.
- III. Candidates for membership on the Board must also participate satisfactorily in an interscholastic competition during the Spring immediately succeeding their participation in the Fall Intramural.
- IV. Candidates for Board membership must also assist the Board in meeting its responsibilities to Appellate Advocacy during the Spring by recording a minimum of five hours of satisfactory work with the classes. Candidates must also audit specially called meetings of the Board.
- V. Members of the graduating Board will elect new Board members in the Spring based upon the following guidelines:
  1. Board membership shall not exceed 12 persons.
  2. The two finalists and top brief writer in the Intramural shall be guaranteed election to the Board provided they successfully complete the other requirements of the candidate's program.
  3. Other candidates who have satisfactorily completed all requirements for membership shall be elected at the discretion of the Board based upon the following considerations:
    - a. performances in the Intramurals and Spring interscholastic competitions
    - b. commitment to Appellate Advocacy
    - c. GPA
    - d. ability to work with others
- VI. Membership on the Moot Court Board shall entail the following work requirements:

In the Fall all Board members shall:

- A. Compete on the National teams, or
- B. Manage the Intramural Competition.

VII. In the Spring all Board members shall:

- A. Coordinate and train candidates for the interscholastic competitions, or
- B. Serve as a lead teaching assistant in Appellate Advocacy.

VIII. Credit for Board membership shall not exceed four hours.

IX. Grades for participation on the Moot Court Board shall be determined by the Faculty Advisor as follows:

A -- For excellence. As excellence is expected, an A is expected.

P -- Those members who fail to demonstrate excellence shall receive a P.

F -- those members who fail to demonstrate a minimum of satisfactory work will receive a F.

X. The Faculty Advisor to the Moot Court Board will submit a full, written report to the Faculty at the end of the 1982-83 academic year so that the Faculty may evaluate this new program.

April 27, 1982

#### 1983 Plan for Revitalization of Moot Court Board

1. No credit will be available for membership on the Moot Court Board. Credit shall be available only to students who are participants in approved competitions.

2. Grade attached to such credit shall be established by the Faculty Advisor as follows:

A -- for excellence (The advisor shall consider how a student ranked in the competition both as to oral arguments and the quality of the brief, if required, in assessing excellence)

P -- For Satisfactory participation

F -- for failure to demonstrate a minimum standard of satisfactory work

3. In competitions requiring a brief, two hours of credit may be earned while non-brief competitions carry only one hour of credit. No separate credit shall be granted for Board membership.

4. The Chief Justice is to receive one hour of credit for each semester serving in that capacity. This credit is in addition to any credit earned as a result of participating in interschool competitions. the granting of credit and the grade attached thereto is specifically conditioned upon satisfactory completion of the position. Before becoming eligible for credit, the Chief Justice shall have participated, or be enrolled to participate and thereafter successfully complete, an interschool competition.

5. Candidates for membership on the Moot Court Board must participate satisfactorily in either the "Extended Appellate Advocacy Program" or the Bettman Intramural Competition. The Bettman Intramural Competition shall require a five (5) page memorandum in addition to the oral argument. Briefs written for the Appellate advocacy class will be considered and evaluated for the Extended Appellate Advocacy Program.

6. Membership on the Moot Court Board will be extended to selected students after the Extended Appellate Advocacy Program and after the Bettman Intramural Competition. Membership will be based on the following guidelines:

- a. performances in the Bettman Intramural and/or the Extended Appellate Advocacy Program;
- b. commitment to appellate advocacy;
- c. grade point average; and
- d. writing ability.

7. Membership on teams is to be selected by the Moot Court Board, subject to the approval of the faculty advisor. The Board is not required to fill the teams exclusively from its own membership,

but may consider and appoint members from the general student body of the Law School. While Board members should be given preference, the decision rests with the collective judgment of the Board.

8. The "temporary" program is to be reviewed in April, 1984.

April 26, 1983

2005 Plan for Revitalization of the Moot Court Board

1. **Eligibility for Program:**

Students may try out for the Moot Court Board in either of two ways: (1) participation in the Bettman Competition and in the first-year brief-writing competition; and (2) participation in the Advanced Appellate Advocacy course.

**Bettman Competition and Brief-Writing Competition:**

Each Basic Legal Skills – Legal Writing professor will choose the best oral advocate in his or her section to compete in the Bettman Moot Court Competition, which will take place after spring final exams. If a professor teaches two Basic Legal Skills – Legal Writing sections, he or she will be entitled to select the two best oralists, regardless of whether both are from the same section. The top three performers at the Bettman Competition will automatically earn spots on the Moot Court Board, and it is possible that more than the top three performers will be invited to join the Moot Court Board. The people invited to join the Moot Court Board through the Bettman Competition must also take the Advanced Appellate Advocacy course (see below). The one caveat regarding the automatic and discretionary invitations is that each student must receive a grade of at least a “C-plus” in his or her Basic Legal Skills – Legal Writing class.

Each Basic Legal Skills – Legal Writing professor will also choose the top one or two briefs (depending on the number of sections the professor teaches), and those briefs will be entered into a brief-writing competition. The writers of the top three briefs will automatically receive invitations to join the Moot Court Board, and it is possible that some of the other writers will also receive invitations. The people invited to join the Moot Court Board this way must also take the Advanced Appellate Advocacy course (see below). The one caveat regarding the automatic and discretionary invitations is that each student must receive a grade of at least a “C-plus” in his or her Basic Legal Skills – Legal Writing class.

**Advanced Appellate Advocacy and the Grosse Competition:**

The second way to earn a spot on the Moot Court Board will be through the Advanced Appellate Advocacy class. This class will be offered each fall, and the students’ performance in that class will determine whether they are invited to join the Moot Court Board. There is no strict “grade cut-off” for receiving an invitation to join the Moot Court Board through participation in Advanced Appellate Advocacy, but the students’ grades on their appellate briefs and on their oral arguments will be the determining factors. Most likely, the people who receive the top three brief scores will receive invitations to join the Moot Court Board, as will the people who receive the top three oral advocacy scores. Additional

students will also be selected to join the Moot Court Board through their performance in the Advanced Appellate Advocacy course.

At the end of the Advanced Appellate Advocacy course, the Advanced Appellate Advocacy professor will select the top four oralists to compete in the Grosse Moot Court Competition. This competition will take place on a Saturday during the first few weeks of the spring semester, and it will be a ***required event*** for all first-year students. Additionally, the Moot Court Board will try its best to have a distinguished panel of sitting judges for this competition. The problem the students will argue at the Grosse Competition will be the same problem they argued for their Advanced Appellate Advocacy course.

Additional Points:

If a student is not asked to join the Moot Court Board after completing the Advanced Appellate Advocacy course, he or she will still be eligible to compete in a for-credit moot court competition at the Moot Court Advisor's discretion.

Students must have a minimum Grade Point Average of 2.33 to be eligible to join the Moot Court Board. Students below that Grade Point Average will be eligible to take the Advanced Appellate Advocacy course and become members of the Moot Court Board if their performance in Advanced Appellate Advocacy merits an invitation and their Grade Point Average rises above 2.33.

[Amended March 26, 2008]

[Compiler's Note: This paragraph was offered as an amendment to the proposal to revise Paragraph 1 above at the March 26, 2008 meeting.] Notwithstanding anything in the present proposal, the provisions of Section 10.B of the comprehensive Chase Moot Court policy adopted by the faculty at its March 2005 meeting remain fully in effect. In the event of any conflict between the present proposal and Section 10.B of the March 2005 policy, Section 10.B of the March 2005 policy will control.

2. **Requirements for Membership:** If a student meets one of the eligibility requirements set forth above and desires to become a member of the Moot Court Board, he or she must:
  - a. Complete the new graded three-credit "Advanced Appellate Advocacy" course in Fall semester; [Amended December 9, 2010]
  - b. Compete in at least one interscholastic competition (if assigned to compete), or complete an equivalent alternative exercise assigned by the Moot Court professor;
  - c. Judge at least five practices of other interscholastic teams each spring semester;
  - d. Assist for at least two hours of judging first-year appellate arguments each spring semester; and
  - e. Assist in running the Bettman and Grosse competitions. With respect to the Grosse competition, Moot Court Board members will be expected to coach

students in this competition. This coaching will take place in the week or two prior to the Grosse competition.

3. **The Advanced Appellate Advocacy Course (LAW 908):** The revised two-credit “Advanced Appellate Advocacy” course (LAW 908) will be offered during every fall semester. It will be graded, and cannot be taken on a pass-fail basis. It will meet for at least fourteen classroom hours, which will be distributed across a sufficient number of weeks to allow the students to write a brief and to receive interactive feedback, from the instructor.
  - a. **Eligibility to Take Course:** All student members or prospective members of the Moot Court Board will be entitled, and required, to take the revised two-credit “Advanced Appellate Advocacy” course (LAW 908). In addition, students who are not members of the Moot Court Board but who will participate in interscholastic competitions pursuant to Section 10(b), below, are entitled (but not required) to take this course. Enrollment in the course shall be limited to twenty (20) students. If space remains available, other Chase students may also enroll in the course with the permission of the instructor.
  - b. **Course Requirements:** To successfully complete the revised two-credit “Advanced Appellate Advocacy” course (LAW 908), each student will be required to:
    - i. Receive classroom training in oral and written appellate advocacy skills;
    - ii. Complete a two-issue appellate brief (with a partner);
    - iii. Complete an oral argument based on the appellate brief; and
    - iv. Attend class regularly.
  - c. **Academic Credit:** All students who successfully complete the revised Advanced Appellate Advocacy course (LAW 908), will receive two academic credits, graded (not Pass-Fail), in the fall semester in which they complete the class.
  
4. **Academic Credit For Inter-School Moot Court Competition (LAW 933):**
  - a. A student who earns a grade of “B-” or higher in the Advanced Appellate Advocacy course (LAW 908), and who earns the approval of the Moot Court faculty advisor, will be approved to participate in an interscholastic competition. An approved student shall receive two academic credits, on a graded basis (not Pass-Fail), in the semester in which the student actually competes in an interscholastic competition. These two academic credits will be awarded as having been earned for “Inter-School Moot Court Competition” (LAW 933).
  - b. A student who earns a grade of “B-” or higher in the Advanced Appellate Advocacy course (LAW 908), and who earns the approval of the Moot Court



faculty advisor, shall receive one academic credit, on a graded basis (not Pass-Fail), if the student participates as a brief-writer only, and not as an oral advocate, in an interscholastic moot court competition. This academic credit will be awarded in the semester in which the interschool competition takes place. It will be credited as having been earned for “Inter-School Moot Court Competition” (LAW 933).

- c. A student who earns a grade lower than “B-” in the Advanced Appellate Advocacy course (LAW 908), or who otherwise fails to earn the approval of the Moot Court faculty advisor, ordinarily will not be approved to participate in an interscholastic competition. A student member of the Moot Court Board who is not approved for participation in an interscholastic competition will nonetheless be afforded the opportunity to earn two academic credits by writing an appellate brief of no fewer than two drafts, in response to a problem that will be assigned and graded by the Moot Court faculty advisor. These two academic credits will be awarded as having been earned for “Inter-School Moot Court Competition” (LAW 933).
- d. “A student who has successfully competed in an interscholastic moot court competition and has earned two academic credits in “Inter-School Moot Court Competition” (Law 933) for doing so, may, with the permission of the Moot Court faculty advisor, compete in additional moot court competitions. Such a student may earn two additional academic credits in “Inter-School Moot Court Competition” (Law 933) for competing in a second competition. A student may not earn more than four academic credits, total, for “Inter-School Moot Court Competition” (Law 933). The two academic credits awarded in the Advanced Appellate Advocacy course (LAW 908) do not count towards the four-credit maximum for “Inter-School Moot Court Competition” (Law 933). Students who participate in more than two interscholastic competitions will not receive additional academic credits for doing so.

5. **Grades:**

- a. The two-credit Advanced Appellate Advocacy course (LAW 908) will be graded. It may not be taken on a pass-fail basis.
- b. The two academic credits awarded for participation in “Inter-School Moot Court Competition” (LAW 933) will be graded, and may not be awarded on a pass-fail basis.
- c. All grading of student participation in “Inter-School Moot Court Competition” (LAW 933) will be done by the Moot Court faculty advisor. In cases where another Chase faculty member serves as coach to a student team, however, the Moot Court faculty advisor will give due regard to the grading recommendation of the faculty coach.
- d. A substantial portion of the grade for participation in “Inter-School Moot Court Competition” (LAW 933) shall reflect the students’ performance on the written brief filed in the competition. Although the Moot Court faculty advisor may vary the grading formula, we recommend that the students’ two-credit grade for their

performance in “Inter-School Moot Court Competition” (LAW 933) be determined as follows:

- i. 50% of the grade will be based on the team’s interscholastic competition brief;
    - ii. 50% of the grade will be based on the student’s last oral argument before leaving for the interscholastic moot court competition; and
    - iii. If a student is on a team but does not compete as an oralist, that student’s grade will be based on his or her team’s competition brief (90%) and his/her attendance at team practices, effort in helping the team perform additional research, and overall contribution to the team.
  - e. Both the Advanced Appellate Advocacy course (LAW 908) and the in “Inter-School Moot Court Competition” (LAW 933) shall be graded in conformity with the grading curve that applies to “third tier” upper-class graded courses at Chase College of Law.<sup>1</sup>
6. **Teams:** Each interscholastic team will have either two or three members. On two-person teams, each student will be responsible for writing a section of the brief and arguing that issue at the interscholastic moot court competition. On three-person teams, there are two possible arrangements: (1) only two people argue and the third member serves as a “brief writer”; or (2) all three serve as oralists, but one of the three argues one issue both on-brief and off-brief, while the other two oralists argue only one side of the second issue. Under option (2), one of the team members will also serve as the “brief writer.”
- On a three-person team, the two oralists will write their sections of the brief. The brief writer (this person might also argue) will be assigned to tasks such as the following: (1) writing the additional sections of the brief; (2) editing what the oralists provide to him/her; (3) helping research the two issues; and (4) helping draft sections of the brief where the oralists are struggling and need additional help. Additionally, the brief writer (if not also serving as an oralist) will be required to attend at least 80% of the team’s practices and will be responsible for performing additional research when necessary (typically, this will occur while the teams are practicing their oral arguments and realize they have gaps in their arguments).
7. **Faculty Involvement:** Ideally, each team will have a faculty coach. The role of that coach will be: (1) to supervise the students during the brief-writing process to the extent authorized by the competition rules; (2) to help the students formulate their oral arguments in preparation for the competition; (3) to attend multiple practice oral arguments, including the team’s final practice oral argument, so as to allow for the most possible faculty input into the students’ oral arguments; and (4) to consult with the Moot Court Board faculty advisor with respect to the team’s grade for the appellate brief

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<sup>1</sup> In the 2004-2005 Chase College of Law Student Handbook, the recommended “third tier” course grade distribution is as follows: A+ or A (5-20%); A- or B+ (10-20%); B or B- (20-40%); C+ or C (20-60%); C- through F (0-20%). In “third tier” courses, this distribution is recommended but not mandatory.

and final practice oral argument (which will be graded). The faculty coach will be allowed to travel with the team if he or she desires to do so. Teams will only have faculty coaches if a faculty member is willing to serve in that capacity.

8. **Team Practices:** Prior to attending a moot court competition, each team must practice at least twelve times. Although there is a twelve-practice minimum, the Board should encourage much more than the minimum. These practices must be legitimate, “competition-level” practices, held in front of other Moot Court Board members, faculty members, faculty coaches, and any other outside assistants. The final practice will be judged by the Moot Court faculty advisor, who, in conjunction with the team’s faculty coach (if the team has a faculty coach), will determine each oralist’s grade.
9. **Team Travel:** All oralists will travel. The brief writer (if not arguing) will typically not travel. Additionally, the faculty coach will be entitled to travel if he or she wishes to do so.
10. **Team Selection:**
  - a. **Moot Court Board Members:** The competing teams generally will be selected from the pool of Moot Court Board members. Such teams will be selected by the Moot Court faculty advisor, in consultation with the Chief Justice and the Chase faculty member who will be coaching the team. Moot Court Board members are able to submit preferences for specific competitions, but those preferences will not be outcome-determinative. If the faculty coach does not wish to be involved in the selection process, he or she may entrust that responsibility the Moot Court faculty advisor, to be exercised in consultation with the Chief Justice. Each faculty coach may, however, require students assigned to his or her team to have completed certain courses prior to (or concurrently with) being assigned to that team. If a team does not have a faculty coach, the team will be selected by the Moot Court faculty advisor, in consultation with the Chief Justice.
  - b. **Moot Court Board Non-Members:** A limited number of teams that are selected to compete in specialized competitions (including the *Jessup International Law Moot Court* competition, the *Tax Law Moot Court* competition, Intellectual Property moot court competitions, and the *National Telecommunications Law Moot Court* competition) may include one or more students who are not members of the Moot Court Board.
    - i. To be eligible to represent Chase College of Law and to receive funding to participate in an interscholastic moot court competition, a student team consisting of nonmembers of the Moot Court Board must obtain, in advance, a faculty coach who agrees to supervise, coach, and participate in grading the team’s written and oral performance.
    - ii. In selecting participants for such specialized competitions, Chase faculty members are encouraged to give preference to Moot Court Board members.

- iii. A student who is selected by a faculty coach to participate in a specialized Moot Court competition, but who is not a member of the Moot Court Board, shall be entitled to enroll in the Advanced Appellate Advocacy course. A student who is not a member of the Moot Court Board, but who successfully completes the Advanced Appellate Advocacy course and also participates in an interscholastic moot court competition, shall receive academic credit for those activities. Such credit shall be awarded on the same basis, and under the same grading procedures and criteria, as would apply to a member of the Moot Court Board.
  - iv. A non-Moot Court board member selected by a faculty coach to participate in a specialized Moot Court competition, who does not enroll in the Advanced Appellate Advocacy course, shall not receive academic credit for participating in these competitions. However, in such instances, by prior arrangement, the faculty coach shall have discretion to accept the student's brief, for credit and on a graded basis, in fulfillment of the requirements for a Supervised Independent Research project.
- 11. **Miscellaneous:** This proposal requires the appointment of a Moot Court faculty advisor. This person will: (1) teach and be responsible for grading the Advanced Appellate Advocacy course; (2) observe the final practices of each interscholastic team and grade each team member's performance (in consultation with the faculty coach); (3) read each interscholastic moot court team's brief and grade it (in consultation with the faculty coach and/or a faculty member familiar with the subject matter of the brief); (4) decide, in consultation with the Chief Justice, which Moot Court Board members will compete on each interscholastic moot court team; and (5) oversee the overall operations of the Moot Court Program. For performing these new duties of instruction and evaluation, the Moot Court Faculty Advisor would be credited with having taught a four-credit course during the regular academic year.

March 2, 2005

#### **3.11.4 Non-Credit Moot Court Participation Policy**

Students desiring to participate in an interschool moot court competition as a non-credit-earning team representing the College of Law, or as a College of Law team, must satisfy these requirements in order to obtain moot court funding from the College of Law and/or represent the College of Law in any competition:

The students should submit a written request to the Dean of the College of Law naming and describing the competition in which they want to participate and their qualifications for participation.

If the Dean chooses to consider the request, the Dean may consult with the Moot Court Advisor to ascertain that the competition is an appropriate competition in which a team representing the College of Law may participate and that the College of Law does not already have a sufficient number of teams entered in the competition.

The students will obtain a faculty advisor. The Dean may require that students have received a grade of at least B- in BLS - Legal Writing and be in good academic standing in the College of Law.

Thereafter, the Dean may authorize funding for a team subject to the condition that the team become adequately prepared for the competition. The Dean may decide to not grant the request.

The students must satisfy the faculty advisor that they are prepared for the competition, including that the brief is suitable for submission prior to submitting the brief and that the students adequately prepared for the oral argument. Periodically during team preparation, and prior to the time the students are to leave for the competition, the faculty advisor should advise the Dean that the student team is working to prepare for the competition, or is prepared for the competition.

The Dean may withhold funding if these conditions are not met.

### **3.11.5 Miscellaneous**

No student may participate in an interschool moot court competition without participating in either the graded moot court program or the non-credit moot court program provided in this policy

April 6, 2005

A recommendation that there be no tuition remission for the Moot Court Chief Justice was adopted.

October 27, 1982

Proposals to amend the Moot Court Guidelines were tabled at the January 27, 1993 and February 24, 1993, Faculty Meetings.

### 3.12 CONCENTRATION PROGRAMS

#### I. Purpose

The Chase Concentration Program is designed to give current Chase students the opportunity to focus their legal studies in a particular area of the law, and a way to signal this interest to prospective employers, while simultaneously permitting students to enroll in a well-rounded non-Concentration curriculum. Most students can complete a Concentration as part of their J.D. without adding to the minimum credits required for graduation. The Concentration is not intended as a certification by Chase that a student obtaining a Concentration is a practice specialist in that area of law.

#### II. Procedure for Creating a Concentration

1. One or more professors at Chase College of Law may petition for the creation of a Concentration. By filing such a Petition, the professor(s) agree(s) to serve as the Director(s) of that Concentration.
2. The Petition for the creation of a Concentration must:
  - a. Identify the subject area of the Concentration.
  - b. Identify the courses students (1) *must* take to obtain the proposed Concentration, up to a total of sixteen credit hours; and (2) *may* take to obtain the proposed Concentration. The combined total of (1) and (2) must be between twelve and sixteen hours. The Petition may designate a maximum of 4 hours of Required courses and 4 hours of Core courses as part of the Concentration.
  - c. Require one or more activities in the field of the Concentration such as a Supervised Independent Research, a non-credit thesis, a clinical externship, an internship, a pro bono requirement, or other such activity.
3. The Petition for the creation of a Concentration will be addressed to the Curriculum Committee. The Committee will confer with the Associate Dean for Academic Affairs to confirm that the classes within the Concentration are offered with sufficient frequency to permit students to obtain that Concentration, and to obtain the Associate Dean's comments on the petition; and with the Dean to obtain the Dean's comments. If the Curriculum Committee approves the Petition, the Committee will place the Petition on the agenda of the next regularly-scheduled faculty meeting for faculty approval by majority vote.

#### III. Duties of Director(s)

1. To advise students who are working toward completion of the Concentration.
2. To verify (through the Registrar's office) that students petitioning for the Concentration have met all the requirements of that Concentration, and to communicate to the Registrar's office the names of such students no later than five months prior to the students' graduation.
3. To ensure (through the Associate Dean for Academic Affairs) that courses within the Concentration are offered with sufficient frequency to permit students to obtain that Concentration.
4. To arrange (in conjunction with the Associate Dean for Academic Affairs) for adjuncts to teach courses within the Concentration as needed.

5. To appoint (with approval of the Dean of the Law School) an Interim Director any time that the Director will be absent from the law school for more than three consecutive months.
6. To recommend to the Associate Dean for Academic Affairs any temporary modification to the requirements for completing a Concentration.
7. To meet with the Associate Dean to address ideas, questions and problems in administering a Concentration.

#### IV. Temporary Modifications

Upon recommendation by the Director(s), the Associate Dean for Academic Affairs may approve a temporary modification to the requirements for completing a Concentration. Such a modification may only be approved for exigent circumstances, such as if a class needed to complete a student's Concentration is cancelled for inadequate enrollment.

#### V. Requirements for Completing a Concentration

To obtain a Concentration, a student must:

1. File a Declaration of Intent to Obtain Concentration with the Registrar's Office. This Declaration may be filed after a full-time student's second semester, after a part-time student's fourth semester, and after a five-year student's third year. The Declaration will identify the desired Concentration and will contain the signature of the student and the signature of either the student's faculty advisor or a full-time faculty member who teaches a course within the desired Concentration.
2. Complete twelve to sixteen credit hours (depending on the Concentration) of courses approved for the Concentration. The student must obtain a grade of at least a 3.0 in each course within the Concentration, and must obtain a cumulative grade point average of at least a 3.0 on classes taken to satisfy the Concentration requirements.
4. Complete the Concentration activity or activities prescribed for the particular Concentration, as discussed in II.2.c above.
5. Petition the Registrar in writing, demonstrating that all requirements of that Concentration have been completed or will be completed prior to graduation. This Petition should be delivered to the Registrar at least two months prior to graduation if the student wishes to receive recognition at graduation, but in any event must be delivered to the Registrar prior to graduation. The Petition must be copied to the Director(s).
6. A student who has successfully completed a Concentration will receive a notation to that effect on the student's transcript and a Certificate of Completion at graduation.

[Amended April 19, 2012]

#### VI. Implementation

The Chase Concentration Program will become effective upon the faculty's approval of the first Concentration. The Curriculum Committee will conduct a student survey in Fall 2004 to learn about students' preferences for concentrations.

May 5, 2004

**3.12.1 Concentration in Employment and Labor Law**

To qualify for a Concentration in Employment and Labor Law, students must satisfy the following four requirements:

1. Take each of the following nine hours of courses:
  - Labor Relations – Law 938 (3 hours)
  - Employment Law – Law 922\* (3 hours)
  - Employment Discrimination – Law 939\* (3 hours)
  - Advanced Legal Research – Law 982 (2 hours) with a labor/employment focus
2. Take at least three hours from among the following list of courses:
  - Administrative Law – Law 902 (3 hours)<sup>†</sup>
  - Alternative Dispute Resolution – Law 972 (3 hours)
  - Employee Benefits Law – (3 hours)
  - \*

Note that, because the Chase Concentration Program (approved by the faculty on May 5, 2004) provides that a maximum of four credit hours of Required or Core courses may be counted toward any concentration, students may count either Administrative Law or Agency, but not both, toward the Employment & Labor Concentration.

3. Either:
  - Complete an Advanced Legal Writing – Research course within the Concentration, in which the student writes a paper that meets or exceeds the minimum standards for obtaining ALW – Research credit, except that the paper must be at least 35 pages in length and must be of publishable quality; or
  - Complete a Field Placement Clinic of at least 100 hours over the course of a semester, with an attorney in the Department of Labor, National Labor Relations Board, Equal Employment Opportunity Commission, any state or local equal employment opportunity commission such as the Kentucky Commission on Human Rights, or other commensurate administrative agency approved by the Directors.

4. File a petition with the Directors, at least two months prior to the expected date of graduation, demonstrating that all requirements of this Concentration have been completed or will be completed prior to the expected date of graduation. Students are encouraged to inform the Directors in writing as early as possible of the intent to concentrate in order to facilitate students' scheduling of Concentration requirements.

\*The course Agency, Partnership, and Limited Liability Companies (Law 905) is recommended but not required for students in the Labor and Employment Law Concentration.

To complete this Concentration, students on Structured Curriculum may be required to take more than the 90 hours otherwise required for graduation.

Students who wish to know more about the Concentration requirements are encouraged to contact Professor Rick Bales or Associate Dean Lawrence Rosenthal.

[November 15, 2006]



[September 20, 2012]

## SCHEDULING & CURRICULUM

### Section 3 - Page 82

#### Employment Law / Employment Discrimination Schedule

On assumption that a 1-year visitor (a.y. 1005-06) is hired who can teach both CP & Employment Law

2003-04

|        |                                       |
|--------|---------------------------------------|
| Fall   | Employment Law – Bales                |
| Spring | Employment Discrimination – Bales     |
| Summer | Employment Discrimination – Rosenthal |

2004-05

|        |                                       |
|--------|---------------------------------------|
| Fall   | Employment Law – Bales                |
| Spring | Employment Discrimination – Bales     |
| Summer | Employment Discrimination – Rosenthal |

2005-06

|        |                                            |
|--------|--------------------------------------------|
| Fall   | Employment Law – Visitor [R on sabbatical] |
| Spring | Employment Discrimination – Bales          |
|        | Employment Law – Visitor                   |
| Summer | Employment Discrimination – Rosenthal      |

2006-07

|        |                                       |
|--------|---------------------------------------|
| Fall   | Employment Law – Bales                |
| Spring | Employment Discrimination – Bales     |
|        | Employment Law -- Adjunct             |
| Summer | Employment Discrimination – Rosenthal |

December 8, 2004

The Employment & Labor Law Concentration was amended temporarily to include ADR in the Workplace as one of the courses that students may take to satisfy the six hours of elective courses within the Concentration.

October 12, 2005

**3.12.2 Taxation Concentration**

The faculty voted to create a Concentration in Taxation – Tax Controversy and Tax Litigation. Professor Ljubomir Nacev will serve as the Director.

1. **Students in the Tax Concentration Program must take the following two courses and receive a grade of at least a “B” in each course:**
  - a. Tax – Basic Income Tax Concepts (3 hrs.)
  - b. Tax – Advanced Income Tax Concepts (3 hrs.)
2. **Students in the Tax Concentration Program also must take and receive at least a grade of “B” in at least two out of the following four courses:**
  - a. Tax – Business Organization and Planning (3 hrs.)
  - b. Tax – Litigation (3 hrs.)
  - c. Tax Policy (3 hrs.)
  - d. Estate Planning (3 hrs.)
3. **Students in the Tax Concentration Program also must take one of the following four non-classroom offerings:**
  - a. Tax – IRS Chief Counsel Externship (3 hrs.)
  - b. Inter-school Competition – Tax Moot Court (2 hrs.)
  - c. Inter-school Competition – ABA Tax Section Tax Challenge (1-2 hrs.)
  - d. Small Business and Non-Profit Law Clinic (3 hrs.)
4. **Students in the Tax Concentration Program must satisfy their mandatory pro bono hours in one or both of the following placements:**
  - a. VITA
  - b. NKU Tax Clinic

[November 10, 2011]

**3.12.3 Certificate in Advocacy**

**[Approved April 19, 2012; supercedes 2009 version]**

The Certificate for Excellence in Advocacy provides students an opportunity to demonstrate exposure to and excellence in certain core competencies associated with a successful law practice in advocacy-related fields. To earn the Certificate in Advocacy, a student must fulfill each of the following requirements:

1. Written advocacy: completion of both a and b below: (0-3)
  - a. Achievement of a score set by the Director on an appropriate grammar test chosen by the Director.
  - b. Successful completion of one of the following:
    - i. Advanced Appellate Advocacy
    - ii. Brief written for external moot court competition.
    - iii. AWR-research paper on advocacy-related topic (grade of B or better).
2. Oral advocacy (0-3): successful completion of one of the following:

- a. Toastmasters: Complete the Competent Communicator series [10 public speeches].
  - b. Moot Court competition.
  - c. Advanced Appellate Advocacy (grade of B or better).
  - d. Arbitration Team.
  - e. Trial Team (as an advocate, not merely as a witness).
3. Client relations: successful completion of two of the following: (3-6)
- a. Interviewing, Counseling, and Negotiating (grade of B or better).
  - b. Successful completion of three or more credit-hours of an appropriate live-client externship or clinic. The decision of whether an externship or clinic is appropriate for purposes of satisfying this requirement will be made by the Advocacy Center Director in her or his sole discretion after consultation with the Director of Externships.
  - c. Client Counseling Competition.
4. ADR / negotiation skills: any one of the following: (0-3)
- a. Mediation (grade of B or better).
  - b. Arbitration Law & Practice (grade of B or better).
  - c. Successful completion of Negotiation Team.
5. Pretrial practice: Pretrial Practice course (grade of B or better). (3)
6. Trial experience: success in one of the following: (3)
- a. Arbitration Team.
  - b. Trial Team.
  - c. Trial Advocacy course (grade of B or better).
  - d. Significant limited-license trial experience.
7. Electives: grade of B or better in at least six credit-hours from the following courses focusing on criminal or civil litigation: (3)
- a. Evidence
  - b. Voir Dire Strategies.
  - c. Deposition Strategies.
  - d. Domestic Violence Prosecution and Trial.
  - e. Facts, Storytelling, and Persuasion.
  - f. Legal Drafting - Litigation
  - g. Complex Problem Solving
  - h. Other practice- or skills-based courses as approved by the Advocacy Center Director.
8. Leadership and Teamwork: Successful completion of one of the following:
- a. Running an Advocacy Center-sponsored competition.
  - b. Serving as president or chair of an active student organization.

- c. Serving in another leadership role at the College of Law as approved by the Advocacy Center Director.
- 9. Membership in the Chase Student Advocacy Society and completion of 1500 minutes of CSAS activity.
- 10. An overall Chase GPA of 2.7 or better.

**Explanations and Procedures:**

- 1. Students may use a single course or activity to satisfy more than one component. For example, Advanced Appellate Advocacy may be used to satisfy components of both the written and oral advocacy requirements.
- 2. "Successful completion" means work of the caliber that if the supervising faculty member were evaluating the work product or performance on a graded basis, the faculty member would evaluate the student's work product or performance as meriting a grade of B or better. "Successful" completion of each component of each requirement will be determined by the faculty member, coach, or supervisor supervising the student in the completion of that component. When the performance or work product being evaluated is a team- or group-project, the student will be evaluated based on his or her individual performance or work product and not merely based on the success of the team. When a single activity is used to satisfy more than one component, the faculty member or coach will separately evaluate whether the student has successfully completed each component. For example, a student wishing to use Advanced Appellate Advocacy to satisfy both the written and oral advocacy requirements must obtain a certification from the faculty member that the student has successfully completed each of those components. A decision by a faculty member on whether or not a student has successfully completed a requirement is final and not appealable.
- 3. For any component not satisfied by receipt of a specified course grade or test score, the student is responsible for obtaining, from the supervising faculty member or coach, a certification that the student has successfully completed that component. This certification, which must be obtained within four weeks after completion of the component, may be in the form of a letter or email.
- 4. A student applying for the Advocacy Certificate must notify the Director of the Center for Excellence in Advocacy of the student's intent to do so at least fifteen months prior to the student's anticipated date of graduation. At least eight weeks prior to the student's graduation, the student must present to the Director certifications of successful completion for each component not satisfied by receipt of a specified course grade, or, if the student is satisfying a component in the semester prior to graduation, a certification by the supervising faculty

member or coach that the student is on a path toward successful completion of that component.

5. These requirements for the Certificate are effective immediately. Students enrolled on the date these requirements are adopted have the option of obtaining a Certificate under either these requirement or the preceding requirements.

Certificate in Advocacy (effective Fall 2009)

### **Eligibility**

Any Chase law student in good standing who has completed at least 30 credits and not more than 4 credits may apply for acceptance into the advocacy concentration program. The director of the Center for Excellence in Advocacy will make final determinations on all applications for acceptance into this program based upon consideration of the students' demonstrated commitment to the program and the likelihood that the student will be able to successfully complete the requirements of the program.

### **Requirements**

To earn the Certificate for Excellence in Advocacy, a student must fulfill the following requirements:

#### **1. Required Graded Courses**

The student must earn a grade of B or better in the following graded courses:

- a. Evidence (3)
- b. Legal Drafting-Litigation (2)
- c. Advanced Appellate Advocacy (2)

#### **2. Required Non-Graded Courses**

The student must earn a grade of Pass in the following courses, and must receive a designation of Honors in at least five credit hours among the following courses:

- a. ICN (3)
- b. Pretrial Litigation (2 or 3)
- c. Trial Advocacy (includes Intensive Trial Advocacy Program) (3)

#### **3. Elective Courses**

The student must earn a minimum of six credit hours with a grade of at least a B+ or a designation of Honors from among the following courses:

- a. Mediation (3)
- b. Arbitration Law and Practice (3)
- c. Voir Dire Strategies (3)
- d. Deposition Strategies (3)
- e. [Other courses to be developed]

#### **4. Required Externship**

The student must earn a minimum of three credits with a grade of Pass with a notation of Honors in one of the following externships: [*Compiler's Note: Most of the externship courses were changed to Field Placement Clinics in September, 2011 and have been changed here to reflect that. 8-16-2012*]

- a. Federal and State Judicial Field Placement Clinic
- b. Kentucky Criminal Justice Field Placement Clinic
- c. State Judicial Field Placement Clinic
- d. Indigent Defense Field Placement Clinic
- e. Constitutional Litigation Field Placement Clinic
- f. Kentucky Innocence Project
- g. Local Government Externship
- h. IRS Chief Counsel Externship

#### **5. Writing Requirement**

The student must complete the research component of the Advanced Writing Requirement on an Advocacy Topic with a grade of "B" or better on the paper the student submits to satisfy the requirement.

#### **6. Advocacy Competition**

The student must participate in at least one advocacy-related competition from a list approved by the director of the Center. That list includes:

- a. Grosse Competition
- b. An external trial advocacy competition
- c. Arbitration Team
- d. Client Counseling Team
- e. Negotiation Competition
- f. An external moot court competition

#### **7. Extracurricular Course of Study**

The student must participate in a minimum of 500 minutes of extracurricular programming sponsored by the Chase Student Advocacy Society (CSAS).

[May 14, 2009]

**3.12.4 Certificate in Transactional Practice Law (effective May 1, 2009)**

Each student must fulfill the following requirements prior to receiving his or her Certificate in Transactional Practice Law:

1. **Required Courses:** In addition to completing all graduation requirements satisfactorily, each student must:
  - a. Earn a grade of B or better in the following five courses:
    - (i) Interviewing, Counseling and Negotiation (3 hr.)
    - (ii) Contract Drafting (2 or 3 hr.)
    - (iii) Taxation – Basic Income Tax Concepts (3 hr.)
    - (iv) Taxation – Business Organizations and Business Planning (3 hr.)
    - (v) Ethics for Transactional Lawyers (1-2 hr.)
  - b. Earn a grade of Pass in a Transactional Clinic, Internship or Externship  
*[Compiler's Note: Many of the externships were renamed "Field Placement Clinics in September, 2011]*
  
2. **Elective Courses.** Each student must take and earn a grade of B or better in six credit hours selected from the courses listed on the chart below. Unless the appropriate certificate advisor approves a different mix of courses, of the six elective credits, a minimum of four must be earned in courses taught by full-time faculty.
  - Tax – Advanced Tax Concepts
  - Agency Partnership and LLC
  - Business Technology and Regulation
  - Corporations
  - Close Corporation Problems
  - Environmental Law
  - Estate Planning
  - Insurance Law
  - Intellectual Property
  - International Business Transactions
  - Mergers & Acquisitions
  - Modern Real Estate Transactions
  - Not for Profit Corporations
  - Securities Regulation



3. **Accounting & Financing Competency Test:** Each student must demonstrate fundamental competency in the fields of Accounting and Finance by passing the Accounting & Finance Competency Test (to be developed in-house). The test will be offered during the first month of each semester. Students who fail to pass the test may sit for the test at a subsequent administration.
4. **Writing Requirement.** Each student must complete the research component of the Advanced Writing Requirement on a Transactional Law topic. In addition, each student must satisfy the drafting component of the Advanced Writing Requirement in Contract Drafting or in another drafting course approved by the Director of the Transactional Law Practice Center ("TLPC"). Students must receive a grade of "B" or better for the paper they submit to satisfy the research requirement and for the drafting project(s) they submit to satisfy the drafting requirement.
5. **Extracurricular Course of Study.** Each student must participate in a minimum of 500 minutes of extracurricular programming sponsored by the Transactional Law Practice Center.
6. **Registration.** To earn the certificate in Transactional Practice Law, a student must make a timely application for inclusion in the program not later than the end of his or her third semester of study at the law school and must be accepted into the program.
7. **Transactional Pro Bono.** Chase College of Law requires each student before graduating to have completed 50 hours of pro bono work. To receive the Transactional Law Practice Certificate, however, a student needs to have completed a total of 25 hours of pro bono in the field of transactional law. The Director of the TLPC, in consultation with the Pro Bono Program director, will determine which pro bono opportunities fall within the field of transactional law.

[April 23, 2009]

### 3.13 JD/MBA JOINT DEGREE PROGRAM

[Compiler's Note: This policy was adopted on May 10, 2012 to conform with changes made by the Haile/US Bank College of Business to its MBA program. As of December, 2012, these changes are still awaiting adoption by the Haile/US Bank College of Business.]

#### A. JD/MBA Program

NKU Chase College of Law and the **Haile / U.S. Bank College of Business** offer a joint JD/MBA degree. The following describes the JD/MBA program at the time this Handbook was updated. However, inasmuch as the requirements of the program change from time to time, students should confirm all requirements with the Associate Dean for Academics at the College of Law and with the Director of the MBA program at the **Haile / U.S. Bank College of Business**.

A student entering the joint JD/MBA program is required to complete **111** semester credit-hours, consisting of **81** hours in the College of Law and at least **30** hours in the College of Business. If the same student were to complete each degree separately, he or she would be required to take 90 credit-hours in law and at least **36** in business. Thus, the joint degree program allows the student to take **9** fewer law credit hours and **6** fewer business credit hours, and to complete the joint degree program as much **as two years earlier**.

#### Business Curriculum

The curriculum for the business portion of the JD/MBA degree can be found at the following link:

<http://cob.nku.edu/graduatedegrees/mba/curriculum.html>

#### Law Curriculum

All students in the JD/MBA program must take all "Required" law courses<sup>2</sup> plus the following:

Administrative Law (3)  
Agency, Partnerships, and LLCs (3)  
Corporations (3)  
Employment Discrimination Law (3)

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<sup>2</sup> Currently, the "Required" courses are the following: Basic Legal Skills I; Basic Legal Skills II; Civil Procedure I; Civil Procedure II; Constitutional Law I; Constitutional Law II; Contracts I; Contracts II; Criminal Law; Criminal Procedure; Evidence; Legal Analysis and Problem Solving; Professional Responsibility; Property I; Property II; Torts I; Torts II (total of 48 credit-hours).

Tax-Basic Income Tax Concepts (3)

UCC: Sales and Secured Transactions (3)

Securities Regulation (3)

Tax- Business Organizations and Business Planning (3)

### **Elective Courses (9 hours)**

The additional 9 hours needed to fulfill the total of 81 law school hours will be taken from other courses offered by the College of Law, whether those courses are offered as Core courses or as Elective courses in the regular law curriculum.

Note: The Core Curriculum will not apply to students in the joint degree program.

### **Advanced Writing Requirements**

Students in the joint degree program shall fulfill both parts of the Advanced Writing Requirement.

### **Skills Training**

Effective with the class entering in fall 2008, every student must pass at least three credit hours of professional skills training beyond the required curriculum. A list of courses that satisfy this requirement is located in this handbook and in the course notes provided during registration.

### **Additional Information and Requirements**

Students in the joint degree program are required to take their first year of law school before starting with MBA courses. Thereafter, students will take a combination of law and business courses. The model curriculum for the joint degree program is set forth below.

Students in the joint degree program can apply no more than 4 non-classroom hours to the 81 hours needed to fulfill the law hours in the joint degree program.

### **Minimum Law School Grade Point Average**

Students in the joint degree program must maintain at least a 2.50 cumulative grade point average in all law courses after their first 30 hours of law study and thereafter. Students who do not maintain this GPA will not be permitted to participate in the joint degree program but will be permitted to complete the law degree consistent with academic policies, standards, and requirements applicable to all other law students. The law GPA will be reviewed at the end of each fall and spring semester.

**Because the business courses will be offered at night only, students in the evening division will most likely not be eligible to participate in the JD/MBA program.**

**The proposed curriculum for JD/MBA students is the following:**

**Year one**

|             |     |                                       |
|-------------|-----|---------------------------------------|
| Fall 2012   | Law | 15 credits                            |
| Spring 2013 | Law | 15 credits                            |
| Summer 2013 | Law | Criminal Law and/or Other Law Courses |

**Year two**

|             |      |                                             |
|-------------|------|---------------------------------------------|
| Fall 2013   | Law  | 9 credits                                   |
|             | Bus. | 6 credits (Module 1)                        |
| Spring 2014 | Law  | 9 credits                                   |
|             | Bus. | 6 credits (Module 2)                        |
| Summer 2014 | Law  | Criminal Procedure and/or Other Law Courses |

**Year three**

|             |      |                      |
|-------------|------|----------------------|
| Fall 2014   | Law  | 9 credits            |
|             | Bus. | 6 credits (Module 4) |
| Spring 2015 | Law  | 9 credits            |
|             | Bus. | 6 credits (Module 5) |
| Summer 2015 | Bus. | 6 credits (Module 6) |

**Year four**

|           |     |                                                                  |
|-----------|-----|------------------------------------------------------------------|
| Fall 2015 | Law | 15 credits (or fewer, depending on number of summer law credits) |
|-----------|-----|------------------------------------------------------------------|

|                                    |    |
|------------------------------------|----|
| Law Credits                        | 81 |
| Business Credits (with one summer) | 30 |

**First year:**

|                     |   |                     |   |
|---------------------|---|---------------------|---|
| LAPS                | 1 |                     |   |
| BLS-Research        | 2 |                     |   |
| BLS-Writing I       | 0 | BLS-Writing II      | 3 |
| Civil Procedure I   | 3 | Civil Procedure II  | 3 |
| Contracts I         | 3 | Contracts II        | 3 |
| Property I          | 3 | Property II         | 3 |
| Torts I             | 3 | Torts II            | 3 |
| <b>15 law hours</b> |   | <b>30 law hours</b> |   |

Summer I: Criminal Law and/or Other Law Courses

**Second year:**

|                      |                      |                                  |                     |
|----------------------|----------------------|----------------------------------|---------------------|
| Constitutional Law I | 3                    | Constitutional Law II            | 3                   |
| <i>Corporations</i>  | 3                    | <i>Employment Discrimination</i> | 3                   |
| Evidence             | 3                    | <i>Agency, Partnership, LLCs</i> | 3                   |
| Module One – Haile   | 6                    | Module Two – Haile               | 6                   |
|                      | <b>39 law hours</b>  |                                  | <b>48 law hours</b> |
|                      | <b>6 Haile hours</b> |                                  | <b>12</b>           |

**Haile hours**

Summer II: Criminal Procedure and/or Other Law Courses

**Third year:**

|                                        |                       |                                      |                     |
|----------------------------------------|-----------------------|--------------------------------------|---------------------|
| Criminal Law (if no summer)            | 3                     | UCC – Sales and Secured Transactions | 3                   |
| ( <i>Administrative Law</i> if summer) |                       | Tax – Bus. Orgs. and Bus. Planning   | 3                   |
| Tax – Basic Tax Concepts               | 3                     | Criminal Proc. (if no summer)        | 3                   |
| <i>Professional Responsibility</i>     | 3                     | Module Five – Haile                  | 6                   |
| Module Four – Haile                    | 6                     |                                      |                     |
|                                        | <b>57 law hours</b>   |                                      | <b>66 law hrs</b>   |
|                                        | <b>18 Haile hours</b> |                                      | <b>24 Haile hrs</b> |

Summer III: Module Six – Haile (6) = **30 Haile hours (completed)**

**Fourth year:**

|                        |           |
|------------------------|-----------|
| Securities Regulation  | 3         |
| Elective/Core/Required | 3         |
| Elective/Core/Required | 3         |
| Elective/Core/Required | 3         |
| Elective/Core/Required | 3         |
|                        | <b>81</b> |

\*\* Suggested law courses include:

- Applied Ethics
- Ethics for Transactional Attorneys
- Employee Benefits Law
- Mergers & Acquisitions
- Contract Drafting
- Corp. and White Collar Crime
- Intellectual Property Law

**Total Program Credit Requirements:**

81 Law Credits  
 30 Haile Credits  
**111 total – three more than previous JD/MBA program**

[Editor's note: The JD/MHI and JD/MBI degrees were passed by the faculty on December 10, 2010.]

### **3.14 Joint JD/MHI (Master of Health Informatics) Degree Program**

NKU Chase College of Law and the NKU College of Informatics offer a joint JD/MHI degree.

The following describes the JD/MHI program:

A student entering the joint JD/MHI program is required to complete 108 semester credit-hours, consisting of 78 hours in the College of Law and at least 30 hours in the College of Informatics. If the same student were to complete each degree separately, he or she would be required to take 90 credit-hours in law and at least 35 in Health Informatics. Thus, the joint degree program allows the student to take 12 fewer law credit-hours and 5 fewer Informatics credit-hours. This potentially would allow a student to complete the joint degree program as much as a year earlier.

Students currently enrolled in either the MHI or JD program may elect to pursue the joint degree if they comply with the admission requirements of each program.

#### **Informatics Curriculum**

The Master of Science in Health Informatics (MHI) portion of this degree is designed to expose students to the interaction and interdependencies of technology with other key elements in healthcare, including HIPAA compliance, JCAHO accreditation, FDA regulations, clinical decision support, evidence-based practices, and other organizational issues. This program addresses both areas of clinical informatics and health information systems, with a focus on the integration and interoperability of technology within this total environment. The graduates of this program will be able to analyze and understand the effects of the latest technologies on health care organizations, learn various clinical informatics data handling methods, and solve particular problems in the domain.

The required foundation courses provide broad technical skills as well as the organizational competencies required for success by MHI graduates. All courses are associated with specific learning outcomes and outcome assessment methodologies. Students without an adequate academic or work background in health care will be required to take the language and culture of medicine class in addition to the 30 credits required for the joint degree.

#### **Required Core Courses Credits**

MHI 600 Introduction to Healthcare Operations (3 credits)

MHI 601 Technical Foundations of Health Informatics (3 credits)

MBI 625 Information Systems in Organizations (3 credits)

MBI 650 Information Technology Project Management (3 credits)

MBI 635 Introduction to Database Management Systems (3 credit)

MHI 650 Research Methods for Health Informatics (3 credits)

**TOTAL = 18 Credits**

NOTE: Students with an academic background in technology or clinical medicine may petition to waive a single foundation course and replace it with an elective; approval is based upon the assessment of the program director.

### **Electives**

Students are required to take a minimum of 12 hours in elective courses. The electives are grouped into three areas, and students are required to take one course from each of the areas, and must select an additional course from one of the lists.

Within these elective groupings, at least two of the courses must come from the following list: PHI 510; MGT 620; MGT 670; ECO 625; MKT 625

### **Health Informatics Policy Electives Credits**

COM 655 Health Communications (3 credits)

PHI 510 Ethics In Information Technology (3 credits)

MHI 694 Selected Topics in Health Informatics (3 credits)

CSC 670 Social Implications of Computing (3 credits)

MGT 620 Leadership and Ethics (3 credits)

MGT 670 Negotiation and Conflict Resolution (3 credits)

### **Business Process Management Electives Credits**

MBI 630 Systems Analysis and Design (3 credits)

MBI 675 Enterprise Workflow Design and Reengineering (3 credits)

ECO 625 Managerial Economics (3 credits)

MBI 694 Selected Topics in Business Informatics (3 credits)

COM 604 Organizational Communication (3 credits)

MGT Managing People and Organizations (3 credits)

### **Knowledge Management Electives**

MBI 660 Data Warehousing and Data Mining (3 credits)  
MBI 665 Knowledge Management and Decision Support (3 credits)  
MBI 694 Selected Topics in Health Informatics (3 credits)  
MKT 625 Marketing Management (3 credits)

*Note: the MHI electives are updated often with courses from the College of Health Professions, College of Informatics, and College of Business. Students should check with program directors for year- to- year changes.*

### **Admission Requirements**

Consideration for admission to the MHI program requires the following be submitted in addition to the application:

1. Official transcripts showing an earned baccalaureate degree from a regionally accredited college or university. Applicants who attended a university outside the United States must submit an evaluation of their transcript showing it is equivalent to a US four-year degree. As a criterion for full admission, applicants must have no less than a GPA of 3.0 on a 4.0 scale for either the last 60 semester hours of earned undergraduate credit or overall undergraduate credit hours. Applicants completing their undergraduate work at the time the application is submitted may be considered for provisional admission based in part on an official transcript of work completed thus far.
2. Official transcripts from all post-secondary work.
3. A standardized test score. Those acceptable are: the Miller Analogies Test (MAT), Graduate Record Exam (GRE), or Graduate Management Admission Test (GMAT). Minimum acceptable scores vary by test and by version of test. Those holding a master's, Ph.D., or professional doctoral degree (e.g., M.D., D.D.S.) from a U.S. regionally accredited school are not required to submit standardized test scores.
4. A carefully drafted statement about your personal interests, career goals, and relevant background experience.
5. For students with a degree from outside the US and who are not native English speakers, a TOEFL score (minimum score of 550 paper version, 213 computer-based version, 79 iBT version) or IELTS score (minimum 6.0).
6. A statement addressing your proficiencies in the use of computer technologies.

### **Law Curriculum**

#### **Required Courses for Joint Degree (60 hours)**

Basic Legal Skills I (2)  
Basic Legal Skills II (3)  
Civil Procedure I (3)  
Civil Procedure II (3)  
Constitutional Law I (3)  
Constitutional Law II (3)



Contracts I (3)  
Contracts II (3)  
Corporations (3)  
Criminal Law (3)  
Evidence (3)  
Tax-Basic Income Tax Concepts (3)  
Legal Analysis and Problem Solving (1)  
Professional Responsibility (3)  
Property I (3)  
Property II (3)  
UCC: Sales and Secured Transactions (3) OR  
UCC: Payment Systems (3)  
Torts I (3)  
Torts II (3)  
Healthcare Law (3)  
Intellectual Property Survey (3)

**Elective Courses (18 hours)**

The additional 18 hours needed to fulfill the total of 78 law school hours will be taken from other courses offered by the College of Law, all as elective hours in the joint degree program - whether those courses are offered as Core courses or as Elective courses in the regular law curriculum.

Note: The Core Curriculum will not apply to students in the joint degree program.

Students receiving credit for MGT 670 may not also receive credit for Law 972:

Alternative Dispute Resolution.

**Advanced Writing Requirements**

Students in the joint degree program shall fulfill both parts of the Advanced Writing Requirement.

**Skills Training**

Effective with the class entering in fall 2008, every student must pass at least three credit hours of professional skills training beyond the required curriculum. A list of courses that satisfy this requirement is located in the College of Law's Student Handbook.

**Additional Information and Requirements**

Students enrolled in the joint program should complete their first year of the JD program before beginning to take courses in the College of Informatics. Thereafter, students are encouraged to blend their classes each semester so that a student can gain a better understanding of the interplay between law and informatics.

Students enrolled in the joint degree program are advised to take these courses, as they are available: Patent Law and Patent Prosecution.

No more than 6 hours of credit from courses listed in the “18 Hour Rule” will apply to the 78 hours needed to fulfill the law hours in the joint degree program.

**Minimum Law School Grade Point Average**

Students in the joint degree program must maintain at least a 2.500 cumulative grade point average in all courses after their first 30 hours of law study and thereafter. Students who do not achieve this GPA will not be permitted to continue in the joint degree program but will be permitted to complete the law degree consistent with academic policies, standards, and requirements applicable to all other law students. The College of Informatics will determine whether that student may continue to pursue the MHI degree outside of the joint degree program.

**Academic Standing**

A student who fails to meet academic requirements of the College of Informatics but who satisfies the academic requirements of the College of Law will be permitted to continue to pursue his or her law degree. Such a student will be required to meet all of the academic requirements of students who are not in the joint degree program.

A student who fails to meet the academic requirements of the College of Law will not be permitted to continue pursuing the law portion of the joint degree. The College of Informatics will determine whether that student may continue to pursue the MHI degree.

**3.15 Joint JD/MBI (Master of Business Informatics) Degree Program**

NKU Chase College of Law and the NKU College of Informatics offer a joint JD/MBI degree.

A student entering the joint JD/MBI program is required to complete 108 semester credit-hours, consisting of 81 hours in the College of Law and at least 27 hours in the College of Informatics. If the same student were to complete each degree separately, he or she would be required to take 90 credit-hours in law and at least 30 in Business Informatics. Thus, the joint degree program allows the student to take 9 fewer law credit-hours and 3 fewer Informatics credit-hours. This potentially could allow a student to complete the joint degree program as much as a year earlier.

Students currently enrolled in either the MBI or JD program may elect to pursue the joint degree if they comply with the admission requirements of each program.

**Informatics Curriculum**

The Business Informatics (MBI) portion of this degree offers practical, hands-on experience and theoretical discussions of current and future trends in developing applications and managing corporate information systems. The purpose of the informatics courses is to provide students a good understanding of the information technology and information systems areas so as to incorporate them fully and practically into a legal environment.

The MBI program requires a competence in basic business courses or background. Additional foundation courses may be required for those students admitted to the program with a limited business or programming educational background. The requirement of these courses can be met based on undergraduate/graduate (transcribed) coursework completed or with professional experience.

**Required**

- MBI 625 Information Systems in Organizations (3 credits)
- MBI 630 Systems Analysis and Design (3 credits)
- MBI 635 Database Management Systems (3 credits)
- MBI 640 Data Communication & Networking (3 credits)
- MBI 645 Electronic Commerce (3 credits)
- MBI 650 Information Technology Project Management (3 credits)
- MBI 685 Corporate IS Management (Capstone) (3 credits)

**Electives (2 required)**

MBI 647 ERP Business Process Analysis Using SAP  
MBI 655 Advanced Business Application Programming  
MBI 657 ERP Business Process Integration Using SAP  
MBI 660 Data Warehousing and Data Mining  
MBI 665 Knowledge Management and Decision Support Systems  
MBI 667 ERP Business Intelligence Using SAP  
MBI 670 Object-Oriented Software Engineering  
MBI 675 Enterprise Workflow Design and Reengineering  
MBI 677 ERP Programming for SAP  
MBI 680 Global Information Technology and Systems  
MBI 682 Information Security and Controls  
MBI 692 Information Systems Research  
MBI 694 Topics in Information Systems

**Additional Admission Requirements**

1. A total score of at least 450 on the GMAT or a combined score of 1,000 on the Graduate Record Examination (GRE).
2. An admissions formula total of at least  
1,000 points based on the formula (200 x GPA on 4.0 scale) + GMAT or  
1,050 points based on the formula (200 x GPA on 4.0 scale for the last 60 semester hours)  
+ GMAT or  
1,500 points based on the formula (200 x GPA on 4.0 scale) + GRE
3. Current résumé.

*Students applying to the joint JD/MBI may use the LSAT score in lieu of the GMAT or GRE. Check with the MBI office for current formula.*

**Law Curriculum****Required Courses for Joint Degree (60 hours)**

Basic Legal Skills I (2)  
Basic Legal Skills II (3)  
Civil Procedure I (3)  
Civil Procedure II (3)  
Constitutional Law I (3)  
Constitutional Law II (3)  
Contracts I (3)  
Contracts II (3)  
Corporations (3)  
Criminal Law (3)  
Evidence (3)

Tax-Basic Income Tax Concepts (3)  
Legal Analysis and Problem Solving (1)  
Professional Responsibility (3)  
Property I (3)  
Property II (3)  
UCC: Sales and Secured Transactions (3) OR  
UCC: Payment Systems (3)  
Torts I (3)  
Torts II (3)  
Agency, Partnerships and LLCs (3)  
Intellectual Property Survey (3)

**Elective Courses (21 hours)**

The additional 21 hours needed to fulfill the total of 81 law school hours will be taken from other courses offered by the College of Law, all as elective hours in the joint degree program - whether those courses are offered as Core courses or as Elective courses in the regular law curriculum.

Note: The Core Curriculum will not apply to students in the joint degree program.

**Advanced Writing Requirements**

Students in the joint degree program shall fulfill both parts of the Advanced Writing Requirement.

**Skills Training**

Effective with the class entering in fall 2008, every student must pass at least three credit hours of professional skills training beyond the required curriculum. A list of courses that satisfy this requirement is located in the College of Law's Student Handbook.

**Additional Information and Requirements**

Students enrolled in the joint program should complete their first year of the JD program before beginning to take courses in the College of Informatics. Thereafter, students are encouraged to blend their classes each semester so that a student can gain a better understanding of the interplay between law and informatics.

Students enrolled in the joint degree program are advised to take these courses, as they are available: Patent Law and Patent Prosecution.

No more than 6 hours of credit from courses listed in the "18 Hour Rule" will apply to the 81 hours needed to fulfill the law hours in the joint degree program.

**Minimum Law School Grade Point Average**

Students in the joint degree program must maintain at least a 2.500 cumulative grade point average in all courses after their first 30 hours of law study and thereafter. Students who do not achieve this GPA will not be permitted to continue in the joint degree program but will be permitted to complete the law degree consistent with academic policies, standards, and requirements applicable to all other law students. The College of Informatics will determine whether that student may continue to pursue the MBI degree outside of the joint degree program.

### **Academic Standing**

A student who fails to meet academic requirements of the College of Informatics but who satisfies the academic requirements of the College of Law will be permitted to continue to pursue his or her law degree. Such a student will be required to meet all of the academic requirements of students who are not in the joint degree program.

A student who fails to meet the academic requirements of the College of Law will not be permitted to continue pursuing the law portion of the joint degree. The College of Informatics will determine whether that student may continue to pursue the MBI degree.

### **3.16 MISCELLANEOUS**

#### **Bar Prep Course**

A task force will look into the possibility of structuring and offering a bar prep course.

August 23, 2006

#### **Course Removal Policy**

1. Standard for Course Removal from the Chase Catalog and Student Handbook.

Any course that has been approved by the faculty but has not been offered for four consecutive academic years, including summers, shall be removed from the Chase Catalog and the Student Handbook and placed on the Master Course List.

2. Standard for course Removal from the Master Course List

Any course which has been removed from the Chase Catalog and Student Handbook and which has not been offered for an additional four consecutive academic years shall be removed from the Master Course List.

Such a course is no longer considered to be "approved" by the faculty and may only be taught experimentally.

Such a course may only be taught experimentally twice before it must be approved by the faculty and added to the Chase Catalog and Student Handbook.

3. Procedure for Removal

## SCHEDULING & CURRICULUM

### Section 3 - Page 103

The Associate Dean for Academic Affairs and Registrar shall:

- (a) Check to see which courses fall under this policy once per year, at the beginning of the Fall semester, commencing with the Fall of 2004, and
- (b) Notify the Curriculum Committee as to the courses due for removal.

February 4, 2004

#### Course Hours

- 1. The number of credit hours given for a law school course should be the number of hours approved by the faculty and published in law school publications.
- 2. In order to assure proper completion of required and course requirements, there shall be no deviation from the approved, published credit hours for any required or course.
- 3. Deviations from the approved, published hours of elective courses may be made in exceptional circumstances, such as the course has not been taught for some time and the only available professor will teach the course as an overload. In no event should a deviation for a single course be made more than twice without notification to the Curriculum Committee.

October 20, 1999

The Administration shall look at experimental ways to offer four-hour courses.

April 29, 1992

#### Curriculum Revision

The faculty approved abandoning the Long Term Plan of Study for Curriculum Revision.

October 28, 1998

The faculty approved a Long Term Plan of Study for Curriculum Revision.

February 26, 1992

#### Course Descriptions

Course Descriptions are designed to inform the student, in general terms, of the nature of the subject matter of each course. However, all topics listed will not necessarily be considered each time the course in question is offered.

April 1, 1981

**3.17 APPENDIX – LAW AND INFORMATICS INSTITUTE**

TO: Faculty  
FROM: Curriculum Committee  
RE: Law and Informatics Institute  
DATE: February 9, 2011

**MEMORANDUM**

Background

Last year a Linkage Task Force explored the potential for collaborations between the law school and other graduate schools at NKU. This led to meetings and discussions with the College of Informatics, out of which came proposed curricula for joint degree programs. From there the matter moved to the curriculum committee, which proposed to the faculty that the College of Law and the College of Informatics offer joint J.D./M.H.I. (Masters in Health Informatics and J.D./M.B.I. (Masters in Business Informatics) degrees. At the faculty meeting in December 2010, the faculty approved those joint degree programs.

As explained at the time, this was the first step toward a broader collaboration between the two colleges. A next step would be the creation of a law and informatics institute, the goals of which would be to advance the joint degree program, to develop related certificate programs for current law students, to design and package an intellectual property curriculum for the law school, and to attract to the law school favorable attention from prospective students, the practicing bar, and the legal academe.

In parallel with the development of the joint degree proposals, faculty recruitment efforts identified candidates whose professional interests and endeavors qualified them to lead the collaborative efforts between the two colleges and strengthen the College of Law's position within the field of legal informatics. Creation of a law and informatics institute would signal to the candidate and to the university that the College of Law is seriously committed to the stated goals.

Proposal

Establish within the College of Law a Law and Informatics Institute that would be a vehicle to advance the joint J.D./M.B.I. and J.D./M.H.I. programs, to develop related certificate programs for current law students, to design and package an intellectual property curriculum for the law school, and to attract to the law school favorable attention from prospective students, the practicing bar, and the legal academe.

1. Director of the Law and Informatics Institute.

This proposal envisions an institute overseen by a Director who is a full-time tenured or tenure-track a faculty member on a ten-month contract. To enable the director to devote sufficient time and effort to developing the institute's program and serving as the public face of the institute, he or she would customarily teach a three-quarter load including at least one course in the core curriculum or one large-enrollment elective.

[Editor's note: This statement comes from the February 17, 2011 faculty meeting minutes: "The director will teach three classes over the course of a year. The cost of an adjunct teaching the extra elective is included in the \$25,000 figure. No new additional hires are anticipated at this time in conjunction with the creation of the Institute. Chase has the resources for the creation of this Institute. The intent of this statement is the



director will be teaching either a required or a core course and in some instances may teach a large enrollment elective.”]

**2. Board of Advisors.**

This proposal envisions that to advise the director the institute would have a Board of Advisors made up of members of the bar, businesspersons, and academics from both law and allied fields whose work is at the intersection of law and informatics. The role of the board is to ensure that the institute programming stays at the cutting edge of law and informatics, especially in areas like health informatics, and to assist with efforts to raise funds for the institute.

**3. Additional Teaching Resources.**

This proposal envisions that participation in the activities of the institute would be open to all law school faculty members and students. In addition, the institute would recruit a cadre of adjunct professors and guest lecturers from the bar, the judiciary, and industry, as well as faculty members from related disciplines at NKU.

**4. Resources.**

To carry out the proposal will require the appointment of a faculty member who can develop and market the institute. There will likely be some additional travel costs beyond the standard faculty development fund allocation. In addition, the institute will incur the costs of funding speakers’ travel expenses and the like. Initially, the amount should not exceed \$25,000 annually. Once the institute becomes fully functioning, it should be self-sustaining and should be able to attract funding for additional activities through donations and grants. Partnering with the College of Informatics will enable the law school to leverage resources both in terms of dollars and person power.

**Rationale**

In his book *The End of Lawyers?*, Richard Susskind predicts that there will be a growing need for what he calls “legal knowledge engineers,” lawyers who have the knowledge of technology and law necessary to design, develop, analyze, and deconstruct legal work. Susskind envisions “a world in which, at least in part, legal services are commoditized, IT renders conventional legal advice redundant, clients and lawyers are collaborators under the one virtual roof, disputes are dominated by technology if not avoided in the first place, and online systems and services compete with lawyers in providing access to the law and to justice.” This is, in short, a world of legal informatics. For the progressive lawyer, and for the progressive law school, an exciting new legal market emerges. Thus, developing a Law and Informatics Institute positions Chase students for employment in a modern law practice and positions the College of Law as a leader in this area.

It is easy to see that information is likely to be at the core of many legal issues that clients will bring to our students once they become lawyers – information such as medical records and health information, individual financial records, aggregated financial trend data, copyrighted music, public domain art, sports scores, scientific research findings, personal and professional correspondence, police surveillance videos, architectural designs, discount or loyalty shopping cards, metadata in e-mails and tweets, encryption and decryption keys, and much more. Current and future law students must acquire some knowledge of the often conflicting laws and competing legal regimes applicable to these categories of information and an appreciation of how they implicate legal rights and responsibilities in ways that escape the easy compartmentalization of law

into torts, property, contracts, criminal law, constitutional law, and the like. In addition to its ability to augment existing course work, the institute might also embrace experiential learning programs that coordinate with the small business and nonprofit law clinic on the use of informatics tools for business, with the transactional law center on best practices guides for companies on privacy policies and data security, with the center for excellence in advocacy to take a role in litigation, and with the local government law center on issues such as legislative drafting and e-government.

Further, the Law and Informatics Institute would provide a framework for designing and packaging an intellectual property curriculum at Chase that sets the law school apart from more traditional I.P. programs. In addition to offering traditional I.P. courses, coursework may include privacy, computer security, HIPAA (Health Insurance Portability and Accountability Act) and other aspects of health law, cybersecurity, licensing, Internet law and electronic media, and cybercrime and digital law enforcement. The institute will likewise support joint degree programs, collaborative programming, and activities to expand the knowledge and understanding of the law school community about the various disciplines represented in the computer sciences, digital media, health care, business, and other fields. The institute will enable the law school to brand itself as being on the cutting edge of training lawyers to work with developing legal technology and the myriad issues such as privacy and ethics that arise as a result. The institute faculty will be supportive of course cross-enrollment, joint degree programs, collaborative programming and related activities to expand the knowledge and understanding of the law school with the various disciplines represented in the computer sciences, digital media, health care, business and other related fields. For these reasons the institute should attract favorable attention both from the professoriate and the practicing bar.

Although a number of universities in the United States have begun to develop degree programs or comprehensive interdisciplinary studies of informatics, no law school has begun the systematic analysis of these tools to existing legal norms like copyright ownership, privacy, data security, and the role of government in police practices, regulation of industry, anti-terrorism and national security. The institute will be inherently interdisciplinary within legal scholarship and would work closely with the College of Informatics. In that vein the institute's activities might include conferences, programs and CLEs, and scholarship focusing on existing regulatory regimes, assessment of significant commercial expansions of informatics practices that affect business practices and the rights of the public, and issues related to data ownership, data integrity policies, and laws to foster reliability, integrity and accuracy.

The proposal above is a general sketch, purposely not too specific. Experience suggests that it is better to leave the exact path the institute should take in the beginning to the founding director who, in consultation with the faculty, can draw upon his or her experience and interests. As the institute matures the director, in consultation with the faculty, will add additional programming. Ultimately, an institute will enhance the law school's ability to achieve its institutional mission of attracting and educating excellent lawyers prepared to meet the challenges of the contemporary practice of law.

[February 17, 2011]

**SECTION 4**  
**ACADEMIC POLICIES**

**4.1 ATTENDANCE AND CLASS PERFORMANCE** [*Cross Reference Section 3: Class Cancellation, Rescheduled Classes*]

**CLASSROOM ATTENDANCE POLICY**

[NOTE: This policy becomes effective on May 6, 2007. Therefore it applies to all classes that begin after the end of the current Spring Semester.]

Satisfactory attendance is defined as: A student must attend at least 75% of all regularly scheduled classes in order to have satisfactory attendance in a class. A student who does not have satisfactory attendance shall receive a penalty determined in the faculty member's discretion, but some penalty must occur. Individual faculty members may adopt and enforce stricter attendance policies, but shall not adopt or enforce policies that allow more absences than allowed by this policy. The written attendance policy for each class shall be distributed to students during the first class session of the semester.

All faculty members shall take attendance for every class and shall keep an accurate, up-to-date record of attendance of the students in their classes. Faculty Secretaries are available to assist faculty members. The Office of the Associate Dean for Academics shall assist adjunct faculty members' compliance with this policy.

Students are responsible for keeping track of their individual attendance. Faculty members are not required to give notice to individual students that their attendance is in danger of non-compliance or actual non-compliance with the requirements for satisfactory attendance, although they may choose to do so.

If it is necessary to hold a make-up class, attendance shall be taken and recorded as for a regularly scheduled class. However, absence from a make-up class shall not be counted toward computation of unsatisfactory attendance.

The following language is suitable for use in a course Syllabus and Policies document:

“Satisfactory attendance for this course is attendance in at least 75% of all regularly scheduled classes in this course. A student who has more than [insert the number of absences allowed] absences will not have satisfactory attendance and shall receive a penalty of [insert the penalty that will be assessed/assigned].”

[Note: With 75% attendance required for satisfactory attendance, a student attending a class that meets 38 times a semester is allowed 7 absences and a student attending a class that meets 14 times a semester is allowed 3.5 absences. A student who exceeds these numbers would have unsatisfactory attendance and a penalty must be assessed/assigned.]

A faculty member who intends to offer make-up sessions for students who experience legitimate absences should make that intention known with suitable requirements stated.

This policy shall become effective on May 6, 2007. This policy repeals and replaces all attendance policies adopted before the date of approval of this policy.

## **ACADEMIC POLICIES**

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April 18, 2007

Each faculty member (full-time, visitor, and adjunct) must take attendance (either by roll call or by sign-in sheet) at every class session. If a faculty member uses a sign-in sheet, any student who signs in a student who is not present is guilty of an Honor Code violation.

March 25, 2010

**4.2 EXAMINATIONS** [*Cross Reference Professionalism Policies – Prevention of Cheating.*]

**4.21 Anonymous Grading**

To insure that the policy of anonymous grading is safeguarded:

1. The exam box should be placed a sufficient distance from the faculty member or exam monitor;
2. Arrangements for the exam box are a sufficient distance from the professor to preclude the possibility of the professor observing the exam number;
3. Under no circumstances should individual papers be handled by the faculty while the exam is in progress.

Adopted for this semester only

April 26, 1989

Where feasible, in any course in which students are required, for the purpose of the final grade, to submit problem solutions or other written materials, each student submission shall be identified only by special exam numbers assigned to that course by the Administration.

April 4 and 20, 1979

[Repealed April 19, 2012]

**4.22 Examination Procedures**

As part of the testing of scholastic achievement, a written exam of suitable length and complexity, at least 50% of which shall be in essay form, shall be required in every course for which credit is given, except clinical work and courses involving extensive written work, such as moot court, practice court, legal writing and drafting, law review, seminars and individual writing projects, and excepting Professional Responsibility.

February 23, 1994, amended March 3, 1999

The use of Multi-State Bar Exam type questions is strongly encouraged in all examinations given in subjects given on the Multi-State Bar Examination. The Dean of the College of Law shall arrange for appropriate training of faculty in drafting multi-state bar examination questions.

May 4, 1994

[Repealed April 19, 2012]

A professor teaching two or more sections of the same course may elect to give one examination or common series of papers and examinations.

September 28, 1983

Unless specifically authorized by the professor, no student is permitted to have books, notes or papers of any kind in his/her possession in the examination room. Each student must use pen or ballpoint pens and bluebooks when taking examinations unless otherwise directed by the professor. Smoking will not be permitted in the exam room.

April 4 and 20, 1979

Each faculty member shall submit the examination to the office for typing at least two weeks prior to the date of the examination to be administered, unless the individual faculty member

elects to type his/her own exam. Each faculty member shall be responsible for proctoring his/her examination.

April 4 and 20, 1979

**4.23 Examination Review**

**[Repealed April 19, 2012]**

[Compiler's note: Information is covered in the Student Handbook.]

**4.24 Examination Schedule & Make-Ups**

1. The class schedules used for student registration shall contain the exam dates and times for each course.

2. Once the class schedules are published and distributed, the examination date or time shall not be changed for any reason except by the Dean in exceptional circumstances and after consultation with the professor involved.

April 18, 1980

This policy and procedure applies to FINAL examinations only.

The policy has been developed for the purpose of providing students with advance notice of the circumstances under which make-up final exams will be permitted. It is intended to promote fairness among students taking exams and consistency in the granting of permission to take make-up final exams. Finally, it is intended to make the administration of make-up final exams predictable and efficient.

The opportunity to take a make-up examination is a privilege conditioned on the student's agreement to conform to the stated limitations of the policy.

The faculty member may delegate to an appropriate person the authority to administer make-up final exams and to develop regulations for that administration.

Whether the make-up final examination is to be the same examination which was administered at the regularly scheduled time is within the discretion of the faculty member. *[Compiler's note – this provision continues a policy adopted October 25, 1989.]*

No student will be permitted to take a make-up final examination because of a grade deficiency.

The privilege to take a make-up exam comes within the Chase Student Honor Code. Students scheduled to take a make-up exam should avoid having contact with students who have already completed the exam.

Exam software is available for make-up exams provided the student properly has registered to use software for that exam and the faculty member has designated the course as one for which exam software will be available.

*Situations in Which Make-Up Final Exam May Be Appropriate*

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There are two situations in which a make-up of a final exam may be appropriate: where a sudden serious emergency prevents a student from taking a final exam and where the administrative scheduling of the exam time creates a certain type of conflict. Make-up of a final exam is permitted only in the following situations.

#### Emergency Situations

In a situation involving a documented serious emergency, a make-up exam will be permitted. In this situation, the student must notify the Associate Dean for Student Affairs of the emergency as soon as is reasonably possible. It will be within the discretion of the Associate Dean for Student Affairs, in consultation with the Associate Dean for Academics, to determine whether the circumstances justify a make-up exam.

Below is one example of an emergency situation where a make-up final examination normally will be granted: A student has a sudden serious illness which occurs on the day of a final exam which makes it impossible for the student to attend the examination AND the student submits documentation verifying the seriousness of the illness and that the student was incapacitated.

Examples of emergency situations where a make-up examination will normally NOT be granted: employment demands, bar review courses, conflicts with a class at another school, airline flights and schedules, travel/vacation/social plans, medical problems which do not seriously interfere with immediate pre-exam preparation or the student's ability to take the exam on the scheduled exam date.

Application for an excuse from taking the final examination at the regularly scheduled time because of an emergency situation shall be made to the Associate Dean for Student Affairs, who in consultation with the Associate Dean for Academics, will make the decision. This application is to be made prior to the regularly scheduled examination time where circumstances permit. Failure to make the application prior to the time of the regularly scheduled examination may result in a denial of the request.

MAKE-UP EXAMS MADE NECESSARY BECAUSE OF EMERGENCY SITUATIONS WILL BE MADE UP ON THE PRE-DETERMINED DATE FOR ADMINISTRATION OF MAKE-UP EXAMS UNLESS THE EMERGENCY CONTINUES THROUGH THAT DATE.

#### Conflict Situations

In situations involving: (a) directly conflicting final exam times, (b) overlapping final exam times, or (c) multiple final exams scheduled on the same date, a student may make up one of the final exams (the determination of which final exam will be the "make-up" final exam will be made by the Associate Dean for Academics by the deadline date. Students with final exam conflicts who fail to meet this deadline will not be permitted to make up an exam.

Students will be notified of the deadline by which the Make-Up Exam Request Form must be submitted and the dates on which make-up exams will be administered each semester. Notification will be sent to each student's NKU e-mail address and will be included in the course registration packet each semester.

The date for administration of make-up final exams is set a semester in advance. Students who wish to make up a final exam MUST take the make-up exam on the date established, unless an emergency situation prevents them from doing so. A student who cannot be available on the date

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set for the administration of the make-up exam should take the exam at the regularly scheduled time.

Students who submit a request to take a make-up exam due to a same-time or same-date or overlapping conflicting exams must **WITHDRAW** their make-up exam request if the conflict disappears prior to the administration of the first exam. For example, if a conflict disappears because the student drops one of the courses that created the conflict, the student must take the examination for the remaining course at the regular time. Failure to do so could be a violation of the Chase Honor Code.

Students who submit a request to take a make-up exam due to a conflict agree that they are available to make up the exam on the date established for make-up examinations.

November 25, 2008

#### **4.25 Mid-Term Examinations**

The mandatory mid-term policy is limited in application to courses in the first semester of a student's law school study.

May 7, 2003

Faculty are strongly encouraged to use mid-terms and other alternative methods of assessment in addition to the final examination in all courses even if not required to do so by a faculty policy.

May 7, 2003

Every first year student should have the opportunity to take a practice examination which is individually graded and individually reviewed by the Professor. To that end, the Administration shall schedule classes so that each student is given the opportunity to have one (1) small section where this practice exam shall be given. The Administration will note which class this is to be in the event there is more than one small class which qualifies.

October 3, 1983

The Dean will create a Task Force on exam accommodations for non-native speakers.

October 17, 2007



**4.26 Miscellaneous**

It is unprofessional: (1) to give an examination preview that is substantially a summary of the final examination; or (2) to give a final examination which is not substantially different from previous exams which are available to students. Each faculty member is expected to devise a challenging examination based upon the course material. It is each faculty member's professional responsibility to comply with ABA Standard 304(b) which reads as follows:

"The scholastic achievement of students shall be evaluated from the inception of their studies. As part of the testing of scholastic achievement, a written examination of suitable length and complexity shall be required in every course for which credit is given, except clinical work, courses involving extensive written work such as moot court, practice court, legal writing and drafting, seminars and individual writing projects. "

The Dean shall undertake any measures necessary to insure compliance with the above recommendation and ABA Standards.

April 27, 1982

The Dean announced this administrative policy:

"An examination will not be placed on reserve file in the library without the expressed written consent of the faculty involved."

April 27, 1982

The faculty adopted AALS policy - bluebooks should be retained for one year unless returned to the student.

October 26, 1979

Any student who desires to review his/her examination blue book with the faculty member must arrange to do so within 30 days after he/she has received the semester grade transcript. Faculty may not refuse to review a student's examination solely on the basis of grade. However, since the purpose of reviewing blue books is to help students improve their subsequent performance, faculty members may elect to give preference to students with a grade below C+.

April 4 and 20, 1979

**4.3 GRADES AND GRADING****4.31 Definitions of Grades (Quality points per Grade shown in brackets)**

1. A and A+: The grade of A is given to student work which is outstanding. This level of achievement represents honors work. This grade is not automatically given to the best performance in a class, but is used to show that the work is of a superior level. Thus, in the context of an examination or paper, all or most issues are identified. The presentation will be logical, well-developed, and contain very good analysis. The law is accurate and used sensibly. Creativity should be present. The grade of A+ is reserved for unusual and truly outstanding performance. It is not automatically given to the highest A in a class, but is given only in exceptional cases where the performance is outstanding on both a relative and an absolute scale. [A+=4.33, A=4.0]

No more than one A+ may be awarded in a course in which thirty or fewer students are enrolled. In a course with an enrollment exceeding thirty students, two A+s may be awarded. This policy applies to all graded courses and co-curricular activities, and becomes effective for all courses beginning after May 1, 2010.

February 25, 2010

2. A-, B and B+: These grades are given to student work which is solidly competent. They represent more than satisfactory, yet not outstanding, work. In the context of an examination or a paper, all or most major issues, and some other issues, will be identified. Usually the presentation is logical, well-developed, containing good analysis. The law usually accurate and sensibly used. Creativity may be present. The grade of A- is given to work which is among the more competently done at this level, yet is not sufficient for the grade of A. The grade of B is given to work which is among the less competently done at this level of performance. [A-=3.67, B+=3.33, B=3.0]

3. B-, C+ and C: These grades are given to student work which is satisfactory. Thus, in the context of an examination or paper, the major issues are identified. The law is generally accurate but sometimes handled imprecisely. Such a paper or examination is often characterized by conclusory statements. Extraneous issues may appear. Although the presentation may lack logical, analytical development, it does demonstrate a basic understanding of the area covered. The grade of B- is given to work which is among the more competently done at this level, yet not sufficient for the grade of B. The grade of C+ is given to work which is among the less competently done at this level of performance. [B-=2.67, C+=2.33, C=2.0]

4. C-, D+, D and D-: These grades are given to student work which is not of satisfactory competence and demonstrates insufficient knowledge and ability. In the context of an examination or a paper, the discussion is often not fully developed and frequently proceeds in an illogical manner. Usually some major issues are not identified. For those issues that are identified, often there are substantial inaccuracies in the law and its application. The grade of C- is given to work which is among the more competently done at this level, yet not sufficient for the grade of C. The grade of D- is given to work which is among the least competent at this level, yet is not sufficiently unsatisfactory for the grade of F. [C-=1.67, D+=1.33, D=1.0, D-=0.67]

5. F: The grade of F is given to student work which is of substantially less than satisfactory. This grade represents a low level of achievement. It is not given automatically to the worst

## ACADEMIC POLICIES

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performance in a class. In the context of an examination or a paper, the performance is worse than that for a grade of D or D-. The presentation demonstrates little or no competence. Failure to complete all course requirements may result in the grade of F. [F=0.0]

August 24, 1983, as amended April 8, 1998

#### 4.32 Non-Letter Grades

Students who are auditing a course will not be counted toward the enrollment limit in traditional law school classes, but if it is a course which does not lend itself to auditing, such as a seminar oriented class or one such as Trial Advocacy, it is within the instructor's discretion. This is a stop-gap measure until the Curriculum Committee further considers the matter, and will be in effect in the 1993 Summer Term and 1993 Fall Semester.

February 24, 1993

Law Review, Moot Court, and non-required skills courses (Alternate Dispute Resolution; Interviewing, Counseling and Negotiation; Trial Advocacy; etc.) shall be graded Pass-Fail, effective Fall 1992. [*Cross Reference 2005 Moot Court Revitalization Plan.*]

March 27, 1991

Faculty members may require students who enroll in a course for audit credit to be prepared for class and to participate in class discussion; such student need not submit papers or assignments, or take the examination, but they may do so if they desire.

April 26, 1989

The grades of Pass ("P") and Fail ("F") were adopted to replace the grades of Satisfactory and Unsatisfactory.

October 21, 1983

A student auditing a course must attend class regularly. Audit status shall not be recorded on a student's transcript unless the faculty member teaching the course verifies satisfactory attendance.

April 18, 1980

**4.33 Grade Distribution Policy (adopted April 8, 1998)**

This policy does not apply to Basic Legal Skills or to pass/fail courses.

| Range/Grade                                                           | First Tier | Second Tier | Third Tier |
|-----------------------------------------------------------------------|------------|-------------|------------|
| Recommended Grade Distributions (grades of A+ through C in each tier) |            |             |            |
| A+ }                                                                  |            |             |            |
| A }                                                                   | 5 - 10%    | 5 - 15%     | 5 - 20%    |
| A- }                                                                  |            |             |            |
| B+ }                                                                  | 5 - 15%    | 5 - 15%     | 10 - 20%   |
| B }                                                                   |            |             |            |
| B- }                                                                  | 10 - 20%   | 20 - 30%    | 20 - 40%   |
| C+ }                                                                  |            |             |            |
| C }                                                                   | 30 - 60%   | 30 - 60%    | 20 - 60%   |
| Heading removed by faculty action May 9, 2007 .C- }                   |            |             |            |
| D+ }                                                                  | 8 - 20%    | 5 - 20%     | 0 - 20%    |
| D }                                                                   |            |             |            |
| D- }                                                                  | 8 - 15%    |             |            |
| F }                                                                   |            |             |            |

**Further Description of Grade Distribution Policy:**

1. *Course Application.* The grade distribution policy covers (a) “first tier” distributions: Torts, Contracts, Property and Civil Procedure; (b) “second tier” distributions: Constitutional law, Criminal Law, Criminal Procedure, Evidence and Federal Tax 1A, and other required courses other than Professional Responsibility; (c) “third tier” distributions: other graded (non-pass/fail) courses, provided that, with regard to Basic legal Skills: Legal Research has its own internal grading policies which are not affected by this grade distribution policy, and provided further, the Legal Writing is not affected by this grade distribution policy.
2. *Student Application.* The First Tier grade distribution applies beginning fall 1998 to all students matriculating in fall, 1998. All Tiers of grade distribution apply during [sic beginning] the 1999-2000 academic year to all students regardless of when they matriculated.
3. *Grading System.* Grades shall be awarded according to a 13-point grading system, A+ to F, with the following values to be assigned to work of the quality described in the grades and grading policy dated August 24, 1983, as amended to provide for “minus” grades:

A+ 4.33  
A 4.00  
A- 3.67  
B+ 3.33  
B 3.00

B- 2.67  
C+ 2.33  
C 2.00  
C- 1.67  
D+ 1.33  
D 1.00  
D- 0.67  
  
F 0.00

4. *“Recommended” and “Required” Grades.* The designation of upper-Range (A+ to C) grades as “recommended” means that, in the faculty’s judgment, grades in courses in the respective Tiers should follow the distribution described. The designation of lower-Range (C- to F) grades as “required” means that the grades awarded for a given course shall be distributed in the percentages stated for that Range and Tier unless the faculty member obtains a variance under these policies and procedures.

5. *Variances from “Required Grade Distributions.* A variance from the “required” grade distribution in a course is an exception to the faculty’s expectations as stated in the preceding paragraph. A faculty member who wishes to award grades in a course that vary from the “required” distribution for the Tier and Range applicable to that course shall provide with the grades turned in to the Registrar a written explanation signed by the faculty member and addressed to the Dean stating (1) the number of students in the course and the number of lower-range grades “required” by the grade distribution policy; (2) the variance there from and a detailed statement of the reasons for such variance; and (3) that the faculty member believes in good faith that the grades awarded are consistent with the principles of the academic grading standards adopted by the faculty on April 8, 1998. The faculty member shall promptly confer with the Dean on the grades and the variance. Nothing in this grade distribution policy shall limit the Dean’s authority or prevent the Dean from taking action within the Dean’s authority with regard to the grades awarded in a course. **The Dean shall apprise the faculty of any variance granted faculty members and shall make available to the faculty the written explanations given by the faculty members for their variances from the “required” grade distributions.** It is consistent with the spirit of the variance rule for teachers in year-long courses, when resorting to the variance policy, and for the Dean when applying the variance policy, to take into account the effects of the grade policy after the first semester and the effects of any other circumstances, such as enrollment patterns and small class size, when carrying out the purposes of the variance policy and the grade norms.

April 8, 1998, as amended March 3, 1999

**4.34 Grade Appeal Process**

The individual professor is primarily responsible for each course or other academic activity to which he or she is assigned. As a necessary concomitant of this responsibility the professor has that primary authority, subject to established College of Law and University rules, regulations and policies, in all matters pertaining to the course or activity. The authority includes, but is not limited to, the establishment of the criteria for grades and the evaluation of student academic performance.

The grade appeal procedure outlined here is available only for the review of allegedly capricious grading, and not for routine review of the professor's evaluation of the student's academic performance. The grading system is one which normally involves a judgment determination. Therefore, the grade given is presumed to be proper. Students who want to go over their papers meticulously to discover one or two points may just as frequently find they had received undue credit elsewhere. Grade review is designed to prevent deviations from appropriate grading standards and to process substantial procedural complaints.

Capricious grading, as that term is used here, consists only of the following:

- (1) it is established by clear and convincing evidence that the assignment of a grade to a particular student is on some basis other than the performance in the course;
- (2) it is established by clear and convincing evidence that the assignment of a grade to a particular student [was] by resort to substantially different criteria than were applied to other students in the course;
- (3) it is established by clear and convincing evidence that the assignment of a grade is a substantial departure from the Professor's previously announced standards;
- (4) it is established by clear and convincing evidence that the instructor failed to correct a clerical error after such error is brought to his or her attention;
- (5) it is established beyond a reasonable doubt that there is no reasonable relation between the grading criteria used and the material covered or assigned in the course.

Under no circumstance will there be a review of a grade on the ground that it does not properly reflect the quality of the student's work. Under no circumstances will there be a review of a grade on the ground that the professor has failed to meet the Recommended Grade Norms approved by the faculty. Under no circumstances will there be a review of a grade on the ground that the faculty member has failed to follow the Grade Definitions approved by the faculty.

**A**

No student may appeal a grade to the administration of the College of Law unless he or she first consults with the professor. Consultation over fall semester grades must take place within thirty days from the beginning of the following spring semester. This time limit may be extended by the Dean where grades are submitted by the instructor after the grading deadline. Consultation over spring and summer semester grades must take place within thirty days from the beginning of the following fall semester.

After consultation with the student, the faculty member may, based upon any of the aforementioned grounds of appeal propose to raise the grade. A written explanation, stating the precise reason for proposing to raise the grade, must accompany the change of grade card and be submitted to the Dean of the College of Law for his approval.

Before requesting review by the Associate Dean, a student raising a claim of capricious grading shall provide the faculty member involved with a written statement which specifies the claim in detail. The faculty member shall respond in writing within five working days. No appeal may be taken if this statement is not presented. Copies of the claim and faculty response must accompany any appeal.

#### **B**

If consultation between the student and the professor does not resolve the matter to the satisfaction of the student, the student may then request review by the administration of the College of Law. Any such request for review must be made in writing and filed with the Associate Dean no later than two weeks after the final consultation with the professor. The request for review must be dated, signed, and notarized. It must contain a clear, accurate, and complete statement of the grounds for appeal, and the facts in support of the charge [in handwriting on the Committee report appear the following language: ", and supported by necessary documentation or affidavits, if appropriate to the nature of the case." There is nothing in the Minutes to support this addition; yet the published policy contains this language.] A complete copy of the appeal shall be given to the faculty member.

The Associate Dean shall review the appeal and determine if it contains the necessary factual allegations to support the charge of capricious grading. If such allegations are not present he or she shall dismiss the appeal.

If sufficient factual allegations to support the charge are stated, the Associate Dean shall consult with the professor and student, as well as any other individuals who may provide relevant information. The Associate Dean shall then make a preliminary determination whether there is a substantial question as to the appropriateness of the grade received.

If no substantial question exists, the appeal shall be dismissed. If the Associate Dean determines that a substantial question exists, he or she shall meet with the professor and attempt to resolve the matter.

#### **C**

The Associate Deal shall convey the results of his or her actions under Part B by letter to both the student and the professor. If the matter is not resolved to the satisfaction of the student, the student may, within seven (7) days from receipt of the Associate Dean's letter, appeal to the Dean for his or her final determination. Based on the record, the Dean shall first determine whether there is a substantial basis to proceed. If no substantial basis exists, the appeal shall be dismissed. If the Dean determines that a substantial basis does exist, he or she shall refer the matter to an ad hoc committee or appoint a standing committee to advise him or her on the matter.

The committee shall conduct an informal hearing in order to make factual findings. At the hearing, the student and faculty member must be given the opportunity to be present, address the committee, and present and cross-examine witnesses. Neither student nor faculty member shall be permitted to have counsel present. The Committee shall report its findings and recommendations

in writing to the Dean within ten (1) days after the hearing has been concluded.

If, after full consideration of the matter, the Dean concludes that the grade was capriciously given, he or she may provide the student whatever relief he or she deems appropriate. Otherwise the appeal shall be dismissed.

D

The determination of the Dean shall be final. However, the student or faculty member may appeal an adverse determination to the Provost on grounds that there was no compliance with the aforementioned procedures. If the Provost so finds, the matter shall be returned to the College of Law for disposition consistent with these procedures.

E

Any grade appeal which is made frivolously, fraudulently, or in bad faith constitutes unprofessional student conduct. If at any time, the Associate Dean or Dean has reason to believe that such unprofessional conduct occurred, he or she must dismiss the appeal and refer the matter under the Student Disciplinary Code.

F

Nothing stated in this Grade Appeal Process shall preclude the Dean from exercising his or her normal powers and prerogatives.

October 3, 1983, as  
Amended Nov. 30, 1983

On December 3, 2003, the faculty adopted a Grade Appeal Policy. [*Compiler's Note: The policy, however, is not included in the Minutes. In consulting with faculty, a common understanding was that the grade appeal policy in the Student Handbook was current. Thus, included below is the policy as reflected in the 2005-2006 Student Handbook.*]

The following policy and procedure governs all grade appeals initiated at the College of Law. This grade appeal procedure differs from the NKU "Code of Student Rights and Responsibilities" and supersedes it.

(a) Standard of Review

- i. The individual professor is primarily responsible for each course or other academic activity to which he/she is assigned. As a necessary concomitant of this responsibility, the professor is the primary authority, subject to established College of Law and University rules, regulations and policies, in all matters pertaining to the course or activity. The authority includes, but is not limited to, the establishment of the criteria for grades and the evaluation of student academic performance. The grade appeal procedure outlined here is available only for the review of allegedly capricious grading in a final grade by the professor and not for routine review of the professor's evaluation of the student's academic performance.



- ii. A professor should not award a grade capriciously, as that term is defined below. If a final grade is found to be in whole or in part the product of capricious grading, appropriate action should be taken pursuant to this policy, sufficient to eliminate the effect of the capricious grading. Capricious grading will be found to exist only where the student establishes by clear and convincing evidence that:
    - 1. the assignment of a final grade to a particular student was made on some basis other than the performance in the course;
    - 2. the assignment of a final grade to a particular student was by resort to substantially different criteria than were applied to other students in the course;
    - 3. the assignment of a final grade is a substantial departure from the professor's previously announced standards;
    - 4. the instructor failed to correct a clerical error after such error was brought to his/her attention;
    - 5. there is no reasonable relation between the grading criteria used and the material covered or assigned in the course.
  - iii. Under no circumstances will there be a review of a grade, or an action taken under this policy, on the ground that:
    - 1. the grade does not properly reflect the quality of the student's work;
    - 2. there is a disagreement over a matter of judgment in the assignment of a grade;
    - 3. the faculty member has failed to apply meet the Grade Distribution Policies approved by the faculty;
    - 4. the faculty member has failed to follow the Grade Definitions approved by the faculty; or
    - 5. a grade has been affected by a decision or action not within the professor's control, including but not limited to administrative decisions concerning the scheduling of examinations and the provision of special accommodations for disabilities.
- (b) Procedure for Review and Appeal of Grades
- i. A student who wishes to appeal a final grade must follow this grade appeal procedure. A student who does not follow this procedure may not seek relief affecting the final grade under this policy. All students, faculty, and administration are encouraged to accomplish their responsibilities under this procedure expeditiously, in the interest of

completing consultation, review, and appeal of grades as soon as practicable.

- ii. No student may appeal a final grade to the administration of the College of Law unless he/she first has a preliminary meeting with the professor.
  - 1. A preliminary meeting over fall semester grades must take place within thirty (30) calendar days from the beginning of the following spring semester.
  - 2. A preliminary meeting over spring and summer semester grades must take place within thirty (30) calendar days from the beginning of the following fall semester.
  - 3. Each professor shall make himself or herself available for a preliminary meeting so that the above timeframe may be met, absent approval by the Associate Dean for Academics (hereinafter the Associate Dean) or the Dean for good cause shown.
  - 4. These time limits may be extended by the Associate Dean *or* the Dean where any professor's grades are submitted after the grading deadline, or where the professor is unavailable.
- iii. Before requesting review by the Associate Dean, a student raising a claim of capricious grading shall, within seven (7) calendar days after the preliminary meeting, provide the faculty member involved with a signed written statement which specifies in detail the grounds and the factual basis for the claim. A written statement is subject to the Student Honor Code. The faculty member shall, within seven (7) calendar days after receiving the student's signed written statement, provide the student with a written response stating his or her position on the student's claim and the factual basis for that position, and advising whether the grade will or will not be changed.
- iv. If the faculty member believes that the grade should be changed based upon any of the aforementioned grounds of appeal, the faculty member may propose to raise the grade by submitting a written explanation stating with particularity the reason for proposing to raise the grade to the Associate Dean or the Dean for his/her approval.
- v. If the faculty member does not believe that the grade should be changed, the student and the faculty member may, at the instance of either, hold a consultation on the grade. The parties shall hold any such consultation within seven (7) calendar days after the student receives the faculty member's written statement. If the professor does not respond to the student's written statement, if there is no consultation, or if consultation between the student and the professor does not resolve the matter to the satisfaction of the student, the student may then request review by the administration of the College of Law based on any ground and factual basis for review of the grade presented to the faculty member in the

student's written statement or the faculty member's written response, or raised in the consultation between the faculty member and the student.

(c) Request for Review by the Associate Dean

- i. Any such request for review must be made in writing and filed with the Associate Dean, with a copy to the faculty member, no later than seven (7) calendar days after the time for the faculty member's written response has passed without such a response, the student receives the faculty member's written response or the faculty member and the student have a final consultation, whichever is latest. A request for review is subject to the Student Honor Code as stated in paragraph f) below. The request for review must contain the following elements:

1. The date of the request;
2. A clear, accurate, and complete statement of the grounds for review, showing that the student is entitled to relief under the grade appeal policy;
3. A statement of the factual basis for the claim that capricious grading has occurred, showing that the student is entitled to relief under the grade appeal policy;
4. A certification that any grounds or factual basis raised under (2) or (3) was raised either in the student's written statement, in the faculty member's written response, or in the consultation with the faculty member;
5. A copy of the written statement provided to the faculty member;
6. A copy of the faculty member's written response;
7. Any necessary documentation or affidavits, if appropriate to the nature of the case; and
8. The student's signature.

If the student believes that the written statement adequately states the grounds and factual basis for the request for review, items (2) and (3) may be satisfied by a reference in the request for review incorporating the written statement. Any ground or factual basis for review or response that is outside the scope of the written statement, the written response, or the consultation may not be presented on review by either the student or the faculty member, except as provided in paragraph c) ii) below.

ii. Review by the Associate Dean

1. The Associate Dean shall consider the request for review and determine whether it contains the eight elements required by

paragraph c) i). If not, the Associate Dean shall dismiss the appeal. The Associate Dean may permit the request for review or the response to be amended upon reasonable notice for good cause shown.

2. If the request for review contains the eight elements required by paragraph c) i), the Associate Dean shall consult with and receive information from the faculty member and the student, as well as any other individuals who may provide relevant information.
  - a. Any ground or factual basis for review or response that is outside the scope of the written statement, the written response, the consultation, or any amendment permitted under paragraph c) ii) (1) may not be presented to the Associate Dean by either the student or the faculty member.
  - b. The faculty member shall have a reasonable opportunity to respond to any grounds or factual basis raised in the consultation but not stated in the student's written statement.
  - c. The Associate Dean may rely on information provided anonymously for purposes of his or her investigation, which approach shall not be suggested or encouraged, but shall not rely on such information in making a determination on the request for review.
  - d. The Associate Dean may consolidate requests for review that raise the same or similar issues for purposes of this process.
  - e. If the Associate Dean deems such a meeting appropriate, he/she shall meet with the faculty member and with the student, and attempt to resolve the matter.
3. If the Associate Dean cannot resolve the matter with the faculty member and the student, or does not deem a meeting appropriate, the Associate Dean shall determine, addressing all issues raised by both parties and based on the entire record before him/her, whether there is a substantial question as to whether the student's grade was the product of capricious grading. The Associate Dean shall provide a letter containing his/her determination and the results of his/her actions under paragraph c) ii) to both the student and the professor faculty member, with a copy to the Dean.

(d) Appeal to the Dean

- i. If the matter is not resolved to the satisfaction of the student under paragraph c) ii), the student may appeal to the Dean. An appeal is subject to the Student Honor Code as stated in paragraph f) below.

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1. Any such appeal must be made in writing and filed with the Dean with copies to the faculty member and to the Associate Dean no later than seven (7) calendar days after the student receives the Associate Dean's letter under paragraph c) ii) (3) above.
  2. The appeal shall contain a statement that the student wishes to appeal, and a request that the Associate Dean transmit the entire record to the Dean.
  3. The appeal shall be limited to any ground for review and factual basis presented to the Associate Dean. Any ground or factual basis for appeal or response that is outside the scope of the written statement, the written response, or the consultation; or in an amendment to the request for review or the response permitted by the Associate Dean under paragraph c) ii) (1), may not be presented by amendment or otherwise to the Dean by either the student or the faculty member.
- ii. The Associate Dean shall transmit the entire record to the Dean, and, before proceeding, the Dean shall ascertain that he/she has received the entire record.
1. The record shall consist of every filing by any party, the Associate Dean's letter under paragraph c) ii) (3) and any other communication involving the parties, a list of the names of all individuals who provided or were said to have information relating to the proceeding (other than individuals who speak only on condition of anonymity), and any documents or witness statements relating or referring to any fact related to the grade appeal within the Associate Dean's possession in connection with the proceeding.
  2. Such matters shall be included in the record whether or not the Associate Dean has relied upon or referred to any such matter in his or her investigation or determination. The Associate Dean may exclude from the record any portion of any document that consists solely of his or her thought processes or mental impressions or the products of mediation, but shall include the remaining portions of any such document.
- iii. If the Associate Dean has not already so found, the Dean shall first determine based on the entire record whether there is a substantial question as to whether the student's grade was the product of capricious grading.
1. The Dean shall accord substantial deference to the Associate Dean's determination, if any, that there is no substantial question as to whether the student's grade was the product of capricious grading.

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2. The Dean may consolidate appeals that raise the same or similar issues for purposes of this process if the Associate Dean has not already consolidated the requests for review, or may sever appeals for separate proceedings.
  3. If the Dean finds that the Associate Dean has not properly or completely determined the request for review, the Dean shall either send the appeal back to the Associate Dean for further action, perform the function of the Associate Dean under paragraph c) ii), or refer the matter to a standing or ad hoc committee as provided in paragraph v) below.
- iv. If neither the Associate Dean nor the Dean has found, based on the entire record, that there is a substantial question as to whether the student's grade was the product of capricious grading, the appeal shall be dismissed.
- v. If the Associate Dean or the Dean has found, based on the entire record, that there is a substantial question as to whether the student's grade was the product of capricious grading, the Dean may consult with the faculty member in an attempt to resolve the matter, and if the matter is not resolved thereby, shall refer the appeal to an ad hoc committee or any standing committee whose jurisdiction includes grade appeals, to make a decision on the facts and to advise him/her on the matter.
1. If the Dean refers the appeal to an ad hoc committee, the membership of that committee shall be determined at random from among the tenured faculty.
  2. The student or the faculty member may challenge any committee member for cause by filing a challenge with the Dean, with copy to the faculty member and to the committee member. Any committee member may recuse himself/herself for good cause as determined by that faculty member, which should be done as soon as practicable. The Dean shall advise the committee, the student and the faculty member of any disqualification or recusal, and of the name of the replacement faculty member.
  3. The reference and all other communications between the Dean and the committee or any of its members shall be in writing, on the record, and copied to the faculty member and the student.
  4. There shall be no ex parte communications between the Dean on the one hand and the committee to which the appeal is referred or any member thereof on the other.
- vi. The committee shall conduct an informal hearing in order to make factual findings.

1. The committee may consolidate appeals raising the same or similar issues for purposes of the hearing if the Associate Dean or the Dean has not already done so.
  2. There shall be no ex parte communications between the committee on the one hand and the faculty member or the student on the other.
  3. At the hearing, the student and faculty member shall be given the opportunity to be present, to address the committee, to present and examine witnesses, and to present documents.
  4. The chair of the committee shall arrange for and manage the hearing in consultation with the other members of the committee.
  5. The committee shall not be bound by the rules of evidence, but may receive any information that it reasonably believes has probative value on the issues presented on the appeal. If the committee is inclined to take official notice of any fact or principle, it shall advise the parties of that inclination so that the parties may have an opportunity to address the fact or principle and how it should be determined.
  6. Neither the student nor the faculty member may have counsel present.
- vii. The committee shall report its findings of fact, conclusions as to whether capricious grading has occurred and on what grounds, and recommendations in writing to the Dean within ten days after the hearing has been concluded. The committee shall not substitute its professional judgment for that of the faculty member in assigning the grade, but shall base its decision on the criteria for capricious grading stated in paragraph a) ii) above. The committee shall provide a copy of the report to the faculty member and the student at the time that it is provided to the Dean.
- viii. The Dean shall fully consider the committee's report, and shall be bound by the committee's findings of fact. The Dean shall not substitute his or her professional judgment for that of the faculty member in assigning the grade, but shall base his or her decision on the criteria for capricious grading stated in paragraph a) ii) above. If the Dean disagrees with the committee's conclusions or recommendations, the Dean shall memorialize the reasons for his/her disagreement in writing. If after full consideration of the matter, and based solely on the entire record before the committee, the Dean concludes that the grade was the product of capricious grading, he/she may provide the student with whatever change in the grade the Dean deems appropriate to eliminate the effect of the capricious grading. Otherwise the Dean shall dismiss the appeal.
- ix. The Dean shall provide the Associate Dean, the committee, the faculty member, and the student with a written copy of his/her final

determination, including any reasons for any disagreement with the committee's conclusions or recommendations.

- (e) Further Limited Appeal to the Provost
  - i. The written determination by the Dean shall be final. However, the student or faculty member may appeal an adverse determination to the Provost on the ground that any of the above procedures were not complied with and that the appealing party was prejudiced by that non-compliance. Any such appeal to the Provost shall state with particularity the procedural irregularity and the prejudice caused thereby, and must be filed with the Provost within seven (7) calendar days after the appealing party's receipt of the Dean's final determination under paragraph d) viii) and ix) above. An appeal to the Provost is subject to the Student Honor Code as stated in paragraph f) below.
  - ii. If the Provost finds that any of the above procedures were not complied with and that the appealing party was prejudiced by that non-compliance, the Provost shall describe the noncompliance and prejudice, and the matter shall be returned to the Dean for disposition consistent with these procedures and the Provost's written opinion.
- (f) Relationship of Grade Appeal Policy and Procedure, and Chase Student Honor Code or Other NKU or Faculty Policies
  - i. Academic misconduct involving a grade appeal may involve a violation of section II.B.1.i. of the Student Honor Code. Situations that may involve both this grade appeal policy and the Student Honor Code shall be handled as follows.
    - 1. If the Dean or the Associate Dean has substantial cause to believe that any grade appeal may consist of or may be based on any fraudulent, deceptive, knowingly false or misleading, or other dishonest action or inaction, the grade appeal may be stayed pending a referral of the alleged action or inaction under the Student Honor Code.
    - 2. If such cause exists, subject to section II.D.1. of the Student Honor Code pertaining to professional judgment,
      - a. the Dean may, and where he or she has actual knowledge of a violation shall, refer any such matter to the Associate Dean under section II.D.1. of the Student Honor Code;
      - b. the Associate Dean may, and if he or she has actual knowledge of a violation shall, refer any such matter to the Dean with a request for appointment of a substitute faculty member under section II.D.5. of the Student Honor Code; or



- c. the chair or any member of the hearing committee should ordinarily consult with the Associate Dean before action is taken, and any referral under section II.D.1. of the Honor Code made before all proceedings have been completed should be made only after consultation with the Associate Dean.
- 3. Subject to paragraph d) ii) (3) above, any such referral shall be made at the time the proceeding is stayed, or if there is no stay, then at any time during the proceedings, and at the latest promptly upon the completion of all proceedings on the grade appeal. The continued maintenance of a grade appeal may be found to constitute a violation for purposes of section II. C.1. of the Student Honor Code.
- ii. Faculty conduct involving grading or in connection with any proceeding under this grade appeal policy that raises issues covered by another policy or procedure of Northern Kentucky University or the College of Law shall be handled according to such other policy or procedure.

**4.35 Grading Factors** [*Cross Reference: Section 4 – Attendance and Class Performance.*]

The College of Law should continue to maintain high admission standards and grading standards in order to obtain and train the most highly qualified individuals for admission to the legal profession.

October 26, 1988

Persons teaching the same course should consult with each other prior to submitting their grades with a view towards minimizing disparities in grade average and distribution.

December 1, 1982

Except with regard to seminars, no faculty member may include factors other than examination grades, or paper or problem grades, in computing the final course grades unless, during the first class session, the faculty member, in writing, advises the students in the class of the nature of such additional factors and the weight assigned to them. In all situations where various factors are to be combined for a final grade, the faculty member shall elect one of the two following methods for combining the grades: (A) The faculty member may submit to the administrative office lists, by exam or assignment numbers, of each grade factor and the weight assigned to each. The administrative personnel shall then combine the factors and assign the final grade; or (B) The faculty member shall submit lists of each grade factor, by name, exam or assignment numbers, and the administrative personnel shall supply the faculty member with a complete list for each factor, by number, with the student names affixed. The faculty member shall then combine the factors and assign the final grade. In such instance, the administrative office shall keep a copy of the lists originally submitted.

April 4 and 20, 1979

**4.4 LOW GRADE POLICIES (MOST AIMED AT BAR PASSAGE CONCERNS)**

**4.41 Retaking Courses**

[*Cross Reference – To see tracked changes to the former policy – Attachment to October 1, 2003 Minutes.*]

**Course Re-Take Policy**

1. A student who earns a grade of D, D- or F in any of the courses listed below must retake the course a second time at the earliest appropriate opportunity. A student must earn a grade of D+ or higher to satisfy the course requirement (regardless of how many times the student must retake the course).\* The student shall consult with the Associate Dean for Academics to determine the earliest appropriate opportunity. If the course which must be taken a second time is the first semester of a two semester course sequence, the student shall also consult with the Associate Dean for Academics about whether it is appropriate to take the second semester of the course without first retaking the first semester of that course sequence.

Amended February 26, 2009

2. The courses to which this policy applies are:

Basic Legal Skills – Research, Basic Legal Skills – Writing, Civil Procedure I, Civil Procedure II, Constitutional Law I, Constitutional Law II, Contracts I, Contracts II, Criminal Law, Property I, Property II, Torts I, Torts II, Evidence, Criminal Procedure, and Professional Responsibility.

[September 27, 2011 – BLS]

2. Pursuant to the F grade policy, if the student receives the grade of F in both attempts to complete a course, the student will repeat the course one or more additional times until a grade above D+ is received. A grade above D+ received for any time the course is taken completes the graduation requirement for that course. The courses identified above in which grades of D, D-, and F are earned shall count for all other purposes for which they would ordinarily count (residence, tuition, etc.). The grades of D, D-, or F originally earned, plus the grade earned in retaking the courses identified above, will count in the student's cumulative grade point average.

Implementation (Not to go into the Student Handbook)

This policy shall take effect immediately. If there are any students taking one of these courses for a third time who have received one or both grades above an F in their first two times taking the course, the Associate Dean for Academics shall meet with each such student and explore the possibility of the student dropping the course. Any tuition refund shall be governed by Northern Kentucky University's tuition refund policies, recognizing that the student(s) have in fact been attending classes during this semester.

October 1, 2003

A student who earns a grade of D, D- or F in Civil Procedure I, Civil Procedure II, Constitutional Law I, Constitutional law II, Contracts I, Contracts II, Criminal law, Property I, Property II, Torts I, Torts II, Evidence and Criminal Procedure must retake the course and earn a grade of at least C- before credit for the course may be applied toward graduation requirements. A student may retake the class up to twice. If the student fails to earn at least a C by the third try, but has previously earned a grade in the course above F, credit for the course will apply toward graduation, and the student will be referred to the Academic Standing Committee for direction of an appropriate course of action before the degree is granted.

April 30, 1997, as modified March 3, 1999 and August 1999

The Board of Regents was asked to defer implementation of D and D+ courses until the Fall 1998 entering class.

February 4, 1998, reaffirmed May 13, 1998

The courses identified above in which grade of D+, D, and F are earned shall count for all purposes for which they would ordinarily count (residency, tuition, etc.) except toward graduation.

April 30, 1997

## **ACADEMIC POLICIES**

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Both the grades of D+, D, and F originally earned, plus the grade earned in retaking courses identified above will count in the student's cumulative grade point average. A student who earns grades of D+, D, or F in the courses identified above shall be directed to available academic support.

April 30, 1997

A student may not re-take a course unless required to do so in Required courses or Core Courses (which would be “required” for students on the Structured Curriculum) for which there are minimum grade requirements (such as a D+ in certain Required courses, and a grade above an F in Core courses).

November 11, 2010

The changes enacted in February, 2009 shall be effective with the 2009 entering class. These included adding Professional Responsibility to the list of courses in #1 and the changing of ‘F’ to D+’

February 26, 2009

**4.42 Structured Curriculum**

Students in the Structured Curriculum are no longer required to receive permission or approval of their course selection in order to register. Students are free to consult with their faculty advisors on matters of course selection, but are not required to do so. This change is effective with the next registration cycle.

February 22, 2006

*[Cross Reference: Section 5 – Registrar Policies – Graduation Requirements.]*

For students entering Chase in the Fall of 1998 and thereafter, once a student has been tracked along either the Open Curriculum or the Structured Curriculum, the student must maintain a cumulative grade point average of 2.0 overall. This amendment shall be effective immediately, to include all 3L full-time and 4L part-time students, or students whom have been placed on academic probation their final semester pursuant to the current Dismissal Policy, and those above mentioned students who have been dismissed in their final semester for having a GPA below a 2.15 but above a 2.00 overall or in the Required or Core courses. The Student Handbook Part IV (E)(a)(ii)(2) will be amended to reflect this change.

April 17, 2002

A student who has earned less than a 2.33 overall cumulative GPA at the end of the Spring semester for the first year for full time students, or by the end of the Spring semester of the second year for part-time students, shall be required to follow the Structured Curriculum, which requires successful completion of all 29 hours of core courses... If a student who is subject to the Structured Curriculum successfully raises their cumulative grade point average above 2.33 after 60 hours, that student is released from the Structured Curriculum.

April 17, 2002

Students on the Structured Curriculum who raise their Core and Required GPA to a 2.33 or above after completing 51 or more hours of Core and Required courses will be released from the Structured Curriculum and will be placed on the Open Curriculum.

September 27, 2011

The Board of Regents was asked to defer implementation of the Structured Curriculum until the entering class in Fall, 1998.

February 4, 1998, reaffirmed May 13, 1998

A student who has earned less than a 2.5 overall cumulative GPA at the end of the spring semester of the first year for day students, or by the end of the spring semester of the second year for evening students, shall be required to follow the Structured Curriculum, which consists of the full complement of core courses.

April 30, 1997

A student who has earned grades lower than C in Multi State Bar Examination courses, or who is in the Structured Curriculum, should be encouraged to take electives which expand his or her knowledge in the relevant subject area. Hence, a student who does poorly in Torts II might be advised to enroll in Products Liability.

April 30, 1997

A student who has earned at least a 2.5 may follow the Open Curriculum, which requires 20

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hours of core courses. Each student shall be advised of the importance of enrolling in core courses, which tend to be tested on the bar examination in essay form, and which, along with required courses, constitutes a core of basic knowledge necessary for the practice of law.

April 30, 1997

A first year student will be advised that his or her upcoming registration for courses may need to be adjusted if he or she falls below a 2.5 overall average and will be advised concerning structured curriculum criteria and requirements.

April 30, 1997

A student who is following the Structured Curriculum must participate in available academic support and faculty advising by which the student's advisor's signature must be obtained on any proposed schedule as a condition for registration for classes.

April 30, 1997

Once a student has been tracked along either the Open Curriculum or the Structured Curriculum, the student must thereafter maintain a cumulative grade point average of 2.0 overall and a cumulative GPA of 2.15 in Required and Core courses each semester. A student who fails to do so shall be given a warning. The usual dismissal policy shall apply, modified toward the 2.15 cumulative grade point requirement. A student who has been dismissed may seek relief through the regular procedures of the Academic Standing Committee.

April 30, 1997

A student should no longer be forced to meet with a member of the Committee when they are placed on academic probation. The student should be notified that a committee member would be more than happy to discuss the academic probation, or the student could discuss it with a member of the administration.

August 25, 1981

#### **4.43 Dismissal – Probation – Reinstatement – Readmission**

[*Cross Reference: Part 5 Registrar Policies.*]

#### **4.44 Dismissal/Probation Policy**

Each student who fails to meet the academic requirements contained herein shall be dismissed from the College of Law. Any student who has a semester grade point average below 2.0 in all courses, or below 2.0 in required courses, shall be placed on academic probation. A student shall be dismissed at any time that the student's cumulative grade point average falls below 2.0 in all courses, or below 2.0 in required courses, and in any prior semester had a semester or cumulative grade point average below 2.0 overall or below 2.0 in required courses. Any student who does not achieve a 1.85 GPA at the end of his/her first semester shall be dismissed. This policy is to be effective with students entering Fall, 1991. Counseling/advising shall be required for students whose grade point average is between 1.85 and 2.00.

March 27, 1991

[Amended January 26, 2012]

Eff. 2012 entering class

**4.45 Letter - Dismissal**

Dear Student:

This letter is to inform you that, as of the end of the 20\_\_ semester, your grade point average dropped below the standards required by the College of Law. Accordingly, you are hereby dismissed from the College of Law for academic deficiency.

A refund of any payments made for the 20\_\_ tuition will be forwarded to you at the above address, unless different instructions are received from you within seven days from the date of this letter.

The College of Law has an Academic Standing Committee. A copy of that Committee's policy is attached for your information. If you wish to seek reinstatement, the Academic Standing Committee is scheduled to meet in the Chase Room, 5th floor (room 521), Nunn Hall, at \_\_\_\_\_. If you wish to appear, you should call Millie Wisneski (572-6403) immediately.

Sincerely,

Associate Dean for Academic Affairs

November 19, 1986

**4.46 Letter - Probation**

Dear

I regret to inform you that for the semester (term) your semester grade point average was below 2.00. Accordingly, you are placed on academic probation for the remainder of your tenure at the College of Law.

I would encourage you to meet with each of your professors, as well as your faculty advisor, in order to determine how you may improve your grades so that you do not place yourself in a position of being dismissed from the College of Law at any time in the future. I would strongly suggest that you review the policies of the College of Law in the Dismissal/Probation section of the catalog, a copy of which is attached hereto.

Sincerely,

Chairman, Academic Standing Committee

encl.

April 25, 1984

**4.47 Reinstatement and Readmission**

The College of Law has a faculty committee which is charged with two basic functions. The functions are Reinstatement and Readmission.

November 30, 1988

**Reinstatement**

A student who has been dismissed for academic deficiency may petition for immediate reinstatement. This petition must be in writing and received by the Records Specialist within seven (7) days of the date of the dismissal notice. The petition must set forth specific reasons upon which reinstatement is sought. The petition may request an oral hearing before the entire Academic Standing Committee.

There will be a hearing by the Academic Standing Committee, normally within seven (7) days of the date of the written petition. At that time the Committee will review the written petition, as well as oral statements, which should set forth the reasons for immediate reinstatement. A student must establish by clear and convincing evidence the reasons justifying reinstatement.

If the student petitions for reinstatement, the student should continue to attend classes until the petition is acted upon in writing.

The Academic Standing Committee has complete discretion to establish any conditions or terms for each student as the facts may warrant, if the Committee grants reinstatement.

November 30, 1988

A student may be reinstated only one time.

April 8, 1998

**Readmission**

The deadline for Petitions for Readmission was moved to February 10 from April 1 so that the Academic Standing Committee could be expected to complete all of its work on the Petitions prior to March 1.

August 22, 2001

A Petition to Apply for Readmission must be accompanied by a completed Application for Admission.

August 22, 2001

A student who has been dismissed for academic deficiency at the College of Law or at any other College of Law must submit a petition to the Records Specialist for readmission. The petition must be in writing and must state the reasons why the student expects to be successful in the study of law. A previously disqualified student may be admitted when two or more years have elapsed since the disqualification and the nature of the work, activity, or studies during the interim indicate a stronger potential for law study.

The Academic Standing Committee shall consider the entire record of the student at the hearing. The petitioner may not attend unless asked to by the Committee. The reasons justifying



readmission must be established by the petitioner by clear and convincing evidence.

The Academic Standing Committee has complete discretion to establish any conditions or terms for each student as the facts may warrant, if the Committee grants readmission.

The College of Law rarely admits students who have been dismissed from another school for academic deficiency. In the event an applicant who has been academically dismissed from another law school seeks admission to the College of Law, the applicant shall furnish the College of Law with an official law school transcript, a copy of the LSDAS Report and a letter from the dean of the law school previously attended explaining the student's academic standing.

August 22, 2001

The following is intended to modify the Student Handbook. Background information in footnotes was requested to be retained in this document:

**BB. Extraordinary Relief From Dismissal<sup>1</sup> – Immediate Reinstatement and Expedited Reapplication**

*1. Academic Standing Committee*

- a. The Academic Standing Committee does not dismiss students; its authority is limited to hearing petitions from students who have already been dismissed because they have failed to meet GPA requirements.
- b. The Academic Standing Committee consists of three faculty members. In addition, the Associate Dean for Academics is an ex officio member.
- c. The Academic Standing Committee hears and decides all petitions seeking either Immediate Reinstatement and/or Expedited Reapplication.

*2. Petitions for Extraordinary<sup>2</sup> Relief from Dismissal*

A student who has been dismissed from the College of Law because of an academic deficiency may submit a Petition for Extraordinary Relief to the Academic Standing Committee. Such petitions must follow the process described in subsection 3 of Section BB.

*a. Available Forms of Extraordinary Relief*

There are two forms of Extraordinary Relief:

- 1) Immediate Reinstatement; and
- 2) Expedited Reapplication

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<sup>1</sup> The Committee removed the word “appeal” from the title of Section BB because students are not appealing any decision. A decision to grant relief does not mean that the students were improperly dismissed.

<sup>2</sup> The Committee believed that the term “extraordinary” conveys the notion that relief is not a right.

1) Immediate Reinstatement

Immediate Reinstatement allows the student to continue his/her law study without interruption. The student resumes study with the same GPA and credit hours toward graduation that existed at the time of dismissal. If a student is granted Immediate Reinstatement, the student must meet all of the GPA and other requirements of the College of Law by the end of the semester in which the student is to be reinstated.<sup>3</sup>

A student should consult with the Associate Dean for Academics or with the Registrar to determine whether it is numerically possible to correct the GPA deficiency within that semester. If that is not realistic, the student should consider petitioning for Expedited Reapplication.

*A student petitioning for Immediate Reinstatement should continue to attend classes until the student receives notice of the Committee's decision as to the petition.*

2) Expedited Reapplication

Expedited Reapplication permits the student to reapply to the College of Law Admissions Committee immediately after dismissal, instead of waiting the one year generally required by the Chase Readmission Policies and Procedures (described below).

**A favorable decision by the Academic Standing Committee does not guarantee readmission**, but only allows the previously disqualified student to seek admission through the normal admission process.<sup>4</sup>

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<sup>3</sup> As a matter of practice, the Committee has required a student to satisfy the cumulative GPA requirement by the end of the semester in which the student was reinstated (*i.e.*, within a single semester). On occasion, a student has received an extra semester to increase his/her GPA, generally when the student's GPA at the time of dismissal is so low that it would be either highly unlikely or statistically impossible for the student to satisfy the requirement in one semester. The Committee eliminated that extra semester as an option. The Committee considered the strong possibility that the failure to achieve the goal, despite this extended opportunity, will result in substantial prejudice to the student. A dismissed day student who is reinstated for two semesters risks dismissal upon completion of two-thirds of his/her law school career. When a second dismissal occurs under those circumstances, that student has incurred substantial expense with no imminent possibility of practicing law. Therefore, where two semesters would likely be needed to satisfy the GPA requirement, Expedited Reapplication is the more appropriate remedy to consider.

<sup>4</sup> The Committee is replacing Bankruptcy with a new remedy that would, when granted, afford the student with the possibility of expedited reapplication. The new remedy requires the input of the Admissions Committee (in addition to the Academic Standing Committee) to determine whether it is in the best interests of both the student and the College of Law to offer readmission. The Committee concluded that such additional input is crucial, for at least two reasons.

If the student is subsequently readmitted by the Admissions Committee, the student will receive no credit for any course taken prior to the granting of the petition. The student will be subject to all the academic policies and rules which will apply to the entering class with which the student begins law study anew.

University policy requires that the student's grades prior to readmission must remain on the student's transcript which will also contain a notation that readmission was granted. The student's new grades will appear on the same transcript.

For every readmission of a dismissed student, a statement of the considerations that led to the decision shall be placed in the student's file.<sup>5</sup>

*A student petitioning for Expedited Reapplication should not continue to attend classes pending the Academic Standing Committee's decision on the petition.*

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First: Previously, when the Committee has granted Bankruptcy, it has done so without having the ability to consider the effect of the decision upon the entering class. This is important because decisions to readmit even 3 or 4 students (1) may reduce the ability of the Admissions Committee to make offers to more qualified students; and/or (2) would increase the number of students in the entering class, thus affecting the school's ability to anticipate the proper allocation of faculty and physical plant resources.

The former concern will arise as to students dismissed after the Fall Semester. Because the Academic Standing Committee is charged with deciding such students' petitions at the beginning of the Spring Semester, the Committee cannot consider the composition (both in terms of credentials and precise yield) of the entering class when deciding whether or not to readmit the dismissed student. By allowing the Admissions Committee to wait until the formal Admissions process has begun, the new Expedited Reapplication process will allow the College of Law to make an informed decision as to readmission.

The latter concern will arise as to students dismissed after the Spring Semester. When the Academic Standing Committee grants Bankruptcy in June, the entering class has already been selected. By leaving the final decision as to admission to the Admissions Committee, that Committee can take into account the impact of adding students to the entering class, which may be particularly important in those years in which the acceptance yield is unexpectedly high.

Second: Because students seeking Bankruptcy generally have below average LSAT scores and lower undergraduate GPAs than their cohort class, their credentials will likely be even lower than the average of the *newly entering* class (particularly given the steady rise of LSATs over the last few years). Not only has this adversely affected our overall entering statistics, but bankrupted students are then consistently in the difficult position of competing with students who are more qualified than those with whom they originally entered. Expedited Reapplication, when granted, will permit the student to reapply, but then allow the Admissions Committee to make an informed decision as to whether it would be rational and fair to encourage the student to expend additional resources re-entering the student body with that new class of students.

<sup>5</sup> *Infra*, n. 6.

b. Standards for Extraordinary Relief

A petitioning student is not entitled to any relief from the Academic Standing Committee.

Either Immediate Reinstatement or Expedited Reapplication is available only where the student demonstrates by *clear and convincing evidence* both that

(a) Extraordinary Circumstances led to the unsatisfactory GPA which resulted in the dismissal.

(“Extraordinary Circumstances” do *not* include circumstances that were avoidable by timely action on the part of the student. The following list (though not exhaustive) provides examples of circumstances that do *not* qualify as Extraordinary Circumstances: failure to study, failure to attend classes, failure to take school seriously, failure to avail oneself of academic support, and failure to understand the material.)

*and*

(b) those circumstances have changed sufficiently, or will change sufficiently by the time the student resumes study at the College of Law, such that the student will likely satisfy the criterion below with respect to the form of relief sought.<sup>6</sup>

i) For a student seeking Immediate Reinstatement, the Committee will grant a student’s petition only if the Committee decides that the student has a realistic likelihood of raising the student’s cumulative GPA, as well as the student’s Core and Required GPA (if the student has been tracked in the Open or Structured Curriculum), to 2.000 at the end of the semester in which the student is to be reinstated.

ii) For a student seeking Expedited Reapplication, the Committee will grant a student’s petition only if the Committee

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<sup>6</sup> The procedures always required the student to prove she was entitled to relief by clear and convincing evidence. “Only in cases where the student establishes by clear and convincing evidence reasons justifying the strong likelihood of future success will any remedy be granted.” The Committee decided that the existing standard was too vague in its description of what a student needed to show to make out a case for relief. The new standard specifies that relief will only be granted if some significant event occurred which prevented him/her from succeeding in his/her studies. This approach is consistent with the old standard -- a student who fails to take his/her studies seriously, or who has been unable to achieve despite diligent effort, could not have proven a “strong likelihood of future success” by clear and convincing evidence.

This provision is consistent with ABA Standard 501(b) which reads: “A law school shall not admit applicants who do not appear capable of satisfactorily completing its educational program and being admitted to the bar.” By implication, the same considerations must be applied to a law school’s *re-admission* policies.

decides that the student will possess the requisite ability to complete the course of study at the College of Law. The student's prior dismissal is an important criterion, but not the sole criterion, to consider in reaching a decision on this issue.<sup>7</sup>

3. *Petition Procedures*

a. Petition

A student who has been dismissed from the College of Law because of an academic deficiency may submit a Petition for Extraordinary Relief.

1. The petition for relief must be in writing and received by the Chase Registrar within seven calendar days after the date of the dismissal letter. The petition must be signed and include any supporting documentation.
2. The petition must specify the relief requested by the student. The student's petition may request the following forms of relief:
  - a) Immediate Reinstatement only
  - b) Expedited Reapplication only
  - c) Immediate Reinstatement or, in the alternative, Expedited Reapplication
3. The petition for relief must set forth the specific facts that the student contends warrant relief pursuant to the standard of review described in subsection (2)(b) above.
4. The petitioner may request an oral hearing before the Academic Standing Committee.

b. Hearing

1. A student who requests a hearing will be informed of:
  - a. The time and date for meeting with the committee for a fifteen (15) minute oral hearing;

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<sup>7</sup> Standard 505 of the ABA Standards for Approval of Law Schools 2004-05 states that "[a] law school may admit or readmit a student who has been disqualified previously for academic reasons upon an affirmative showing that the student possesses the requisite ability and that the prior disqualification does not indicate a lack of capacity to complete the course of study at the admitting school. In the case of admission to a law school other than the disqualifying school, this showing shall be made either by a letter from the disqualifying school or, if two or more years have elapsed since that disqualification, by the nature of the interim work, activity, or studies indicating a stronger potential for law study. For every admission or readmission of a previously disqualified individual, a statement of the considerations that led to the decision shall be placed in the admittee's file."

- b. The student's right to be accompanied at such a hearing by an advisor of his/her choice, without cost to the University; and
    - c. The student's right to file with the Dean of the College of Law a written motion to strike a member of the Academic Standing Committee containing specific reasons. If the Dean grants that motion, the Dean will appoint one of the alternate members of the committee to hear the petition.
  - 2. At the hearing, the student should be prepared to inform the Committee of any additional relevant information and/or clarify his/her petition.
  - 3. The Academic Standing Committee will conduct a hearing, normally within seven (7) days of receipt of the student's timely-filed written petition.
- c. Decision
  - 1. In making its decision, the Academic Standing Committee will review the written petition and the oral statements made at the hearing, in order to determine whether the student meets the standards set out in subsection (2)(b) above.
  - 2. Normally, the student will receive written notice of the Committee decision from the Chair within seven (7) days of the hearing.
- 4. *Limitation on Procedure and Remedies*
  - a. A student who has been granted Immediate Reinstatement may not petition the Academic Standing Committee for any additional Extraordinary Relief, or for any subsequent modification of the original terms of the relief already granted, during his/her law school career.
  - b. All decisions by the Academic Standing Committee are final.
  - c. Any communication from a student or from persons other than members of the law school faculty and administration regarding a student's case, outside the context of the petition and hearing process outlined above, shall be directed to the Associate Dean for Academic Affairs.

**CC. Readmission Policy and Procedure**

A student who has been dismissed for an academic deficiency at Chase College of Law (and has not been Immediately Reinstated or readmitted under the Expedited Reapplication process or who has been dismissed for academic deficiency at any other College of Law, may apply for Readmission to the College of Law only when two or more years have elapsed since the disqualification.

The student must submit a Petition for Readmission to the Chase College of Law Registrar. The petition must be in writing and must state the reasons why the student expects to be successful in the study of law.

This petition will be considered initially by the Academic Standing Committee which meets only once a year to consider petitions for Readmission. The student's petition must be submitted and his/her file completed by February 1 to be considered for readmission for the following Fall.

The student's petition must establish the reasons justifying Readmission by clear and convincing evidence.

The student has no right to personally appear before the Academic Standing Committee and may not attend the Academic Standing Committee meeting concerning his/her Readmission unless asked by the Committee.

The Academic Standing Committee will consider the student's entire record in reaching its decision. The Committee may give a favorable recommendation on a petition when two or more years have elapsed since the student's disqualification and the student's work, activity, or studies during the interim indicate a stronger potential for law study.

If the Academic Standing Committee gives a favorable recommendation on a petition, the petitioning student is then allowed to apply for admission through the normal admission process.

It should be stressed that with all Readmission decisions, whether the student was a former Chase student or not, the decision of the Academic Standing Committee does not guarantee Readmission, but only allows the previously disqualified student to seek admission through the normal admission process.

May 18, 2005

**4.48 Former “Bankruptcy” Policy**

A student who has been dismissed for academic deficiency at Chase College of Law may, once during the time before the student has earned the first 48 hours of credit towards graduation, petition for Academic Bankruptcy instead of petitioning for Academic Reinstatement.

This petition must be in writing and received by the College of Law Registrar within seven (7) days after the date of the dismissal notice. The petition must set forth the specific reasons for the deficiency and must also present reasons which show that the student will be successful in the study of law if the petition for academic bankruptcy is granted and the student begins law study all over. The student may request an oral hearing before the entire Academic Standing Committee.

A student petitioning for academic bankruptcy shall be informed of:

- (1) the time and date for meeting with the Committee for the oral hearing, if requested, which shall last for no more than 15 minutes;
- (2) the student’s right to be accompanied at such hearing by an advisor of his/her choice, without cost to the University; and
- (3) The student’s right to file a written motion to strike a member of the Academic Standing Committee for good cause with the Dean of the College of Law. If the Dean grants the motion to strike, the Dean shall appoint one of the alternate members to hear the petition.

A student petitioning for academic bankruptcy should not continue to attend classes pending the decision on the petition.

If an oral hearing is requested, the Academic Standing Committee will conduct the hearing, normally within seven (7) days of receipt of the student’s written petition. At the hearing, the Committee will review the written petition, and hear and consider the oral statements, all of which should set forth the reasons for justifying granting the petition for academic bankruptcy. A student must establish by clear and convincing evidence the reasons justifying granting academic bankruptcy.

If the Academic Standing Committee grants the petition, the student will begin law school as an entering student in the next entering class unless the Committee grants an extension of time. If the Academic Standing Committee grants the petition, the student will receive no credit for any course taken prior to granting the petition. The student will be subject to all the academic policies and rules which apply to the entering class with which the student begins law study anew.

University policy requires that the student’s grades prior to academic bankruptcy will remain on the student’s transcript. The transcript will contain a notation that academic bankruptcy was granted. The student’s new grades will appear on the same transcript as the prior grades.

A student may petition for academic bankruptcy only once during his/her law school career.

This policy does not prevent the committee on its own motion from offering academic bankruptcy.

May 9, 2001



**4.49 Additional Academic Standing and Readmissions Committees Procedures**

With all readmission decisions (whether the student was a former Chase student or not), the decision of the Academic Standing Committee, if favorable to the student, is advisory only and the student must then apply through the normal admission process. Obviously, if the decision is negative, the matter stops at that point.

There should be close coordination among the two committees, the dean of admissions, the associate dean and the records specialist. For example, the Academic Standing Committee should be informed, when appropriate, of the average qualifications of an entering class. The Academic Standing Committee should inform the dean of admissions, the associate dean and the records specialist of any reinstatement decisions.

April 25, 1990

The Academic Standing Committee meets once a year to consider all petitions for readmission. All files must be fully completed by April 1 to be considered for readmission.

November 30, 1988

The Academic Standing Committee operates on the present policy adopted by the Faculty of the College of Law. The A.S.C. consists of three (3) members of the Faculty and Administration and two alternates appointed by the Dean.

1. As soon as each student's file is completed by the Records Specialist at the end of a semester or summer term, the permanent record card and the grade card shall be sent to the Associate Dean if the student falls into one of the following categories:

- a. Students to be placed on academic probation.
- b. Students to be dismissed.
- c. Students on special student probation for review.

2. The Associate Dean shall review the student's record card to determine whether the student is in academic deficiency, and if so, shall issue the appropriate letter.

3. Letters to students shall be sent as soon as possible after the decision above.

4. If the student seeks reinstatement, the student must come to the Associate Dean's Office within 10 days of the date of the dismissal letter.

5. The secretary for the Associate Dean shall:

(1) inform the student of the time and date for meeting with the committee for a fifteen (15) minute hearing;

(2) inform the student of the right to file a written motion to strike a member of the Academic Standing Committee for good cause with the Dean of the Law School. If the Dean grants the motion to strike, the Dean shall appoint one of the alternate members to hear the petition.

6. The Academic Standing Committee as finally constituted will meet with the student at the date and time scheduled.

April 25, 1984, as amended Nov. 19, 1986

Each new Academic Standing Committee will take their office on September 1 of each year and will cover Fall, Spring and Summer grading sequences. This would entail only those petitions for reinstatement at the College of Law. The Dean's Office has discretion to appoint members to the Academic Standing Committee on an Ad Hoc basis, as needed, so as to have three members at all times on this committee.

August 25, 1981

The Readmissions Committee shall be composed of both faculty and administration.

September 6, 1974

#### **4.5 DEADLINES**

A proposal to amend the grading deadline was tabled at the March 3, 2004, faculty meeting.

All College of Law Instructors shall submit a final grade for each of their students within four (4) weeks of the date of the examination being given in the semester or summer session in which their particular offering has been given, except that grades for the fall semester are due four weeks after the date of the exam but no later than the first day of the spring semester.

The Faculty recommends that the Dean consider a Faculty member's record in submitting grades in a timely fashion both in making of the recommendation concerning said faculty member's pay and all other fringe benefits or a faculty member (travel, research assistant, duplication, etc.) the faculty recommends that the Dean publish a list of faculty members who are delinquent in the submission of final grades.

December 1, 1982, as amended October 28, 1999

Each faculty member shall submit a final grade for each student enrolled in his/her course no later than the date specified by the Administration, but in no event later than four weeks after the last scheduled exam has been administered.

September 29, 1982

At the expiration of the date of time allowed for grades to be turned in, the names of the offenders of the present rule will be posed and circulated.

"It was further stated that, if late grades still continued to be a problem, the Dean's discretion will be exercised."

September 29, 1982

The Dean should employ whatever censure the Dean feels, in his discretion, is applicable to insure that all members of the full time faculty will turn in their grades within the four week rule, as adopted by the faculty.

August 25, 1981

1. A course (or any other activity for credit including law review, Independent study, clinical work, etc.) is complete on the last day specified each semester for faculty to turn in grades for seniors. [Note - it is unclear whether "for seniors" was added to this sentence.]

2. The Dean shall have the power to grant exceptions to the above rule in exceptional circumstances.

3. The Faculty of the College of Law is opposed to the concept that students take or prepare to

take the bar examination while enrolled in the College of Law. The Dean should be aware of this view when considering exceptions to these rules.

March 28, 1980

#### 4.51 Incomplete Grades

Incomplete assignments must be completed no later than the last day of *classes* for the following semester or term. As a result, fall incomplete assignments must be completed by the end of the last day of spring semester *classes* (not exams); and spring and summer incomplete assignments must be completed by the end of the last day of the fall semester *classes* (not exams). Faculty members shall submit grades for these assignments by the deadline for all other grades due that semester.

November 11, 2010

Last sentence added

September 27, 2011

#### 4.52 Graduating Seniors' Grades

The current system of notifying graduating seniors of their grades shall be retained.

April 2, 1986

[The Committee report states that the current system of notification is that faculty members are asked to notify the Records Specialist by Thursday prior to graduation of any senior who has failed or who may fail a course once the grading process is completed.]

#### 4.53 Posting and Distributing Grades to Students and Faculty

Faculty may post grades if they wish, but not until all final examinations are finished. Students must indicate on their final exams whether they want their final grade posted or not. The Dean will direct institution of the former posting system.

January 29, 1992

The following Grade Posting Policy was distributed by Dean Schechter:

Effective with the 1992 spring semester, final examination grades may be posted for those members of the faculty who wish to do so.

After the faculty member has submitted final grades to the Records Specialist, the faculty member may post grades on the third floor placement bulletin board. Due to limited space, grades should be typed on 8 1/2" X 11" paper.

A faculty member may not post the grade of any student who has not affirmatively indicated in writing on the exam booklet that such disclosure is authorized (i.e., I hereby authorize that my exam number and grade in \_\_\_\_\_ be posted.) No grade shall be posted or mailed until the examination period has ended.

Should students wish to receive their grades by mail, the self-addressed stamped envelope system will still be available.

Dated 2/21/92

Explained at Faculty Meeting February 26, 1992

The Dean's Office should publish to the Faculty each semester for every course the following data:

- Average Grade
- Grade Distribution
- Number of Students in the Course.

December 1, 1982

The faculty reaffirmed the recommendation of Task Force IV adopted at Shakertown directing the Dean to consult with those professors who consistently give high grades. Grade distributions for every class for each semester shall be distributed to all full and part-time faculty.

April 27, 1982

All final grades will be officially reported in writing to the students. No member of the faculty or staff is permitted to give information as to the results of the examinations. After the faculty member has submitted final grades, any faculty member, who elects to do so, may post his/her grades in a convenient place near his/her office. With respect to part-time faculty, the Administration will designate an appropriate place for posting. It is to be clearly understood that a faculty member may not post the grade of any student who has not affirmatively indicated in writing on the exam booklet that such a disclosure is authorized. At the discretion of the professor, a student may submit a self-address, stamped postcard or envelope to the professor for mailing of the final grades after final grades have been submitted to the administrative office. No grade shall be posted or mailed until the examination period has ended.

April 4 and 20, 1979

#### **4.6 MISCELLANEOUS**

##### **4.61 Class Cancellation and Rescheduled Classes**

It is the policy of the Law School that Professors will comply with the University policy on the cancellation of classes due to inclement weather. No member of the faculty is permitted to unilaterally determine that his/her classes will not be held due to weather conditions.

February 29, 1984

Faculty should avoid scheduling attendance at professional meetings which will result in missing more than 2 night classes in any semester.

April 18, 1983

To alleviate burden on students, cancelled classes should be made up promptly, in the same week if possible.

April 18, 1983

Day classes should be made up during morning hours. Evening classes should be made up either

on an open night or on the next available Saturday.

April 18, 1983

Professors in required courses may make prior arrangements to switch class times with another professor in the same required sequence.

April 18, 1983

Attendance shall be taken at all make up classes but shall not prejudice students' attendance records.

April 18, 1983

In instances where a faculty member finds it necessary to reschedule a class, the following procedure shall be followed:

1. The class will be rescheduled at a reasonable time.
2. Since a student might be faced with a schedule conflict not of his or her own making, attendance shall not be taken except in the Ethics course.
3. Tape recording of a rescheduled class may be allowed for the benefit of those students who are unable to attend, but such tape recording will be at the discretion of the professor.

November 30, 1977

#### **4.62 Syllabus**

During the first class session for each course, the professor shall inform the students of the materials to be covered in that course by written syllabus. Any changes shall be made in writing. The Administration shall be given a copy.

October 3, 1983

#### **4.63 Tape Recorders in Class Room**

Tape recording of a rescheduled class may be allowed for the benefit of those students who are unable to attend, but such tape recording will be at the discretion of the professor.

November 30, 1977

Tape recorders are not permitted in the class room without the consent of the professor.

November 5, 1971

#### **4.64 Visitors to Classroom**

Each instructor has the discretion to allow or prohibit classroom visitors.

November 16, 1972

**SECTION 5**  
**ADMISSIONS, REGISTRAR, AND GRADUATION POLICIES**

**5.1 ADMISSIONS**

**5.11 Regular Admissions**

The following Admissions policy was adopted October 20, 1999

Applicants for admission to the Chase College of law must have an academic record of sufficiently high caliber to demonstrate capability for the study of law. Applicants must receive, prior to beginning study at Chase, a bachelor's or higher degree granted by a college or university accredited by a regional accrediting association for institutions of higher education. Applicants must have taken the Law School Admission Test (LSAT) within five years of the date of application, and must be of good moral and ethical character.

The Chase College of Law seeks to select and admit those applicants who have the best prospect of high-quality academic work and who are highly motivated for the study of law. Consequently, primary emphasis is placed on undergraduate grades and performance on the LSAT during the application review process. Secondary factors include upward trend of college grades; time between college graduation and application to the Chase College of Law; college grading and course selection patterns; outside work while in college; letters of recommendation; graduate study, cultural, educational or sociological deprivation; employment background; leadership ability; evidence of writing, speaking or linguistic ability; and demonstrated competence in another profession or vocation. In keeping with the above, the admissions committee seeks diversity in the student body by considering in no particular order, sex, cultural or geographic background, and minority status.

October 20, 1999

Inasmuch as the Bar statistical studies indicate that at certain ranges the LSAT is not a good predictor of bar exam success, the Admissions Committee should be encouraged to continue to be more flexible in its admission decision based on the LSAT as an indicator in those ranges.

April 8, 1998

**5.12 Size of Student Body**

The total size of the Chase student body should be approximately 500 students by head count, with the Dean having discretion to determine the appropriate size of the entering class year by year by division to maintain a student body of approximately that size.

May 18, 2005

The Admissions Committee should seek to have an entering class of at least 130.

April 20, 1985

## **ADMISSIONS, REGISTRAR, AND GRADUATION POLICIES**

### **Section 5 – Page 2**

#### **5.13 Students with Prior Law Study**

A prospective student at the College of Law who has attended any law school in the past but withdrew in good standing prior to taking the first semester or quarter examinations need not go through the Academic Standing Committee. The prospective student's file can go directly to the Admissions Committee for their consideration.

April 20, 1988

Admission by transfer is to be determined by the Administration.

August 25, 1981

A student in good standing at another law school may be eligible for admission if the applicant: 1) has attended a law school approved by the American Bar Association; 2) is in good standing and eligible to continue the study of law at that school, as evidenced by a suitable letter from the dean of that law school; 3) [deleted April 20, 1988]; and 4) did acceptable work in the study of law at the school of prior attendance. Any student seeking to transfer who is not in good standing at the law school previously attended must make application to the Academic Standing Committee.

The College of Law shall require that the course of study for the JD degree shall be completed no earlier than 24 months and no later than 84 months after a student has commenced the study of law at the College of Law, or at another law school from which the College of Law has accepted transfer credit.

[Amended May 10, 2012]

The acceptance of credits for advanced standing is at the sole discretion of the College of Law. Normally no more than 30 semester hours will be transferable; no credit will be transferred for any course in which a grade of less than C (2.00 on a 4.00 scale) was received. The transfer student must submit an application, a transcript of his or her law school courses, a Dean's letter, and a copy of his or her LSDAS report. All credits transferred will be with a grade of CREDIT.

April 25, 1984, as amended Nov. 19, 1986

#### **5.14 Transient Student Policy**

Any student at the College of Law wishing to take courses for credit at another ABA Law School shall petition the Dean for approval. The petition shall include the courses such student proposes to complete at the non-resident institution. If such petition is approved, it will allow the petitioning student to complete no more than thirty (3) hours of course study at the non-resident institution. No petition shall be approved until such time as a student has satisfactorily completed the first thirty (30) hours of course work at the College of Law. Normally, students shall not be permitted to complete the last fifteen (15) hours of study at any non-resident institution. No credit will be given for any grade below "C" (2.00 on a 4.00 scale), or its equivalent, that is taken at another school. Pass/fail or similar grades are not acceptable for transfer. All grades received at the non-resident institution will be recorded on the permanent record card. However, their grades will not be included in the G.P.A. or class rank. In order to receive transient credit the student must have an official transcript of the courses taken at the non-resident institution forwarded directly from such institution to the Dean.





## **ADMISSIONS, REGISTRAR, AND GRADUATION POLICIES**

### **Section 5 – Page 4**

Any student in good standing from another College of Law approved by the ABA may take courses at the College of Law as a transient student with permission of the Dean and with the permission of the resident Law School. The student is responsible for forwarding an official transcript to the resident law school.

March 31, 1982

#### **5.15 Miscellaneous**

The Administration shall resume placing bar information in the registration packet as adopted by the faculty in 1982.

March 27, 1991

The College of Law should continue to maintain high admission standards and grading standards in order to obtain and train the most highly qualified individuals for admission to the legal profession.

October 26, 1988

Certain articles pertaining to the history of the legal profession should be included in the registration packets that are mailed to incoming first year students.

October 26, 1988

The following statement should be included in the registration packet each semester:

"ABA and AALS Standards require the following in regard to student employment: Full-time students may not work over 20 hours per week. Please note the number of hours you anticipate working per week during the semester."

March 7-8, 1981

**5.2 REGISTRAR POLICIES**

**5.21 Academic Standing**

A student will be considered as not being in "good standing" for the purpose of financial aid, transfer to another law school, or for any other purpose whenever his or her cumulative average is below 2.0.

May 5, 1976

**5.22 Class Rank**

Class rank is to be based solely on required courses.

March 27, 1991, as amended February 26, 1992

Students who earn a grade point average of 3.15 or higher in any semester in which 12 or more hours have been earned in the full-time division (at least 9 hours of which are non-pass/fail hours), or in which 8 or more hours have been earned in the part-time division (at least six hours of which are non-pass/fail hours), will be named to the Dean's List, a significant honor at the College of Law.

May 12, 2011

[Editor's note: This language appears in the Student Handbook.]

"Dean's List" will be noted on permanent record cards.

March 30, 1983

The Administration should consider whether class rank should include the grades of students who transfer to the College of Law.

October 3, 1983

Class rank shall be determined every semester as soon as practicable. Separate class ranking shall be kept for the day and evening divisions.

March 7-8, 1981

All students who earn a grade-point average of 3.2 or higher for any semester in which 12 or more hours have been attempted in the day division, or in which 8 or more hours have been attempted in the evening division, will be named to the Dean's List.

April 20, 1979

If a student [evening student] takes 9 hours and receives a grade for 6 hours, the student can still be placed on the Dean's List.

March 1, 1974

**5.23 "F" Grade Policies**

In the event of an "F" grade, the hours count for grade point average computation purposes, but do not count toward the 84 hour graduation requirement.

February 17, 1969

[reaffirmed numerous times]

If a student receives a grade of "F" or "U" in a required course, the student must repeat the course prior to graduation.

February 4, 1977

Any student who receives a grade of "F" in a required course, or who, fails to take a scheduled examination in any required course and has been assigned a grade of "F" must repeat the course. The original grade received by the student will remain on the record and the additional course and grade will also be recorded.

April 4, and 20 1979

#### 5.24 Leaves of Absence

A full-time student must graduate within 3 1/2 calendar years after beginning law study. A part-time student must graduate within 4 1/2 years after beginning law study.

A student who completely withdraws from school, while in good standing and who is not in academic deficiency, may re-enter without permission so long as their studies may be completed, in compliance with regulations governing number of hours which may be attempted, within 4 years after first beginning full-time law study or within 5 years after beginning part-time law study.

A student who withdraws completely while subject to conditions imposed by the Academic Standing Committee may return subject to those same conditions when s/he re-enters.

Deviations are not permitted except in extraordinary circumstances with the prior approval of the Dean.

This policy will be effective for the Fall Term 1982 for all students except those who have received written approval from the Dean.

March 31, 1982

A student who has a cumulative grade point average below 2.0 must petition and receive approval from the Dean before taking a leave of absence.

March 23, 1988

#### 5.25 Military Service

A student will be excused from a regularly scheduled class or examination only in the case of an emergency military situation as certified in writing by his or her commanding officer or military superior. A student should not enroll in a course that will conflict with military obligations. If the student is aware of the time he will be away for military duty, he should make it known at the time of registration. In the event that a student is excused from a class or examination because of an emergency military situation, the instructor, after consulting with the student, will arrange for make-up work.

December 6, 1974

#### 5.26 Residency Requirements

In addition to the 90 credit hours required for graduation (see Part III.A.1.(a), of this Handbook), each student must also satisfy minimum residency requirements imposed by the American Bar Association. The minimum residency requirements may impede a student's ability to graduate

early.

A full time student must complete 6 semesters of residence credit in order to graduate. A full time student will ordinarily fulfill both the credit hour and residence requirements by enrolling in and completing six semesters with an average of 15 credit hours per semester. A full time student who enrolls in 10 or more credit hours in a semester or summer term, and actually receives credit for 9 credit hours in that semester or summer term, fulfills the ABA residence requirement for that semester or summer term, and must also satisfy the 90 credit hour graduation requirement. A full time student who enrolls in less than 10 credit hours in any semester or summer term or who receives credit for less than 9 credit hours in that semester or summer term, will receive pro rata credit towards the residence requirement based on the number of credit hours for which credit was received as that relates to 9 credit hours. For example, a full time student who receives credit for 6 credit hours in a summer term will receive  $6/9$  ( $2/3$ ) of a semester's credit towards the residence requirement. That full time student must therefore take classes in an additional semester or summer term in order to satisfy the residence requirements.

A part time student must complete 8 semesters of residence credit in order to graduate. A part time student will ordinarily fulfill both the credit hour and the residence requirements by enrolling in and completing 8 semesters with an average of 9 credit hours per semester, with the remainder of the 90 credit hours earned in summer terms. A part time student who enrolls in 8 or more credit hours in any semester or summer term and actually receives credit for 8 credit hours in that semester or summer term, fulfills the ABA residence requirement for that semester, and must also satisfy the 90 credit hour graduation requirement. A part time student who enrolls in less than 8 credit hours in any semester or summer term, will receive pro rata credit towards the residence requirement based on the number of credit hours for which credit was received as that relates to 8 credit hours. For example, a part time student who receives credit for 6 credit hours in a summer term will receive  $6/8$  ( $3/4$ ) of a semester's credit towards the residence requirement. That part time student must therefore take classes in an additional semester or summer term in order to satisfy the residence requirements.

For computing residence credit, Summer Term and Intersession classes offered in a single summer are lumped together into one "Summer Term." It may or may not be possible for a student to register for 10 hours of credit in a summer term or to receive 9 hours of credit in a summer term by registering for and taking both Intersession and Summer Term classes. Residence credit for two or more semesters and/or summer terms in which partial residence credit was received may be added together to fulfill residency credit for one or more complete or fractional residence semesters for full time and for part time students. ABA requirements do not allow "extra" residence credit for overloads.

Students may consult with the Registrar for further information about the residence requirement.

April 18, 2001

In order to receive a full semester of residency, a day student must take and complete ten credit hours; an evening student must take and complete eight credit hours for a full semester of residency. If a student completes fewer credits in any semester, he receives residency credit on a pro-rata basis (the number of hours he completes, compared to the minimum required for his division).

No more than five residence credits may be earned in a summer session. In a summer session, residence credits are earned equivalent to semester hours successfully completed up to and

## ADMISSIONS, REGISTRAR, AND GRADUATION POLICIES

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including five credits. A student who takes or completes less than five credit hours shall receive pro-rata credit.

November 5, 1976 and November 30, 1976

#### 5.27 Transfer Between Divisions

Transfers between divisions (full-time or part-time) will be permitted only in exceptional circumstances for good cause shown at the discretion of the Associate Dean. If a transfer is permitted, the class rank for such student will be computed in the division in which the student earned the majority of his/her hours of credit.

March 7, 1985

#### 5.28 Withdrawal Policy (Withdrawal from School)

1. A Student may withdraw from school through the fourth week of classes without permission. The student must notify the Dean, in writing, of the withdrawal.

2. A student may withdraw from school after the fourth week of classes, with permission of the Dean only. A student who withdraws after the fourth week of classes without the Dean's permission will receive grades of WF.

3. Refunds of tuition will be governed by the policy of Northern Kentucky University then in effect.

April 28, 1978; see also  
February 4, 1977

A student who withdraws from law study while subject to conditions imposed by the Academic Standing Committee must petition the Academic Standing Committee for permission to resume law study. If the Committee grants the petition, it may impose appropriate conditions.

March 23, 1988

### 5.3 SCHOLARSHIPS AND AWARDS

#### Responsibility for Scholarships and Awards

The Administration will handle all awards and scholarship with the exception that the advice and consent of the Admissions Committee will be sought as to the grant of scholarships not automatically given and those noted below:

Greater Cincinnati Women lawyers Club Scholarship  
(\$100 to woman in last year of law study who has shown leadership qualities, academic achievement and is in need of financial assistance).

Auxiliary of Cincinnati Bar Association  
(award to Ohio residential who has financial need)

Maislin Award  
(\$500 to student who has displayed highest traits of professionalism and ethical study).

September 28, 1983

## **ADMISSIONS, REGISTRAR, AND GRADUATION POLICIES**

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On September 21, 1983, The Awards and Chairs Committee [the Awards and Scholarship Committee??] reported Exhibit A as a list of all scholarships awarded by the College of Law, Exhibit B as a list of all awards automatically calculated by the Administration, exhibit C as three awards on which advice of the Committee is sought, and Exhibit D as three awards given by outside agencies:

#### **Exhibit A Scholarships**

1. Regional Scholarships (two each to incoming student from Eastern, Kentucky State, Morehead, Murray State, Northern, Western).
2. Minority Scholarships (two each year to incoming students).
3. Ethel Tingley (one each year to incoming female student).
4. Shafer Scholarship (currently given by the Administration after consultation with the Trustee-- Central Trust Bank).
5. Chase Excellence Scholarship (automatically given to top student in second, third and in each division and fourth year in the part-time division).
6. Chase College Foundation (two automatically given to top incoming students when available in evening division).
7. Chase Activity Scholarship (automatically given to Editor-in-Chief and Managing Editor of the Law Review and the Student Bar Association President).
8. The Dennis Scholarship and the Jaffe Scholarship have not been funded, could be used as recruitment device for incoming students.

#### **Exhibit B Awards (no advice needed)**

1. Carlisle Memorial Fund (top two students in full-time division).
2. Rebecca Bloom Bettman (top two students in part-time division).
3. Bell Memorial Award (top grade in Constitutional Law I & II).
4. Myers Fund (award of the year membership in the County law Library to three graduating students who will practice in Hamilton County, Ohio).
5. Shafer Memorial Fund (awards made by administration during the year).
6. Cincinnati Estate Planning Council Award (highest GPA in Property I & II, Wills and Trusts and Estate Planning or Federal Estate and Gift Tax).
7. Gilday Award (highest GPA in Criminal Law and Criminal Procedure).

8. Anderson Award (highest grade in Corporations and another for highest grade in Wills and Trusts).
9. American Jurisprudence Award (book awards in various classes).
10. U.S. Law Week (student whose grades improved the most in last year).
11. Phi Alpha Delta (book to member with highest grade point average).
12. Order of Curia (top 10% of graduating class).
13. Kentucky Lawyers Auxiliary (full-time student with highest GPA for first three semesters every third year).
14. Tomlim Award (highest GPA in Torts I & II).
15. West (top two students in each class for each division).
16. Zinn (female with highest GPA in graduating class).
17. Labor law (highest GPA in labor Law, Labor Relations, Public Employment).

Exhibit C  
Awards (advice may be needed)

1. Greater Cincinnati Women Lawyers Club Scholarship Award (\$100 to woman in last year of law study who has shown leadership qualities, academic achievement and is in need of financial assistance).
2. Auxiliary of Cincinnati Bar Association (award to Ohio resident who has financial need).
3. Maislin Award (\$500 to student who has displayed highest traits of professionalism and ethical study).

Exhibit D  
Awards given and determined outside law school

1. Kenton County Republican Women.
2. Phi Alpha Delta Minority Student Fellowship.
3. Moot Court Board Alumnus Award.

The following was approved September 28, 1983, unless otherwise noted.

Scholarships

**1. CHASE EXCELLENCE SCHOLARSHIP.**

Purpose: To honor exceptional scholastic performance at each class level.

Eligibility Criteria:

1. Top academic full-time day division student at completion of first and second years of study.
2. Top academic part-time division student at completion of first, second and third years of study.
3. Students already receiving another Chase tuition award are not eligible for this award.

Amount of Award:

1. Full tuition at in-state rate.
2. Maximum award not to exceed cost of tuition at in-state rates.

Duration: One academic year, Fall and Spring semesters, not including summer.

Selection Procedure:

1. Top students in full-time and part-time divisions, at completion of each class level, identified by Registrar.
2. Selection to take place at end of Spring semester or Summer Term for the following academic year.
3. Assistant Dean notifies Financial Aid Office of the names of recipients for official notification to recipients.

Minimum Hours of Enrollment:

Full-time division - 12 hours; part-time division - 8 hours.

**2. CHASE ACTIVITY AWARDS**

Purpose: To provide recognition of student activity in areas of service to the Law School Community

Eligibility Criteria:

1. President of Student Bar Association
2. Editor of the Law Review
3. Business Manager of the Law Review

Amount of Award

1. Full tuition at in-state tuition rates.
2. Maximum award equal to in-state tuition.



## **ADMISSIONS, REGISTRAR, AND GRADUATION POLICIES**

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Duration: One academic year, Fall and Spring semesters, not including Summer Term.

Selection Procedure:

1. The elected President of the Student Bar Association
2. Editor and Business Manager of the Law Review, who are appointed.
3. The Assistant Dean of the Law School notifies the Financial Aid Office when these recipients are selected.

Minimum Hours of Enrollment: Eight hours.

### **3. CHASE REGIONAL SCHOLARSHIPS**

Purpose: To encourage statewide representation within the student body of the Chase College of Law.

Eligibility Criteria:

1. Graduate of one of the six regional Universities in the Commonwealth.
  - A. Eastern Kentucky University
  - B. Kentucky State University
  - C. Morehead University
  - D. Murray State University
  - E. Northern Kentucky University
  - F. Western Kentucky University
2. Each regional University is allotted two scholarships per year.
3. Any scholarships not awarded to eligible applicants from one or more of the Regional Universities may be awarded to (1) additional applicants from the remaining Regional Universities, or (2) eligible applicants from a Non-Regional College or University, public or private, in Kentucky, preferably residents from the geographic area served by that Regional University.
4. Regional Scholarship recipients are not eligible for other Chase tuition awards.

Amount of Award:

1. Full tuition at in-state tuition rates.
2. Maximum award not to exceed cost of tuition at in-state rates.

Duration:

1. Three academic years, not including Summers, for full-time students.
2. Four academic years, including two Summer sessions, for part-time students.

Selection Procedure.

1. This scholarship is to be used as a recruitment device to attract the highest academic applicants to the College of Law.
2. Recipients approved and names forwarded to the Financial Aid Office for official notification to recipients.
3. The Assistant Dean will recommend to the Admissions Committee the selection.

### **4. MINORITY EDUCATIONAL OPPORTUNITY TUITION AWARD - CHASE**

## **ADMISSIONS, REGISTRAR, AND GRADUATION POLICIES**

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**Purpose:** To implement University Affirmative Action Policy and to encourage enrollment of greater number of minority students at Northern Kentucky University and at the College of Law.

**Eligibility:**

1. A minority student as defined by federal guidelines (Minority students are those students belonging to the racial or ethnic groups defined as protected categories by the Department of Health, Education and Welfare).
2. Meet requirements for admission to Chase College of Law.

**Distribution of Awards:** Two (2) awards will be allocated to Chase Law School each year.

**Amount of Awards:** Full tuition, in-state or out-of -state.

**Duration:**

- A. One year, renewable for up to two additional years not including Summer Term for full-time division.
- B. One year, renewable for up to three additional years, including two (2) Summer Terms for part-time division.
- C. This tuition award may be allocated to another minority student in the event the student selected leaves the College of Law before graduation to a student in the same year.

**Selection Procedure:**

1. All Chase Law School applicants will be notified of the existence of the Minority Education Opportunity Tuition Awards.
2. Minority award application forms will be sent to all students along with their letter of acceptance to Chase College of Law. Appropriate application forms and deadlines will be established by the Chase Admission Committee, in accordance with institutional policy and recruitment.
3. In determining the recipients, the Chase Admissions Committee will consider the candidates' LSAT index number, financial need, and other factors as the Committee deems necessary.
4. The Chase Scholarship Committee will notify the Affirmative Action Committee and the Financial Aid Office of their decision. The Financial Aid Office will send official notification to the student.

The following was approved April 27, 1982:

1. John G. Carlisle Memorial Fund - We recommend that we not invade the corpus of this fund, in order to make the awards. We recommend that the income from this fund be used to provide awards to the student in each class in day division with the highest and second highest grade point average, on a 2-1 basis (twice as much for the top student as for the second highest student). We hope that the Dean can find funds elsewhere to bring these awards to \$200 and \$100.
2. Lester Auer Jaffe Fund - We strongly recommend to the Foundation that part of the income from this Fund be used for a full-tuition scholarship.
3. Robert M. Dennis Scholarship - We strongly recommend to the Foundation that the income from this fund be used for a full-tuition scholarship, or for a scholarship in the amount of the income, whichever is lesser.

4. Rebecca Bloom Bettman Fund - We strongly recommend to the Foundation that these awards, \$200 to the highest student in each class, \$100 to the second highest student, be made to both day and evening students.

5. Rebecca Bloom Bettman Fund - We strongly recommend to the Foundation that any excess income be used for scholarships.

6. In general - We strongly recommend to the Foundation, that all its awards be made available to both day and evening division students.

7. Law Review Award - We recommend that this award be discontinued on an annual basis after this year.

8. Maurice William Myer's Fund - We recommend that the Assistant Dean notify the top ten graduates in the day and evening divisions that this award is available, that he inquire whether the graduate intends to practice law in Hamilton County, and that he then make the award to the responders who have the highest cumulative grade point averages. The Assistant Dean may contact more than 10 graduates if it seems advisable to him/her.

9. Award of Cincinnati Bar Association Auxiliary and also the Kenton County Bar Association Scholarship - We recommend that, if there is sufficient time, the Assistant Dean solicit applications from all students for these awards, and that the recipients be chosen by the Awards & Scholarship Committee or by the donors from those who complete the application form.

10. Who's Who Among Students in American University and Colleges - We recommend the continuation of the present practice, namely, that the top two students in each class be nominated for Who's Who, and that the Assistant Dean choose other nominees from among the students who exhibit leadership in law school activities.

11. Corpus Juris Secundum Award - We recommend that the Assistant Dean notify the top 5 students in each class in each division of the availability of the award, and have applicants supply information on their academic achievements and service. The Awards and Scholarship Committee shall then make the awards from those who apply.

12. Ethel Tingley Scholarship - We recommend the following:

a. One scholarship every year shall be awarded to an incoming freshman woman, based only on need. The recipient may be a day or evening student. The Dean shall determine the amount of the award, at his discretion, and the Awards and Scholarship Committee shall make recommendations to the dean about the recipient.

b. The scholarship shall be renewable each year, upon a showing of continued need.

c. The scholarship shall be renewable each year so long as the recipient is in school, regardless of grade point average. Continuous enrollment in law school in successive academic years is not required, so long as the recipient can demonstrate need when she returns to law school.

d. The scholarship can be used only towards tuition at Northern Kentucky University. Full-time students may not use the scholarship for summer school, but part-time student shall receive a comparable award for summer school.

e. The Awards and Scholarship Committee may request further information outside the application, or verify any information in the application, if they deem it necessary.

April 27, 1982

5.31 Book Awards

The Registrar is to keep an on-going file of the academic awards recognized at the Annual Awards Program, and a copy of the Dean's List for each semester.

April 1, 1977

Each professor shall designate no more than one student for a book award in each course. The professor shall not indicate the student with the highest grade if grades are posted. The student with the highest grade in a course will be notified by the Administration. If selection of a student to receive the book award becomes unusually difficult, the following criteria may be used to aid the professor in making his/her selection:

- (1) Top Grade
- (2) Class Participation
- (3) Attendance

The professor shall have the discretion to indicate that no award be given if he/she is of the opinion that none of the work done was outstanding.

December, 6, 1974, as amended  
March 3, 1976

**5.4 TRANSCRIPTS**

A student who volunteers in a pro bono activity may request a citation on his or her law school transcript acknowledging the student's pro bono services to the community.

For purposes of the pro bono certification, a student volunteers in a pro bono service when:

- a. The student assists for a period of time not less than 25 hours in the aggregate as measured prior to graduation:
  - (i) An attorney in the private practice of law who is providing legal services to unrepresented or underrepresented indigent clients without fee or at a greatly reduce fee;
  - (ii) A non-profit, tax-exempt legal organization that represents indigent clients without fee or at a greatly reduced fee;
  - (iii) A faculty member who is providing legal services for free to indigent clients in need of legal representation; or
  - (iv) Governmental entities that represent indigent clients
- b. The student assistance is of a legal nature and does not constitute unauthorized practice of law.
- c. The student assistance is not provided by the student for compensation or for course credit.  
  
and
- d. The student assistance is provided subject to the verification of a certifying person who may be either (i) a faculty member or (ii) a designated person in the Dean's Office. For purposes of this requirement, verification will mean the following:
  - (i) A student's placement in a pro bono activity is subject to prior approval of the certifying person;
  - (ii) The placement could be either in an activity in which the certifying faculty member is personally engaged or in an external placement, see rule (a), above;
  - (iii) The certifying person will verify that the student's activity satisfies the definition of pro bono service for these purposes and will verify that the student has volunteered the requisite number of hours;
  - (iv) In either type of placement, the student will prepare a brief log to be presented to the certifying person detailing the hours spent and volunteer work done, subject to appropriate privacy concerns;  
and

- (v) The Dean's Office will have ultimate decisional authority on whether a placement or program satisfies the pro bono certification requirements.

Legislative Notes:

In addition to the certification, participating students could also be recognized for their public service at the November Award ceremony.

The Dean's Office could consider establishing a pro bono outreach committee consisting of member(s) of the faculty and members of the public interest/pro bono legal community with the purpose of assisting the Dean's Office in determining whether a pro bono placement satisfies the certification requirement and in identifying new placements.

March 2, 2005

Honors and distinctions are excluded from the student transcript. Only courses taken, grades, class rank and other identification information is included on the student's transcript.

February 4, 1977

**5.5 GRADUATION AND POST-GRADUATION**

**5.51 Graduation Requirements**

Students must have a 2.0 Cumulative GPA in Required and Core Courses. This amendment shall be effective immediately, to include all 3L full-time and 4L part-time students, or students whom have been placed on academic probation their final semester pursuant to the current Dismissal Policy, and those above mentioned students who have been dismissed in their final semester for having a GPA below a 2.15 but above a 2.00 overall or in the Required or Core courses. The Student Handbook Part IV (A)(2)(b)(i) will be amended to reflect this change.

April 17, 2002

The Board of Regents was asked to defer the 2.15 GPA requirement until the entering class of Fall 1998.

February 4, 1998, reaffirmed May 13, 1998

In order to graduate, a student must earn both a cumulative grade point average of 2.0 over all courses and a cumulative grade point average of 2.15 in Required and Core courses.

April 30, 1997

A total of not more than 12 hours of non-classroom work may apply toward the graduation requirement. Such hours may include, but are not limited to, moot court, law review, clinical courses, and supervised independent research. No more than 6 hours from any area may apply to the graduation requirement. Interscholastic Competition for Trial Advocacy, Client Counseling and Negotiating are included in 12 hour - 6 hour rule.

October 13, 1971, amended November 20, 1985, amended February 23, 1994

Beginning with the entering class in the fall of 1991, 90 credit hours are required for a student to graduate.

March 27, 1991

A full-time student must graduate within 3 1/2 calendar years after beginning law study. A part-time student must graduate within 4 1/2 years after beginning law study.

March 31, 1982

Beginning with the entering class in the fall of 1981, 88 credit hours were required for a student to graduate.

March 7-8, 1981

All students must complete all graduation requirements unless a dispensation is granted by majority vote of the faculty.

March 5, 1971

The Administration shall advise all students of their status regarding graduation prerequisites at the end of their second-last year of study.

March 5, 1971

The grade of F is not considered a satisfactory grade towards completion of graduation requirements.

February 17, 1969

**5.52 Restriction on Early Graduation**

Only in extraordinary cases should a full-time law student complete the requirements for a J.D. degree in more than five years; only in extraordinary cases should a part-time student complete the requirements for a J.D. degree in more than six years.

May 2, 2001

Beginning with the class entering the College of Law in the fall of 1982, and continuing in effect thereafter until changed, early graduation shall be prohibited except by permission of the Dean for good cause shown. Professed desire to graduate early, standing alone, shall not constitute good cause.

March 7-8, 1981

**5.53 Wording of Degree Awarded**

**NORTHERN KENTUCKY UNIVERSITY  
SALMON P. CHASE COLLEGE OF LAW**

Having fully satisfied the academic  
requirements of the University,  
"X"  
is hereby awarded the degree of  
**JURIS DOCTOR**  
with all the rights, privileges and  
honors thereunto pertaining.

April 20, 1988

**5.54 Designation of Honors**

The following honors designations were adopted:

Cum Laude 3.150-3.399  
Magna Cum Laude 3.400-3.649  
Summa Cum Laude 3.650-4.333

November 15, 2000

The following honors designations were adopted:

Cum Laude 3.2- 3.49  
Magna Cum Laude 3.50 - 3.79  
Summa Cum Laude 3.8 or above

Honors designation shall be tentatively set at the end of the fifth (for full-time students) or seventh (for part-time students semester for graduation purposes. Printing on diplomas will be done after all grades have been turned in.

August 29, 1984



5.55 Miscellaneous

All hooding of graduates shall be done by faculty or administrators only.

April 29, 1992

5.56 Bar Exam

There should be some kind of Bar Exam program available to Chase students in the Fall Semester 1997.

April 30, 1997

There should be an MultiState Bar Examination experience as part of the Introduction to the Bar workshop, to be implemented for Fall Semester 1998.

April 30, 1997

Students who intend to take the Kentucky Bar Examination shall be advised that while Federal Estate and Gift Taxation is not listed as a bar examination subject, that subject matter is frequently tested under another heading.

April 30, 1997

**5.6 PLACEMENT**

The following Placement Policy was adopted December 6, 1974:

I. The Chase College of Law reaffirms its policy against discriminatory practices in the interviewing and hiring of its students. A university law school cannot countenance any form of discrimination based upon sex, race, religion or national origin. Nor can it in any way assist employers who utilize such criteria in interviewing or hiring law students. Accordingly, all employers visiting the College of Law or utilizing its placement office are required to respect this policy. Chase College of Law will not extend its facilities or placement services to any law firm or other employer failing to do so.

II. Discrimination in interviewing or hiring refers to the use of the above criteria in arranging or conducting interviews, in offering employment, in establishing the terms of employment, including but not limited to differential salary scales, working conditions, type of work available and promotion policies.

The following are evidence of discriminatory practices:

- (1) Refusal to hire or promote because of prejudice of clients or other lawyers in the organization;
- (2) Assignment of lawyers to jobs or departments traditionally considered suitable for them without regard to alternative opportunities and the personal interests and capacities of the individual;
- (3) Applying different or higher standards in the hiring or promoting of such individuals that are otherwise applied;
- (4) Refusal to offer employees similar opportunities for jobs involving overtime work or travel.

III. A Chase College of Law Placement Committee is established to deal with alleged violations of this policy. The Placement Committee is comprised of a faculty member chairperson, Director of Placement and a SBA member, the latter to be selected by the Student Bar Association. All selections shall occur in the spring preceding the school year in which the Committee is to serve. One student member, the Student Bar Association member shall be from the third year class.

IV. The Placement Committee shall receive and deal with complaints by Chase College of Law students in any case where circumstances indicate that they may be the subject of discrimination in hiring or interviewing by an employer using or seeking to use Chase College of Law facilities or placement services.

V. A complaint shall be in writing and shall set forth the allegations concerning discrimination, including, where appropriate, the precise words of the party complained against, and any written communication involved. The complaint should also set forth the manner in which the conduct is, thought, to violate the probation.

The Committee will thereupon determine whether the complaint sets forth a prima facie case of violation. Upon finding that it does, the Committee will proceed informally to investigate and to settle or clarify the grievance through the aid of its administrative personnel or other persons in these initial efforts to dispose of the matter.

VI. In all cases not disposed of under Section V, the Committee shall conduct such inquiry or hearing as may be appropriate and shall determine the controversy. All parties shall be afforded the opportunity to be present during the reception of evidence and to put questions to witnesses. The Committee may designate a hearing examiner to hear and report on contested issues of fact. The Committee shall determine other details of its procedure.

VII. The Committee may impose the following sanctions, singly or in combination:

- a. A letter or warning or reprimand;
- b. Postponement or limitation of the employer's interviewing to the end of the ordinary interviewing session;
- c. Suspension of the employer from all use of Law School placement facilities for a specified period of time.

In addition, no employer against whom a sanction has been imposed by the Committee may use the facilities or placement services of the College of Law without satisfying the Committee that the employer will observe the College's placement requirements.

VIII. A. The Committee shall write a statement on the disposition of each case, setting forth, with particularity, its findings of facts, conclusions of the law and sanctions imposed. If the case is settled, the Committee statement shall set forth the agreed upon facts, if any, the terms of the settlement, and any other matter pertinent to its disposal. The above statements are hereby termed "the decision."

B. A copy of the decision will be sent to both parties, to the Dean's office and to the Placement Office, where it shall be available for inspection. The Committee shall retain a copy as part of its official records.

C. Except in the copy in the Committee's files and the Dean's office, the names of both parties, students and employer, to the controversy, however resolved, and any matter by which the party can be identified, will be omitted from the decisions of the Committee, with the following exceptions:

(1) Where both parties request disclosure of their names as part of a settlement, or one party requests disclosure of his name as part of same, the Committee shall honor this request;

(2) Where a party requests or consents to disclosure in a case heard and decided by the Committee, the Committee shall exercise its discretion in respect to disclosure of that party's name.

(a). In exercising such discretion, the Committee shall consider whether disclosure in a particular case is necessary to protect a party against unfounded accusations, which determination shall be based upon the entire record in the case.

D. Except as disclosure is provided for in these regulations or required by law, the Committee and its members shall treat the Committee's deliberations as confidential.

IX. The Committee may disseminate or authorize dissemination of information about a case, after its resolution, where it is satisfied that public knowledge would effectuate the ban on hiring discrimination. To this end, the Committee may cooperate with such publications as the Alumni Newsletter to convey such information to law firms, other employers and the Alumni of the school. In undertaking this function, the Committee may not, in any case, disclose the names of the parties or any matter by which identification of the parties could reasonably be ascertained. The description "a mid-western corporate firm" or "a middle-size West Coast firm" would ordinarily not constitute such material. Cases in which the name of a party has been officially authorized under section VIII may not be the subject of publicity under this rule.

It is the obligation of Chase College of Law to report to the Regional Placement Committee\* any infraction which the Committee has handled. This is one of the provisions of the Regional Placement Committee.

X. At the end of each academic year, the Committee will prepare for the faculty a report setting forth the rules applied in cases of any conduct deemed to constitute or not to constitute a discriminatory practice, any defenses of occupational qualification deemed valid or invalid and rulings concerning burdens of proof and presumptions on any matter whatever. A copy of said report will be distributed to the Dean and each member of the faculty.

\*The Regional Placement Committee consists of the Placements Directors of Chase of N.K.S.C., KY, and accredited law schools in Ohio associated with ABA and or AALS.

December 6, 1974

The following Placement Policy was adopted March 7-8, 1981:

The Placement Office should be informed of the faculty policy in regard to employment of students.

The Placement Office is directed to communicate this policy to employers who request hours in excess of the policy.

The Placement Office is directed to neither accept nor post job openings which would violate this policy.

The Placement Office is directed to note on their files for each job placed through the office the following:

"ABA and AALS Standards require the following in regard to student employment: Full-time students may not work over 20 hours per week. This job will require \_\_\_\_ hours per week."

The Placement Office is directed to retain files on each student with the foregoing statement for a period of three years.

On February 23, 1983, the following recommendations of the Ad Hoc Committee to Study the Placement Office were adopted:

1. There should be a full time placement office director. This should be a person who knows the placement office business, is energetic and enthusiastic, and able to get along with many kinds of people. It is not likely that the placement situation for graduating students will improve in the foreseeable future. There is a need to make placement a priority item. The past few years have shown that a part-time director is torn in too many directions and cannot be as effective as a full time director.

The Committee notes that after it was appointed, the law school began advertising for a combined placement, alumni and development position, all combined into a single full time position. The Committee has serious doubts about such an arrangement, especially combining the development and placement functions in one person.

2. There should be a full-time secretary to the full-time director.

3. The placement office should stop typing and arranging for the reproduction of resumes. Counseling on how to prepare a resume is a valid part of the placement function, but ought to be a part of a greater educational effort. The time spent on typing is significant and interferes with more proper placement activities, including matching students with openings. Students rate resume typing the least important placement office service, according to the survey. There would probably be an outcry, as there always is when change is made. However, the long term benefit would be great. The time spent on resumes should be spent on more productive matters.

4. The placement office should stop processing bar applications. Chase is the only law school known which handles bar applications for its students. Everywhere else, the students deal directly with the court officials. The processing occurs twice each year and consumes at least one month of the time of the Placement Specialist over the year. This is too large a chunk of time taken away from placement activities. Bar applications have no

business in the placement office. Students rate processing bar applications as the second least important placement office service.

5. The placement office needs to address firmly the general lack of awareness students have about the job-seeking process.

6. The placement office should establish a series of regular educational workshops and lectures. Students appear to be unaware of many aspects of job seeking. Regular workshops on such topics as how to prepare resumes, how to go about seeking a job (perhaps separated into how to seek a job while in law school and how to seek a job at graduation), how to conduct an interview and interviewing techniques, kinds of law practice available, what to expect in employment situations, etc., should be developed and presented. Recent graduates could be used for some of these workshops, opening up a good public relations aspect to placement.

7. The placement office needs to adjust its general mailings, moving them up about one-half year, to better serve the needs of perspective employers and the students.

8. A better process of employment follow-up needs to be developed. This would enable the office to better serve those seeking jobs.

9. Graduates perceive that the placement office generally does not materially assist in locating permanent positions other than those which follow from clerkship positions while in law school. The placement office needs to give the impression that it is effective as an aid in the job-seeking process; it can do this only by in fact being effective.

10. The placement office needs to be more accessible to evening division students. Perhaps the office should remain open until 6:30 P.M. (or later) at least three evenings per week. The open room is a right step in the direction of service, but the students need to be able to talk to the placement office people during the times the students are scheduled to be on the campus. One evening per week is not sufficient.

11. Many clerking positions go unfilled. Efforts should be made to make the availability of these positions widely known among the students.

12. The placement office should develop methods of utilizing our graduates in the placement process.

13. Other law schools reported the use of work-study people in the placement office. This should be investigated as a means to facilitate routine work.

March 7-8, 1981

Students seeking permanent positions need to be willing to relocate to other areas. The University of Cincinnati placement office noted on its survey response that the job situation locally was very tight; this agrees with our recent experience. They, too, said that students needed to be willing to relocate.

February 23, 1983

The Placement Office is to keep an on-going file of all non-academic student activities and participants.

April 1, 1977

**ADMISSIONS, REGISTRAR, AND GRADUATION POLICIES**  
**Section 5 – Page 26**

Pictures should not be included in the Placement Book for the coming year.  
April 28, 1991

## SECTION 6 FACULTY POLICIES

The Chase Faculty approved a revised Faculty Policies and Procedures Handbook on May 3, 1995. This Handbook was approved by the Board of Regents on September 20, 1995. Since this Handbook is printed and distributed separately, it is not reproduced here. The provisions of the Revised Handbook may differ from those set forth in this section of the Compiled Chase Faculty Policies. [Ed.]

### 6.1 POLICIES AND PROCEDURES OF THE APPOINTMENTS COMMITTEE

**[adopted September 26, 1990;  
amended April 13, 2005, September 27, 2011, December 15, 2011, and April 19, 2012]**

#### I. Introduction

##### A. Charge

The Appointments Committee (Committee) is charged with the duty of administering the faculty recruitment process at Salmon P. Chase College of Law (College of Law). To fulfill that duty and to best serve the College of Law and its goals, the Committee will follow these Policies and Procedures (Procedures).

##### B. Scope

The positions described in this section are as defined in the Chase College of Law - Northern Kentucky University Faculty Policies and Procedures Handbook.

#### 1. These Policies and Procedures of the Appointments Committee apply to:

- a. All searches for entry-level full-time, tenure-track faculty.
- b. Full-time, non-tenure track, renewable faculty positions, including full-time non-tenure track clinical faculty positions as described in Standard 405 of the American Bar Association Standards for Approval of Law Schools.
- c. All searches for the following positions, except that the Committee may choose to recruit candidates through venues other than the Association of American Law Schools (AALS) Faculty Recruitment Conference (FRC):
  - Lateral full-time, tenure-track faculty, except as described in I.B.2 below.
  - Full-time administrators with academic rank, excepting the Dean and the Associate Dean for Law Library Services & Information



Technology, unless the position is to be filled by a current member of the faculty.

· Endowed chairs and named professorships, unless the position is to be filled by a current member of the faculty.

- d. Small Business and Non-Profit Clinic Director position, which is to be a tenure-track position. [added December 15, 2011].

2. These Policies and Procedures of the Appointments Committee do not apply to:

- a. Searches for the position of Dean of the College of Law (the Dean). Searches for this position will be conducted by a Special Committee appointed by the President of the University or the Vice President for Academic Affairs and Provost.
- b. Searches for the Associate Dean for Law Library Services & Information Technology. A Special Committee will be appointed by the Dean to recruit and facilitate the selection of candidates for this position. This Special Committee will be comprised of the Appointments Committee, one member of the current Law Library Faculty, and one member of the current University Library Faculty. The Special Committee will recommend at least three candidates to the tenure-track teaching faculty. The recommended candidates will participate in on-campus interviews as described in Section IV.D., except that the substantive presentation may be on a topic pertaining to library administration. Following the candidates' interviews, the faculty will hold a meeting in executive session and will vote by show of hands whether to recommend each candidate for the position. The faculty will inform the Dean of the vote tally for each candidate. The Dean may then offer the position to any candidate receiving an affirmative vote of two-thirds (2/3) of those voting at the meeting.
- c. Searches for full-time, non-tenure track temporary faculty positions such as lecturers, adjunct professors, visiting professors, distinguished practitioners, and distinguished jurists, in which the appointee is expected to hold the position for less than one calendar year on a nonrenewable basis.
- d. Searches for full-time non-tenure track administrators, unless the administrator is expected to teach on a regular basis.
- e. Searches for part-time adjunct faculty. The Dean has sole responsibility for these appointments, and may delegate this authority to the Associate Dean for Academics.

- f. Searches for Law Library Faculty. A Special Committee will be appointed by the Associate Dean for Law Library Services & Information Technology to recruit and facilitate the selection of candidates for these positions. This Special Committee will contain at least one member of the regular teaching faculty. It will recommend at least two candidates to the Associate Dean for Law Library Services & Information Technology, who then will choose among the recommended candidates.
- g. Retiring faculty who are being considered for emeritus status. See Faculty Handbook, Part One, Sections I.G.1 and III.C.

### C. Candidates

A candidate is a person who is being considered for a position at the College of Law to which these procedures apply pursuant to I.B.1 above.

## II. Appointments Committee

The Appointments Committee shall be appointed by the Dean and shall consist of at least four members of the faculty and one or two students. Faculty members who are temporarily occupying the position to be filled or who are being terminated shall not be appointed to the Committee. The Dean shall be an ex-officio member of the Committee.

[as amended April 19, 2012].

## III. Identification of Available Faculty Positions

In late spring, the Dean will advise the faculty and Committee which positions s/he has determined may become vacant in the coming year. No later than the last faculty meeting of the academic year, the Committee and Dean, in consultation, will then make a recommendation to the faculty of the number and types of positions to be filled. The recommendation will be acted upon by a majority vote of those attending a regular or special faculty meeting called for this purpose. If any additional positions become vacant before the first faculty meeting of the academic year, the Dean will so advise the committee, which, in consultation with the Dean, will make a recommendation to the faculty concerning these positions. This recommendation also will be acted upon by a majority vote of those attending a regular or special faculty meeting called for this purpose.

[as amended April 19, 2012].

## IV. Recruitment Procedures

#### A. Advertising of Vacant Position

The Committee must: (1) advertise every vacant position in the AALS Placement Newsletter; (2) send notice of every vacant position to associations of minority and women lawyers; (3) post every vacant position online on the Northern Kentucky University job site; and (4) publicize every vacant position in any other way required by University faculty hiring policies. The Committee may advertise vacant positions in other venues as it deems appropriate.

All advertisements must contain the following statement: “Northern Kentucky University is an affirmative action/equal opportunity employer and encourages the application of minorities, women, and others whose backgrounds will contribute to the diversity of the faculty.”

#### B. Review of Applications

Ordinarily, the Committee will utilize the recruitment facilities of the AALS. The applications of all candidates for a position will be reviewed by at least one faculty member of the Committee and by a student member of the Committee, if possible. Any member of the regular tenure-track faculty may review all applications, copies of which the Chair will make available to the faculty. The Committee will determine, by majority vote, which candidates will be asked to attend an Initial Interview. At the request of four or more regular tenure-track faculty members who are not members of the Committee, the Committee will also invite for an Initial Interview any candidate the Committee has not already invited. The number of candidates which any faculty member who is not on the Committee may request to be invited for an Initial Interview shall be limited to three. Any such requests must be made a sufficient time in advance of the AALS FRC to allow the Committee to make arrangements for the interview. Such requests may be rejected by the Committee if the interview schedule is already full.

Ordinarily, the Committee will conduct the Initial Interview of the candidate at the annual FRC. However, if the Committee or the candidate does not attend the Conference, the Initial Interview may be conducted at the College of Law by members of the Committee. The Committee may, prior to its initial interviews, distribute to the faculty at a faculty meeting prior to the FRC the FAR (Faculty Appointments Register) forms of some or all of the candidates to be interviewed at the FRC.

The Committee may offer on-campus interviews to select candidates at the conclusion of those candidates’ FRC screening interviews. Otherwise, after the Initial Interviews have been completed, the Committee shall, by majority vote, select and rank the candidates who will be invited for an On-Campus interview at the College of Law. The selection and rankings of the Committee must be consistent with the affirmative action and equal opportunity goals of the University. There is no set number of applicants that shall be invited back for on-campus interviews. Ordinarily the Committee should attempt to invite from one to three candidates to campus. The faculty believes that these policies are consistent with those necessary to complete a competitive national search.

Within seven days of the Committee's return from the FRC, the Chair shall hold a special faculty meeting in Executive Session at which s/he will give complete information about the results of the interviews, disclose the names and background of the candidates who the Committee has invited for On-Campus interviews, and explain the reasons behind the selection and ranking of these candidates.

[as amended April 19, 2012].

### C. References

Once a selected candidate has agreed to an on-campus interview, the Chair of the Committee or a designated member of the Committee shall contact the candidate's listed references on her/his AALS FAR form or resume. In addition, the Chair may call those current or former employers who the candidate has designated as contacts on her/his FAR form or resume. In addition, the Chair may request permission from the candidate to contact any current or former employers that the candidate had previously withheld permission to contact. If permission to contact current or former employers is not granted, the faculty will consider whether to revoke the candidate's invitation for an on-campus interview. After the candidate is informed of the intent to make reference checks beyond listed references, if a member of the faculty is acquainted with an individual who may be familiar with the candidate's qualifications, the following procedure shall occur before any contact is made regarding the candidate. First, the faculty member shall inform the Committee of the individual s/he wishes to contact. Second, the Committee and the faculty member will coordinate the most appropriate manner and time to make that contact.

### D. On-Campus Interviews

The On-Campus Interviews will be conducted by the faculty, the Dean, and representatives of the student body. Each candidate will deliver a substantive presentation, of approximately one hour in duration (including questions and answers), to the faculty. This presentation will enable faculty to evaluate the candidate's teaching and scholarly potential. Prior to each candidate's On-Campus Interview, the Committee will notify the candidate in writing of the format and purpose of the substantive presentation. This notice also will specify that while students and other members of the law school community may occasionally be present at the presentation, the presentation should be directed to the faculty. This presentation will be open to any member of the law school community.

The following should be communicated to candidates: The faculty presentation should allow the faculty to assess scholarly potential and should consist of open and articulate exchange of ideas. The presentation should last 20-25 minutes followed by 20-25 minutes of questions. Candidates should provide a draft or complete article if available, an abstract of the presentation if a draft is not available.

[as amended September 27, 2011]

#### E. Recommendation by the Faculty

Within twenty-one days of the last On-Campus interviews for a particular position, a meeting of the full faculty shall be held in executive session, at which the Chair shall preside, for the purposes of recommending to the Dean which, if any, of the candidates should receive an offer of the position.

At the meeting, the qualifications of each candidate who had an On-Campus Interview shall be fully discussed. After the discussion of a particular candidate, the faculty shall vote by show of hands whether or not to recommend the candidate for a position at the College of Law. Faculty members who have not interviewed that particular candidate should consider whether they have an adequate basis on which to vote.

If a candidate receives an affirmative vote of two-thirds ( $2/3$ ) of those voting at the meeting, that candidate's name shall be forwarded to the Dean with a positive recommendation. If the candidate receives fewer than two-thirds ( $2/3$ ) vote, that candidate's name shall be forwarded to the Dean with a negative recommendation.

If more than one candidate for a single position receives a positive recommendation, the faculty shall use the following procedure to rank-order the candidates.

First, each faculty member rank-orders the candidates, assigning a "1" to the faculty member's top-ranked candidate, a "2" to the second-ranked candidate, etc.

Second, if all present faculty members vote on all candidates, then the votes are tallied, and the candidate with the lowest vote tally becomes the faculty's top-ranked candidate. If all present faculty members do not vote on all candidates (e.g., a faculty member does not believe s/he is qualified to vote on a particular candidate because the faculty member was absent on the day of that candidate's on-campus visit), then the tally for each candidate must be divided by the number of faculty voting on that candidate. The candidate with the lowest weighted average becomes the faculty's top-ranked candidate.

Third, the faculty takes a second vote, rank-ordering the remaining candidates, and the votes are tabulated as described above in step two. The candidate with the lowest tally or weighted average becomes the faculty's second-ranked candidate.

Fourth, additional votes are taken until all candidates with a positive recommendation have been rank-ordered as described above.

The Dean may then offer the position to the faculty's top-ranked candidate. If that candidate declines the offer, the Dean may then offer the position to the faculty's second-ranked candidate, etc.

As soon as is practical, the Dean shall communicate with every candidate who had an On-Campus interview but who was not offered a position.

[as amended April 19, 2012]

**F. Transcripts and Confidentiality**

**1. Transcripts**

When the Dean communicates an offer of employment to a candidate, the Dean at that time will require the candidate to forward to the College of Law an official copy of the candidate's law school and undergraduate transcripts. A copy of the candidate's law school transcript will be requested when an invitation for an on-campus interview is made.

**2. Confidentiality**

Because many candidates value the confidentiality of their application, no person at Chase may disclose to anyone outside of the University the identity of any candidate except as provided in these Policies and Procedures.

**Bibliographic Notes:**

September 26, 1990, as amended April 13, 2005.

Section I.B.1.d added December 15, 2011.

Section II, III, IV.B, and IV.E amended April 19, 2012.

Section IV.D amended September 27, 2011.

**6.2 RETENTION, PROMOTION AND  
TENURE**

[Note: Guidelines for Retention, Promotion and Tenure are contained in the Revised Chase Faculty Policies and Procedures Manual (hereinafter the Faculty Handbook) adopted May 3, 1995 and approved by the Board of Regents on September 20, 1995; these guidelines must be followed. (Ed.)]

**Guidelines**

1. With any tenure-track position, the starting date for tenure and promotion purposes is the effective date of the initial tenure-track appointment, unless credit has been given for prior work under policies outlined in the Faculty Handbook.
2. The letter in the Reappointment, Promotion and Tenure Notebook shall include a letter which specifies the action sought. The letter should set out the case the candidate seeks to advance in support of the request(s) made. The letter should reference and explain the supporting materials contained in the notebook in making the case for the request(s) made. The letter should pay particular attention to the specific criteria set out in the handbook for the request(s) made in the letter.

[April 23, 2009; eff. for new faculty, Fall 2009]

3. An unpublished thesis or other unpublished writing does not satisfy the scholarly activity requirement for promotion and tenure. Only writings published or accepted for publication according to the provisions in the Faculty Handbook will satisfy the scholarly activity requirement.

Each work of scholarship to be considered for Reappointment, Promotion and Tenure purposes shall be submitted to two outside reviewers. The committee shall solicit names for and compile a list of potential reviewers. The candidate may submit names of potential reviewers. The candidate may reject any potential reviewer for cause. The cover letter to each reviewer should contain the appropriate standard from the Chase Handbook.

The candidate shall submit to the committee chair already accepted works of scholarship by May 1 of the calendar year in which the candidate requests promotion to associate professor, grant of tenure and (if done separately) promotion to full professor. In any event, each work of scholarship should only be submitted for review once. The committee shall then send out submitted works of scholarship for outside review. A copy of each review shall be submitted to the candidate for a response, if any.

If the candidate also intends to submit works of scholarship for acceptance after the May 1 deadline stated above, but before the September due date for Reappointment, Promotion and Tenure application notebooks, the candidate shall also submit these works to the committee chair as soon as possible, but no later than August 15. The committee shall then send out such works for outside review.

These outside reviews shall be considered by the committee and by the tenured faculty in their application decisions and may be included by candidates in their notebooks, if received in time for this to be done.

[April 23, 2009; eff. for new faculty. Fall 2009]

4. For entry level tenure-track positions, two law review articles or their substantial equivalent are necessary for consideration for promotion to associate professor, and a total of three law review articles or their substantial equivalent are necessary for consideration for tenure and promotion to full professor. [See Note above.]

5 Interdisciplinary publications substantially related to law may also satisfy these requirements.

It was moved and seconded that these recommendations be sent to the Board of Regents. This motion was tabled until an opinion of University Counsel was obtained.

These policies are to apply to all tenure-track faculty hired on or after, and with contract date on or after, August 15, 1991.

March 25, 1992

The policies adopted at the March 25 meeting shall apply to all present and future tenure-track faculty with the following exceptions:

(a) policy number 3 shall not apply to legal writing professors.

(b) none of these policies shall apply to the Library Director or library faculty.

April 29, 1992

#### Meet With New Professors

The Retention, Promotion and Tenure Committee is to meet early with new professors as a group to discuss RPT requirements and to have an information discussion to keep RPT information consistent.

April 24, 1996

*[Compiler's Note: Various changes have been made to the Faculty Handbook to conform with University policy. These changes seemed relatively uneventful, but for more information, see Faculty Minutes from February 19, 2003, August 21, 2002, May 8, 2002, March 30, 2002, and February 20, 2002. Amendments to the Faculty Handbook were adopted May 9, 2001, but are not included in the minutes. Any changes would be reflected in the current Faculty Handbook.]*



### **6.3 TEACHING EFFECTIVENESS AND STUDENT EVALUATIONS**

The faculty adopted the below report as a whole during the May 13, 2004 meeting:

#### **MEMORANDUM**

To: Teaching Faculty and Dean St. Amand  
From: Ljubomir Nacev, Chair, Ad Hoc Committee  
Date: April 26, 2004

Re: **Report of the AHC on Teaching Effectiveness**

The Committee's task was to report on the following issues:

1. How we define good teaching.
2. How we measure teaching, including for RPT purposes.
3. How we engage in continual attempts to improve good teaching.
4. How our institutional posture regarding teaching effectiveness matches up and coordinates with our decision to seek membership in the Order of COIF.
5. How we address any compensation differentials between teaching and scholarship.
6. Prepare a detailed faculty development plan.

The committee's report below address items 1-3 directly. Item 4 is addressed indirectly. Item 5 can only be addressed in conjunction with the committee's deliberation regarding scholarship, a process which will occur next semester. Item 6 is left for the Dean and the Faculty Development Committee to reconsider.

The biggest challenge for the committee (and the faculty) has been the charge to devise a measure for good teaching. I leave it to you to decide how successful the committee has been in addressing and meeting this task. [From my perspective as chair of the committee, it may not be given to teachers to teach and to measure as it is not given to the state to tax and to please.]

#### **Declaration of Best Practices in Teaching at the College of Law**

##### **Preamble**

The College of Law has established effective teaching as a requirement for appointment, reappointment, promotion, and tenure in the Faculty Policies and Procedures approved by the Board of Regents, and in both the original and revised statement of Principles, Prospects & Perspectives adopted by the faculty. FPP Handbook at 5-6, 13-14, 17-18, 27; PPP Statement at 1-2, 4. The faculty's compensation policy likewise speaks to the conditions necessary to effective teaching. Compiled Faculty Policies at 240, 243-44, 248-49. The following Declaration builds on these sources.

The College of Law is fully committed to its teaching and sees good teaching as fundamental to its core values and as a primary agent of its mission, which is to train its students to master lawyering skills and functions within the bounds of our professional norms and values.

Fundamental to its role as an educational institution, the College of Law also embraces its obligation to socialize its students into the culture and norms of the legal profession.

The College of Law also recognizes as its mission the obligation to prepare its students for admission to the bar.

Consistent with its mission and this educational role, the College of Law sees the result of successful teaching as the acquisition of substantive knowledge, the development of analytical and instrumental skills to apply that knowledge, and the maturation of the ethical and professional judgment with which to imbue this enterprise.

Successful teaching is teaching that exhibits a deep understanding of one's substantive material and the use of teaching techniques that effectively enable a student to attain a clear understanding of the material taught. Successful teaching is informed by consistent scholarly engagement and production.

A good teacher is one who is well-prepared, whose classroom work exhibits a high degree of conceptual organization of the material taught, who encourages classroom discussion, who invites students to share their points of view and to apply concepts to demonstrate their understanding, and who motivates students to do their best work by setting high expectations for the students.

The end result of good teaching is creation of a stimulating intellectual environment for the study of law. Thus, to be a good teacher means to be insightful and provoking. Successful teaching should pose a profound intellectual challenge to the teacher, as well as the student, about the expectations each holds about normative legal thought, about law and its role in society, and about learning itself.

More so than in other academic arenas, best practices in law teaching call for a highly interactive pedagogy. Good teaching practices should encourage active learning, student-faculty contact, and respect for diverse learning approaches. Good learning should be the end-product of good teaching. From this perspective, teaching and learning are two sides of the same process. Accordingly, the College of Law understands that students play a role equally as important as that of the teacher in the learning process through their effort and engagement in the study of law.

The College of Law recognizes that good and effective teaching can flourish only in the context of a rich and varied curriculum. Students must be afforded an opportunity to learn and faculty must be afforded an opportunity to teach in doctrinal courses, in skills courses, in settings outside the traditional classroom, and in fields that include a jurisprudential, empirical and humanistic view of the law. Teaching should not be only about what the law is, but also about what the law could be or ought to be.

Although most law teaching occurs in the traditional classroom informed by the case method, good teaching should not be bound by this tradition and should include alternative pedagogic forums. Diversity of teaching and diversity of pedagogical approaches are encouraged at Chase. Teaching at Chase takes into account the diversity in the learning approaches of our student body, whether a student is full-time or part-time, at the top of the class or still adjusting to the law school experience.

### **Institutional Support of Good Teaching**

Given its central role in the College's mission, the College encourages its faculty to focus on its teaching. In support of this goal, the College of Law enumerates teaching as a primary factor, among other factors, for purposes of tenure, for purposes of annual evaluations and for purposes of other institutional advancements.

To give its emphasis on teaching further support, the College of Law will endeavor to devote significant resources to assist its faculty to develop its teaching mission and to engage its professional inquiry into its pedagogical direction.

### **Current Practices of Assessment and Evaluation of Effective Teaching**

Assessment is an ongoing process at the College of Law and occurs in a variety of ways and contexts. Assessment takes place both at the individual as well as the institutional level.

#### **Tenured Faculty**

Tenured faculty currently are assessed with use of student evaluations and by the Dean's annual performance evaluation process. Tenured faculty are also subject to the Post-Tenure Review process.

#### **Tenure-Track Probationary Faculty**

The primary tool for the evaluation of probationary faculty is the promotion and tenure process, which includes both student and peer reviews of their teaching. In addition, the probationary faculty are assessed by the Dean's annual performance evaluation process.

#### **Contract Faculty**

Contract faculty are not subject to the promotion and tenure process. However, they are evaluated annually by the Dean. Contract faculty have not been consistently peer reviewed, although student evaluations are administered in their courses.

### **Assessment of Institutional Effectiveness and Assessment of Student Learning**

Assessment of our students likewise occurs in a variety of ways and settings.

The traditional means for evaluating the progress and success of a student's learning remains faculty grading of the student. The faculty policies address: the definition of grades, the administration of exams, the content of exams, the benefits of mid-term examinations, the distribution of grades, and the process for appealing a grade.

In addition to grading as an assessment tool, the College of Law is able to assess its institutional effectiveness by means of the following output measures. The College of Law fully appreciates that these outcome measures are limited tools for measuring learning effectiveness and that the relationship between these measures and learning effectiveness are complex and nuanced.

1. Bar exam – the success rate of our students on the bar exam
2. Career placement rate

3. Interschool competition rate  
– how our students fare in interschool competitions, including law review placements
4. Attrition rate  
– the rate of attrition due to academic reasons; the success rate of the law school's Academic Support Program

**Proposals to Improve Teaching and its Evaluation**

1. Establish and maintain a library of resources on teaching (books, videos, etc.).
2. Broaden the charge of the Faculty Development Committee to include the topic of teaching effectiveness. The Faculty Development Committee should endeavor to hold faculty workshops on teaching effectiveness.
3. Appropriate funding to send all teaching faculty to conferences on teaching effectiveness.
4. The normal teaching load of a non-legal writing tenure-track faculty member is 12 classroom credit hours per academic year. Any faculty member who teaches more than twelve classroom credit hours in an academic year without receiving additional compensation will be entitled to accumulate any credit hours taught in excess of the norm of 12 credit hours. Any faculty member who accumulates excess credits will have such excess credits count toward the norm of 12 credit teaching load in subsequent academic years, with the effect that such faculty's teaching load may be reduced in subsequent years. Such reduction will be coordinated with the Dean's office to ensure full consideration of the law school's staffing needs. Accumulated credits cannot be carried forward for purposes of sabbaticals.
5. Encourage active learning by students throughout their time in law school. Address this issue initially in the Introduction to Legal Studies course and at regular intervals thereafter. Students should understand that good teaching is about helping the student to self-develop. In this regard, significant responsibility rests with the student. The Dean should include this message in his opening charge to students in the Introduction to Legal Studies course.

**Proposals to Improve Institutional Assessments of Learning and of Students**

6. The Faculty Development Committee should endeavor to explore, as part of its teaching workshops, different student and teaching assessment techniques.
7. Institute a process to propose a revision of the format and content of student evaluations.

May 13, 2004

These should be implemented immediately:

- more interactive teaching: mandatory mid-terms in all required and core courses, to include mandatory student/teacher review of mid-terms;
- more interactive teaching; writing exercises across the curriculum in required and core courses, a deeper Socratic dialectic; based upon transactional problems (not case notes synthesizing a court decision; to include mandatory student/teacher review;
- institute quizzes to keep students engaged and involved.

March 12, 1997

### **6.31 CLASSROOM VISITATION REPORT FORM**

#### **CHASE COLLEGE OF LAW**

Please be as specific as possible and give examples where appropriate.

1. Course Name:

2. Instructor:

3. Evaluator:

4. Date of Visit:                      Arrived:                      Departed:

5a. Approximate number of students attending:

5b. Number registered:

6a. Room number:

6b. If you were present at the start of the class, was attendance taken and, if so, by what method:

7a. If you were present at the start of class, did it begin on time?

7b. Did students arrive on time?

8. The general subject matter considered in the class:

9. What technologies were used in course (i.e. handouts, board, screens, etc.)?

10. The method or methods of instruction:

11. Was the class intellectually stimulating and rigorous?
12. Did the instructor appear prepared?
13. Did the students appear prepared and interested in the class?
14. Did the instructor interact with the students and did the class actively participate in the discussion?
15. Did the instructor follow up weak answers by students and press students for more complete answers?
16. To what degree did the class go beyond a superficial consideration of legal questions?
17. Additional strong or weak points concerning the class:
18. Other comments on the class or the classroom:
19. Overall impression of the class on a scale of 1-10 (10 being highest):

[May 10, 2012]

**6.32** Students should be able to evaluate the faculty.

The following policy for online evaluations and the form was adopted on February 17, 2011.

### **ADMINISTRATION**

1. The College of Law administration will provide course, faculty, and student data to the University a minimum of 10 days prior to the evaluation open date.

### **ONLINE AND IN CLASS EVALUATION PERIOD**

2. Evaluation Period: 2 weeks. Students will complete on line evaluations any time during the 2 week open period. Faculty members may invite students to bring lap tops to class during the 2 weeks and reserve 15 minutes of class time to complete the evaluations.
3. Evaluation open and close dates: 2 weeks prior to final Exams per the Chase Academic Calendar.

### **OPTIONAL QUESTIONS DRAFTED BY PROFESSORS**

4. Professors will have the option of drafting open ended questions and/or selecting questions from the questions bank, in addition to the standard multiple choice questions. Optional questions must be submitted via Digital Measures no later than 3 full business days prior to the open date.

### **EMAILS AND REPORTS GENERATED**

5. Email Text to be sent to:
  - a. Students: announcing the open of evaluation period and instructions;
  - b. Students: reminder about last day of evaluation period;
  - c. Faculty: announcing availability of Evaluation Reports.
6. Faculty access to reports, two weeks after the last day to enter grades.
7. Reports will be emailed by Digital Measures to individual faculty and will also be available through Digital Measures.

**CHASE COLLEGE OF LAW – ONLINE EVALUATION  
INSTRUMENT**

**INSTRUCTOR**

Did the instructor's use of class time further your ability to learn?

- 5 = Very Often
- 4 = Regularly
- 3 = Sometimes
- 2 = Once or Twice
- 1 = Never

The instructor was enthusiastic about the subject matter.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

Did the instructor make good use of examples and illustrations?

- 5 = Almost Always
- 4 = Often
- 3 = Sometimes
- 2 = Seldom
- 1 = Never

How often did the instructor encourage student-faculty interaction?

- 5 = Very Often
- 4 = Regularly
- 3 = Sometimes
- 2 = Once or Twice
- 1 = Never

The instructor's knowledge of the subject matter was

- 5 = Excellent
- 4 = Above Average
- 3 = Average
- 2 = Below Average
- 1 = Very Poor

The instructor was well prepared for class.



- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

Did the instructor treat students, their ideas and opinions with respect?

- 5 = Always
- 4 = Most of the Time
- 3 = Sometimes
- 2 = Rarely
- 1 = Never

The instructor made students aware of current issues in the field.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

The instructor's ability to improve students' ability to think critically is

- 5 = Excellent
- 4 = Above Average
- 3 = Average
- 2 = Below Average
- 1 = Very Poor

The instructor encouraged students to learn on their own

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

The instructor motivated me to do my best work.

- 5 = Very Often
- 4 = Regularly
- 3 = Sometimes
- 2 = Once or Twice
- 1 = Never

The instructor set high standards

- 5 = Almost always
- 4 = Often
- 3 = Sometimes
- 2 = Seldom
- 1 = Never

**COURSE**

The objectives of the course were explained well.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

The objectives of the course were met.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

I gained analytical skills in this course that I can apply to other courses.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

I gained knowledge useful to lawyers.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

I developed skills useful to lawyers.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

**QUESTIONS FOR FACULTY SELECTION POOL (for Faculty to Select)**

Five option selection Questions

1. The progression of writing assignments was thoughtfully planned.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

2. My professor's comments on my papers were clear and understandable.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

3. My professor provided sufficiently detailed written feedback on my papers.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

4. My professor's written critiques of my memos were provided to me no later than the day before our scheduled conferences.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither
- 2 = Inclined to Disagree
- 1 = Strongly Disagree

5. My professor's written critiques helped me to improve my writing and analysis.

- 5 = Strongly Agree
- 4 = Inclined to Agree
- 3 = Neither

2 = Inclined to Disagree

1 = Strongly Disagree

6. My scheduled conferences with my professor helped me improve my writing and analysis.

5 = Strongly Agree

4 = Inclined to Agree

3 = Neither

2 = Inclined to Disagree

1 = Strongly Disagree

**OPEN ENDED COMMENT QUESTIONS**

1. What was the most helpful aspect of how this course was taught?  
(Comment Box)
2. What was the least helpful aspect of how this course was taught?  
(Comment Box)
3. Do you have any suggestions for how to make the simulation project better? (Comment Box)
4. What type of training (general legal knowledge, study in specialty areas, analytical skills, communication skills, strategic thinking) should law school provide? (Comment Box)
5. What type of training did you receive in this course? (Comment Box)

The statistical data compiled from student evaluations of faculty members should be made available to the students. The intent is to distribute the statistical tabulation of responses only, not the comments. Data concerning first year teachers is to be excluded from disclosure.

January 12, 1983

## **6.4 EVALUATION/COMPENSATION POLICY**

The faculty adopted the following policy on March 19, 1986, at a special faculty meeting.

### **STANDARDS FOR PERFORMANCE-BASED SALARY INCREASES**

#### **I. Introduction**

This Committee was charged with the responsibility of establishing standards for the awarding of performance-based salary increases. We have done so, despite threats of tarring and feathering and worse (and that was just within the Committee).

We had the equivalent of about five full meetings and spent a considerable amount of time outside of the meetings preparing drafts and reviewing the drafts of others. Our discussions, which were intense, led to the proposal that follows, each section of which was drafted and redrafted by different Committee members. This proposal represents a number of compromises. While none of us is entirely happy with the result, all of us find it acceptable, and we unanimously recommend its acceptance by the faculty.

Portions of the text which follows are identical or similar to those of the comparable policy adopted by the University of Kentucky College of Law.

#### **II. Performance Expectations: A General Statement of Policy**

##### **A. Teaching**

The primary mission of the College of Law is to provide a high quality legal education for its students. Effective teaching, therefore, is the most important element of an individual's performance as a member of the faculty. It takes substantial time and effort to acquire and maintain a thorough understanding of course materials and the legal literature and to plan for an effective presentation of those materials in the classroom. It takes additional time to meet the educational needs of students outside the classroom.

Undoubtedly, many varying considerations affect the time and effort necessary to fulfill one's teaching responsibilities - the experience of the faculty member generally or with respect to the particular course area, the use of a novel approach or a new book, the rapidity and/or complexity of new developments in the field, the size of the class and its place within the sequencing of courses, and other comparable factors which are difficult to evaluate. Nevertheless, the faculty expects each of its members to shoulder an equitable share of the institution's obligation to provide quality teaching. Quality teaching includes, by definition, effective classroom instruction, the preparation (including research) necessary for such teaching, the development of professional attitudes and work habits among the students, implementation of attendance policies adopted by the faculty, and the giving and expeditious grading of a rigorous written examination (where applicable) in accordance with the requirements of previously established faculty policy.

##### **B. Scholarship**

The existence of an obligation to teach effectively and conscientiously a full load of courses is a matter which is taken for granted by the faculty. The same is true with respect to the existence of an obligation to engage in scholarship. The advancement of

legal knowledge, broadly defined, is an obligation of every good law school and of every productive faculty member. Scholarship provides insights and new knowledge which augment teaching effectiveness. Scholarship enhances the reputation of the individual faculty member among the students and his peers and adds measurably to the intellectual vitality of the law school. Furthermore, the quality and quantity of a faculty's published research are frequently important public measures of a law school's worth and reputation. Consequently, every member of the faculty at every rank has a responsibility to engage in scholarship. This responsibility is second in importance only to teaching as a focal element of an individual's performance as a law faculty member.

Scholarship, of course, may take many forms. The most common manifestation of such activity is the law review article. Contributions may, however, be made in numerous other ways (treatises, published casebooks [including teachers' manuals and supplements], other books and supplements, monographs, articles in bar journals, law-related book reviews, practice manuals and form books, articles relating to law written for publication in non-law review periodicals circulated primarily within the legal profession, books or articles related to law written for publication circulated to the general public, official or unofficial published explanations, comments or descriptions of law reform proposals, or statutory text).

No faculty member should feel pressured to engage in any particular kind of scholarship. However, the essence of the manifestations of scholarship listed above is in-depth research resulting in a creative written product, submission of the product to one or more critical editors for determination of its publishability, and its ultimate dissemination to the public or a segment thereof. While it is conceded that standards of editors and of publishers vary, this feature is an objective manifestation made by a party or parties other than the faculty member that the scholarship is publishable. This is a major distinguishing feature from other useful and stimulating forms of research endeavor which are more appropriately considered as a part of quality teaching (e.g., development of original materials for a new course) or public service (e.g. pro bono briefs to trial courts, appellate courts and courts of last resort).

Clearly, not all of the forms of scholarship listed above involve equal effort; consequently, they do not have equal value for performance-based pay determination purposes. The essential criterion is whether the faculty member has fulfilled his or her commitment to engage in serious and continuous scholarship. While it is difficult to describe the magnitude of the scholarship effort by a member of the faculty, a major scholarly production at least every third year has been the minimal requirement since the Shakertown Retreat. Of course, there are some forms of scholarship involving a longer time span which are deemed functionally equivalent to the basic norm cited above - work on a scholarly book or treatise, for example. Such a project may absorb the faculty member's productive scholarly efforts over a longer period of time. The appropriate time frame for final publication, as with law review articles and other forms of scholarship, is a matter for consultation between the faculty member and the Dean. If the faculty member has a long term project and makes substantial and appropriate progress toward ultimate publication, the Dean may determine that the faculty member has engaged in scholarship, even though the project is not complete or near completion. Ultimately, the Dean, a tenured faculty with a record of scholarship, will be required to evaluate a particular publication or in-progress scholarship by comparing it to the faculty member's negotiated percentage of his overall performance quotient.

C. Service

Service to the law school, the University, and the public is the third component of faculty performance. While not constituting as significant a portion of a faculty member's responsibility as teaching and scholarship, such service is nonetheless a substantial element of each faculty member's obligation to the institution. Each member of the faculty is expected to participate regularly and responsibly in the processes through which institutional policy is formulated and implemented. In addition, each member is expected to share in the demands on time and energy that result from the routine operation of the school. At a minimum, a faculty member should regularly attend faculty meetings, serve on an equitable share of law school committees (with due consideration given to the varying time demands of different committees), serve as chairperson on a fair and equitable basis (untenured teachers will normally be exempt from this requirement), regularly attend law school functions appropriate for faculty (the student awards presentation, Siebenthaler lecture, and graduation), absorb an equitable share of the non-course-related advising of students, and participate in the selection of new faculty. Faculty are also encouraged to assist with the supervision and guidance of student groups and organizations (law review, moot court, inter-school competitions, etc.).

Service to the institution also includes service to the University. The faculty recognizes its obligation to participate fully as an important component of the larger institution. Faculty should be encouraged to bear a reasonable share of the duties inherent in the law school's full participation in the operation of the University. Service to the profession and public is also a part of this third component of faculty performance. Members of the faculty should seek opportunities for involvement in professional and public affairs that relate to their work at the University. However, such activities should not be permitted to impinge on the capacity of the faculty member to perform the principal responsibilities of teaching and scholarship at a high level. But professional and public service (e.g., continuing legal education, pro bono legal representation, and faculty members who provide it.

D. The Requirement of Full-Time Effort

The College of Law is and must continue to be staffed with faculty members who are full-time teachers and scholars. Roscoe Pound has stated this eloquently: "Law is a jealous mistress. Law teaching is a doubly jealous mistress. If one's main interest is in anything but his teaching he will be no teacher." R. Pound, Some Comments on Law Teachers and Law Teaching, 3 J. of Legal Educ. 519, 532 (1951). Indeed, both the Association of American Law Schools and the American Bar Association require that the faculty be composed generally of full-time teachers. The American Bar Association defines the matter thusly in standard 402(b): "A full-time faculty member is one who during the academic year devotes substantially all working time to teaching and legal scholarship, has no outside office or business activities and whose outside professional activities, if any, are limited to those which relate to major academic interests or enrich the faculty member's capacity as scholar and teacher, or are of service to the public generally, and do not unduly interfere with one's responsibilities as a faculty member." Northern Kentucky University amplifies this requirement of full-time effort in the following manner: "For full-time faculty members, outside consulting and other professional activity are limited to the equivalent of one day per academic week during periods when the faculty member is on full-time pay status. Time spent on such outside

activity must be in addition to, rather than a part of, the normal full-time effort expected of members of the full-time faculty for University work. Outside activity must in no way interfere with University duties." The faculty expects that each of its members will recognize that law-teaching is a full-time job and will strictly comply with the standards above.

Professional activities outside the law school, in the form of consultation or professional practice, can be valuable to the institution and compatible with the demands of full-time faculty status. Such activities frequently enable faculty members to perform their teaching and research responsibilities at a higher level and enhance the reputation of the institution and of the individual faculty members involved. On the other hand, such activities have an almost limitless potential to undermine the performance and competence of the faculty as a whole. If not properly limited, they can adversely affect the quality of teaching and attention given law students as individuals, the scholarly interest and performance of the faculty, the participation of faculty in important law school functions, and much more. Consequently, both the Dean and the faculty are obligated to do whatever is necessary to keep such activities within proper limits. The foundation underlying these limitations is the fundamental notion that full-time teachers should not engage in professional activities outside the law school that divert them from their primary interests and duties as legal educators. The faculty of the College of Law is wholeheartedly committed to this notion. Consequently, it expects each of its members to abide by the above-stated limitations carefully and completely. The faculty also expects its members to be reasonably accessible to its students, other members of the faculty and the College of Law administration, and other colleagues and members of the University administration. While it is conceded that much productive work is and can be done effectively at home rather than the office, nevertheless, a faculty member cannot normally fulfill the responsibilities detailed herein unless he spends most of his working time at the University. No faculty member should create the impression that he or she is less than a full-time faculty member.

### III. Effective Teaching

Effective teaching is teaching students law, analysis and application - and doing it well. An effective teacher is well prepared and up-to-date on developments in the areas of law taught. Depth of knowledge is required. Effective teaching takes place in the classroom, in the office, in the hallways, and elsewhere. Inherent in effective teaching is effective communication with students, stimulation of thought and creativity, and motivation of the students. An effective teacher imparts a sense of professional responsibility, and is a model of careful, realistic thoroughness. Effective teaching requires substantial time for preparation, for keeping abreast of new developments, and for meeting students for consultation and advising, in addition to classroom teaching. Effective teaching can include curriculum development, development of new courses, and preparation and supplementation of teaching materials.

Effective teaching is measured by such things as:

- a) general reputation;
- b) student evaluation;
- c) original teaching materials, including supplements; and
- d) other information supplied by or requested by the faculty member.



Nothing in this policy precludes the Dean from exercising his/her inherent powers.

IV. Scholarship

*[Entire base policy is included first with amendments to follow.]*

A. Justification for a Scholarship/Publication Component of the Performance Expectations.

1. Traditionally the legal academic has profoundly influenced the development of the law. It is believed that while practitioners are very busy, law professors have time to think about law and have the luxury of doing so in ways unaffected by loyalty to clients. As a result, courts and practitioners have sought guidance from academics on the interpretation of law and the direction in which legal doctrine should develop. Academic scholarship is looked to by the bar and the court for the clarification of conflicting principles and the definition of the limits of doctrine.
2. As a consequence, academic scholarship is in a real sense an obligation each faculty member owes to the profession independent of any obligation s/he owes to his/her particular institution. The institution, however, must provide its faculty with the opportunity to engage in scholarship/publication and must support and reward such activity.
3. Scholarship/publication is essential to an individual's professional growth and development. Continuous, disciplined and thoughtful inquiry expands the mind and generates professional confidence and a vital academic environment.
4. Scholarship/publication creates credibility and visibility for the institution insofar as the faculty are recognized as experts in their fields by the local and national legal communities.

B. Proposal

1. IT IS PROPOSED THAT THIS COMPONENT OF THE PERFORMANCE EXPECTATIONS BE TERMED SCHOLARSHIP.

- a) The term Scholarship is intended to be broader in terms of the scope of qualifying activity than is the term Publication. As can be seen below, activity beyond traditional treatise writing and law review publication can satisfy the Scholarship requirement.
- b) The term Scholarship is intended to be narrower in terms of the scope of qualifying activity than is the term Research and is intended to exclude activity that does not involve substantial critical evaluation.
- c) The term Scholarship is intended to describe activity that distinguishes the law professor from the law student. Scholarship is expected to reveal mature research capability; to present new ideas, concepts, or organizational principles; to compile original research data; to analyze, evaluate, criticize, propose, create.

d) The term Scholarship is meant to identify activity that is the mark of an academic rather than of a practitioner. It should be the result of considered reflection upon legal, political, social or doctrinal consequences, in contrast to consequences to an individual client.

2. IT IS PROPOSED THAT THE SCHOLARSHIP COMPONENT CAN BE SATISFIED BY A RANGE OF ACTIVITY, AS FOLLOWS:

SCHOLARSHIP

Scholarly activity includes

Publication of law related:

treatises

books and supplements

monographs

articles in law reviews or bar journals

book reviews

Practice manuals and form books

articles published in non-law review periodicals  
circulated primarily within the legal profession

Publication of:

other books or articles related to law

Drafting of:

official or unofficial published explanations, comments  
or descriptions of law reform proposals

statutory text

3. Comments

a) Scholarly activity satisfies the Scholarship component of the Performance Expectations in part because of the traditional recognition of the demanding and intellectual nature of the process of readying an idea for publication.

b) Moreover, the process of publication requires disciplined research, thoughtful inquiry, and a degree of commitment to justice and reason. (This is in contrast to, for example, advocacy of a particular position as a representative of a client.)

c) Scholarly activities to some degree require the faculty to compete with other academics in the market place of ideas. There is at least an element of "having been judged and chosen" in law publishing. This in turn creates higher visibility of the institution and helps establish the credibility of the faculty in the community and among students.

C. Related Activity

1. The following activity has some of the qualities of Scholarship but does not satisfy the Scholarship component, in part because the activity better satisfies other components of the Performance Expectations, in part because it does not reflect the critical quality of scholarly activity.

Related activity includes

Preparation of CLE outlines and materials

Presentation of speeches, lectures, or participation on panels

Compilation of existing materials in preparation for a new course

Development of course materials

Briefs and memoranda of law

2. Comments

a) Related activity has great value to the institution, the community and to the professional competence of the individual faculty member, but it does not satisfy the Scholarship component.

b) Related activity constitutes research rather than Scholarship, goes to the development of teaching competence rather than to intellectual challenge, evokes images of public service rather than images of the exercise of new ideas.

V. Service

A. Significance of Service

The term service should be broadly construed to include service to the College of Law, the University, the legal community, the academic community, and the community at large. Participation in service activities must not interfere with, or be substituted for, the obligation of each faculty member to teach effectively and engage in scholarship.

**B. Service to the Law School**

Within the above constraints, every faculty member must satisfy the service component. Generally, individuals can determine for themselves the type and extent of their service; however, certain forms of service must be performed by all faculty members. These include participation on College of Law and University committees, attendance at College of Law functions, and informal advising of students.

**1. College of Law and University Committees**

All members of the faculty must participate fully on College of Law committees. Responsibility for sitting on the traditionally busy committees should be shared equally. These include the Admissions, Curriculum, Promotion and Tenure, and Faculty Recruitment Committees. Participation includes active attendance at meetings, and completion of assigned reports and other duties. In addition, tenured members of the faculty are obligated periodically to chair committees. Under normal circumstances non-tenured members of the faculty will not be expected to chair committees.

Such equal participation will help fulfill the stated goal contained in the Self-Study Report of equalizing committee workload. (Self-Study Report, p. 129).

In addition, faculty members are encouraged to assist in the development and execution of University policy. This entails participation on the Faculty Senate as well as University committees.

**2. Attendance at College of Law Functions and Events**

There are a number of other obligations which faculty members must satisfy in addition to committee work. Faculty members should attend important College of Law functions. At the very least, these include graduation and the student awards ceremony.

[Amended April 19, 2012]

Any faculty member who regularly fails to attend these functions and events demonstrates an inexcusable lack of interest in the College of Law. Such a lack of interest is noticed by the students and otherwise reflects badly upon the College of Law. In addition, faculty members are encouraged to attend alumni and faculty social events, as well as bar association activities.

**3. Informal advising of Students**

Faculty members have an obligation to the students' professional development beyond teaching in the classroom. This obligation may be carried out in a number of ways. At the very least, however, faculty members should be available to engage in informal advising of students. Such advising may include (1) discussion of a particular course, (2) a general discussion of other areas of the law, (3) resolving a student's academic problems, (4) discussing various employment opportunities and (5) assisting in placing students in legal positions. In addition, faculty members are encouraged to act as faculty advisors to student

organizations, as well as assisting such organizations in other ways, e.g., judging practice rounds for Moot Court competition or evaluating for the Law Review unsolicited articles in the area of the instructor's expertise.

C. Public Service

Faculty members are encouraged to engage in uncompensated public service, particularly if it is law-related. Such service not only benefits both the faculty member and the organization he assists, but also redounds positively to the College of Law. Therefore, involvement in all forms of public service should be considered by the Dean in determining performance-based salary increases.

The following are examples of public service; however, they are not meant to be exhaustive nor are they presented in any particular order of importance.

- 1) preparation and/or presentation of Continuing Legal Education materials;
- 2) active participation in local, regional or national bar associations or legal education organizations;
- 3) providing free legal advice to government agencies and practitioners;
- 4) editing professional journals;
- 5) pro bono representation of clients, including preparation of memoranda of law and appellate briefs;
- 6) presenting lectures and speeches;
- 7) participation in local, regional or national charitable, religious or political organizations.

VI. Evaluation

As amended April 30, 1997: [this does not apply to Legal Writing Faculty members]

The formula in Part VI is eliminated.

Compensation should be decided by the Dean at his/her discretion based upon the following criteria as well as the criteria set forth in the Compensation Policy apart from Part VI:

1. Quality of teaching in the context of the scope of the individual's teaching responsibilities.
  - A. The first obligation of professors is to teach effectively
  - B. The standard course load per year is four
  - C. Factors to be considered include (not an exclusive list)
    - i. The use of mid-term examinations (including the extent of feedback to students)
    - ii. The use of drafting, oral and problem-solving assignments (including the nature and extent of feedback to students)
    - iii. The extent to which legal reasoning is emphasized in class

- D. In evaluating quality, the following matters should be considered
  - i. The number of classes taught
  - ii. The number of students taught
  - iii. Other matters bearing on the scope of the individual's teaching responsibilities
- 2. Scholarship
  - a. Scholarship remains a major responsibility of faculty, second only to teaching in importance
  - b. Goal: At least one significant publication every three years for each full-time teaching faculty member
  - c. The Dean shall assign a fifth course each year to individuals who do not meet the publication goal
- 3. Service
  - a. This component may be met through service to the law school and to the university or the community
  - b. Each faculty member should chair a major committee at least once every three years
  - c. Those who do not wish to chair a major committee may ask to serve as members of committees in excess of a normal committee load or to teach a fifth course each year
  - d. The Dean shall assign an individual course and/or additional committee work to individuals who do not perform the service component at an appropriate level and who do not chair a major committee at least once every three years,(but consideration should be given to special circumstances, such as serving as Faculty Senate President or the need to be available to students on an extended or concentrated basis)
- E. Fifth Courses –considerations
  - 1. A fifth course might not involve an additional preparation (e.g., it might be a second section of the same course)
  - 2. Consideration should be given to the necessary or desirable cycle or order of courses
  - 3. The assignment might be made to accommodate the administration in its scheduling of electives
  - 4. The fifth course might be an elective that would not otherwise be offered because of low student enrollment
- F. Student evaluations
  - 1. Should be considered in the compensation process only to the extent that they demonstrate substantial deviations from acceptable norms
  - 2. May be used by the Dean for other purposes
- G. Flexibility
  - 1. All professors have areas of expertise and any assignments of a fifth course should reflect the individual's strengths or current needs
  - 2. For a variety of reasons, however, the law school may need to assign a professor to teach a course outside a faculty member's areas of expertise
  - 3. Flexibility in accepting such assignments is encouraged (and will reflect favorable on the individual)

April 30, 1997

As originally adopted, Part VI read:

A. Designation of Weighing Factors

1. For purposes of performance evaluations, each faculty member shall designate the weighing factor to be used in evaluating performance in each of the following categories: teaching; scholarship; and service.
2. The allocation shall total 100% and shall be made within the ranges set forth below:

|           |              |
|-----------|--------------|
| teaching: | 40% to 60%   |
|           | scholarship: |
|           | 30% to 50%   |
| service:  | 10% to 30%   |

3. The allocation shall be made each year, beginning in 1986 for the 1986-87 academic year, prior to the end of March or within seven days after meeting with the Dean to review his/her performance during the preceding evaluation period, as defined below, whichever is later.
4. The allocation may be changed by a faculty member from time to time during the evaluation period, provided that no change may be made without the approval of the Dean on good cause shown by the faculty member, and provided further that except in extraordinary circumstances no change shall be made after November 30 for the then-current evaluation period.
5. Under extraordinary circumstances, the Dean may allow a faculty member to reduce or increase the weighing factor in any one or more categories from those set forth above. For example, a person who teaches only nine credit hours in a given year may establish a weighing factor for teaching in the range of 35-50%. One who teaches six credit hours may establish a weighing factor of 20-30%. Conversely, one may establish, again with the concurrence of the Dean, a weighing factor in the 50-65% range for teaching fifteen credit hours. In a significantly different situation, one who was chairing a law reform commission might be permitted, depending on the circumstances, to allocate the bulk of his/her total weighing factor to the service category. Whenever any such adjustment is allowed by the Dean in his/her discretion, the Dean shall so notify the faculty, stating the reasons for allowing the adjustment.

B. Evaluation

1. Evaluation Period. An evaluation of each faculty member's performance shall be made in March of each year. Except as otherwise stated below, the evaluation is to take into account only the faculty member's activities during the twelve-month period ending on the last day of the next preceding February. However, in determining teaching effectiveness, the periods that are to be considered are the last two complete academic semesters (and the intervening summer term if the professor taught a course during that term).
2. Point Values for Evaluation. Each faculty member shall be evaluated on a scale of 0 to 5, in which 5 indicates an excellent performance, 4 indicates a very

good performance, 3 indicates a good performance, 2 reflects a satisfactory performance, 1 reflects an inadequate performance, and 0 indicates poor performance in the category in question. In making the evaluations, the Dean shall consider the quantity and level of difficulty of the work undertaken, as well as the quality of the work actually performed. The Dean may also consider the success or failure of the faculty member in fulfilling commitments and intentions expressed in previous years.

The Dean shall evaluate all faculty members on the same basis. This means that no faculty member shall enjoy any presumption that his/her work is of high quality simply because he/she has been a faculty member for ten, twenty or any other number of years. Conversely, no allowance shall be made for the fact that a faculty member may be in his/her first or second year of teaching, or may be teaching a given course for the first time.

Teaching performance and service shall be presumed, in the absence of contrary indications, to be satisfactory - i.e., valued at 2.

3. Guidelines. While the basis for evaluation is within the sound discretion of the Dean, the Committee believes that the following guidelines would be appropriate:

a) Teaching. While a professor's performance in the classroom is to be assumed to be satisfactory, relatively poor student evaluations, unless contradicted by other credible indications, should lower the number assigned to this category. Conversely, relatively good student evaluations should result in an appropriately higher evaluation. The Dean ordinarily should take into account the peer evaluations made of nontenured faculty personnel by members of the Retention, Promotion and Committee or their designates.

b) Scholarship. A satisfactory performance ordinarily would result from reasonable progress on a law review article or the acceptance of such an article for publication. However, since each faculty member is expected to publish a law review article at least once every three years, or perform equivalent research and publication, "reasonable progress," by definition, cannot have been made during more than two years on the same article. Nothing in this paragraph shall be deemed to preclude the Dean from taking into account the length, complexity and quality of any publication or other acceptable manifestation of the scholarship requirement.

c) Service. Only serviced actually performed during the evaluation period may be considered. Because service may take a great many forms, evaluation of its quantity, quality and importance is particularly subjective in nature and the Committee believes that the attempt to establish guidelines would be the equivalent of trying to clean the Augean stables, a task which the Committee declines (with great respect, of course) to undertake.



4. Computation. The points awarded for the faculty member's performance in each evaluation category shall be multiplied by the weighing factor of that category established by the faculty member and the products shall be totaled.

An example may help. Assume that a professor has assigned a 50% weighing factor to teaching, 40% to scholarship, and 10% to service. Further assume that the professor has performed satisfactorily in the classroom, well in scholarship, and very well in service. The calculation would be as follows:

$$\begin{aligned} 2 \times .50 &= 1.0 \\ 3 \times .40 &= 1.2 \\ 4 \times .10 &= .4 \end{aligned}$$

The overall "score" of the professor would be 2.6.

5. Bottom Line. No performance-based raise shall be awarded unless the professor's overall evaluation is at least 2.0.

6. Determination of Amounts of Performance-Based Increases. The amount that is available for performance-based raises shall be determined. Next, the number of faculty members within each evaluation bracket shall be determined. Finally, the Dean shall allocate the performance-based increases in pay among the evaluation brackets on the following basis, in which X equals the base amount of the performance-based raise:

| <u>Point evaluation</u> | <u>% of salary to be awarded<br/>as performance-based raise</u> |
|-------------------------|-----------------------------------------------------------------|
| -1.99                   | 0                                                               |
| 2.0-2.49                | X                                                               |
| 2.5-2.74                | 1.5X                                                            |
| 2.75-2.99               | 1.75X                                                           |
| 3.0-3.24                | 2.0X                                                            |
| 3.25-3.49               | 2.25X                                                           |
| 3.5-3.74                | 2.5X                                                            |
| 3.75-3.99               | 2.75X                                                           |
| 4.0-4.24                | 3.0X                                                            |
| 4.25-4.49               | 3.25X                                                           |
| 4.5-4.74                | 3.5X                                                            |
| 4.75-5.0                | 3.75X                                                           |

7. There shall be no maximum dollar amount of, or other comparable limitation upon, any performance-based salary increase computed in accordance with these standards.

8. The Dean shall advise each faculty member during March of the evaluation which (s)he has made pursuant to this policy.

#### **6.41 Scholarly Activity and Recognition**

*[The below policy was adopted May 18, 2005. This amendment replaces #2 on pages 14-15 of the present Faculty Handbook. See original Section IV(B)(2) below.]*

##### **1. SCHOLARLY ACTIVITY**

The College of Law is committed to the promotion of quality scholarship by its faculty members. Quality scholarship contributes to a faculty member's knowledge and to effectiveness of classroom teaching. The publication and dissemination of quality scholarship extends the reach of a faculty member's teaching to the profession and to the public. The benefits of the production of quality scholarship redound not only to the individual faculty member, but also to the law school, the university, and the community. For these reasons, a demonstrated record of rigorous analysis and continuing commitment to quality scholarly productivity throughout a faculty member's academic career is the goal of this policy.

###### **a. Definitions**

###### **i. Quality Scholarship**

Quality scholarship requires rigorous analysis, and thus must go beyond primarily descriptive information (i.e., what cases, statutes, regulations, or a body of literature say). The factors indicating quality scholarship include:

- (a) The quality of the research and analysis. A significant publication demonstrates authoritative command of the chosen topic, familiarity with pertinent authorities, and careful evaluation of the authorities and issues.
- (b) The originality and scope of the thought presented in the scholarship and the contribution to the field it covers.
- (c) The scope of the chosen topic. A significant treatment of a narrow topic usually will be more detailed or contain deeper or more incisive analysis than might be required for a significant treatment of a broader topic.
- (d) Reputation of the publisher.
- (e) Impact. Among the indicia of a publication's impact are academics', judges', practitioners, or other professionals' use of the publication, frequency of citation, the publication's contribution to the candidate's reputation for scholarship, and its positive reception by an informed audience.
- (f) National or international scope.

Although the quality, as opposed to quantity, of a candidate's work is the most important factor in evaluating scholarship, suitable length of a law journal article is normally a minimum of 30 printed pages, or 50 double-spaced, typewritten pages, often with significant footnote annotation.

ii. Qualifying Scholarship

A faculty member's record for scholarship is expected to consist of quality scholarship of suitable length and complexity in one or more of the following categories:

- (1) Articles in student-edited or peer-edited legal journals;
- (2) Original scholarly books and supplements or chapters thereof in the legal field;
- (3) Book reviews;
- (4) Articles published in non-legal periodicals circulated primarily in the legal profession; and
- (5) Drafting of official or unofficial explanations, comments, or descriptions of law reform proposals or statutory text.

iii. Co-Authored Scholarship

Co-authored quality scholarship of significant length and complexity meets the definition of qualifying scholarship.

A faculty member who has produced co-authored scholarship in one (or more) of the above categories must submit a signed memorandum to the Dean stating what contribution of that scholarship is attributable to the faculty member.

iv. Publication

"Publication" includes manuscripts for which the candidate has received a written commitment for publication, as well as those already published. In the case of invited scholarship (e.g., in symposia, etc.) "publication" occurs after the invitation has been made and the manuscript submitted.

v. Published

"Published" includes acceptance for future publication.

v.i. Student-edited Journal

A student-edited journal is a legal journal published by a U.S. accredited law school.

vii. Peer-edited Journal

A peer-edited journal is a legal publication of which the editors are primarily lawyers or academics devoted to the study of law.

b. Generally, non-tenured faculty members will be expected to have published and/or accepted for publication, three individually authored law review articles of suitable length and quality, one for promotion to Associate Professor, and a total of three for promotion to full professor and grant of tenure. If a non-tenured faculty member proposes to submit other scholarly and creative material, it is recommended that he/she communicate such intention, in writing, to the Retention, Promotion and Tenure Committee. The Retention, Promotion and Tenure Committee, shall respond to such communications in writing stating whether this proposed scholarly and creative material is an acceptable alternative.

December 16, 2005

The faculty adopted the below Scholarship Recognition Policy:

The below categories apply to individually authored “quality scholarship,” as that term is defined pursuant to the definition that was agreed upon at the May 18, 2005 faculty meeting. All references below to how a law school is “ranked” refer to a school’s rank in the U.S. News & World Report peer assessment rankings. Individual faculty members may receive a maximum of \$30,000 per year in scholarship recognition awards. This policy will be reviewed in the 2008-09 academic year to evaluate its effectiveness in achieving the goals of the policy.

|   |          |                                                                                                                                                                                                                            |
|---|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | \$15,000 | • Article in student-edited flagship journal at law school ranked #1-50 (including ties); New, original books.                                                                                                             |
| 2 | \$10,000 | • Articles in student-edited flagship journal at law school ranked outside of the top 50; Articles in student-edited secondary journals; Articles in peer-edited legal journals; New editions of previously-written books. |

Date of Rankings

On occasion, one school might fall outside of the top 50 while another school might enter the top 50. Under this proposal, for purposes of determining whether a school is in the top 50, the Dean will look at the date the publication offer is received.

Co-Authored Scholarship

A faculty member who has produced co-authored scholarship in one (or more) of the above categories must submit a signed memorandum to the Dean stating what contribution of that scholarship is attributable to the faculty member. The correlating award will be commensurate with the contribution attributable to the faculty member.

Collateral Awards

Any monetary awards a faculty member receives from sources outside this Scholarship Recognition Policy to produce a particular piece of scholarship shall be deducted from the individual award for that piece of scholarship. With respect to scholarship for which the faculty member receives royalties, two times the royalties received after the first year of publication shall be deducted from the individual award for that piece of scholarship. Such scholarship will be

eligible for awards during the awards cycle one year after initial publication. This Scholarship Recognition Policy applies to scholarship produced by a faculty member while he or she is on sabbatical or other form of reassigned time when the faculty member produces a piece of quality scholarship in addition to the scholarship the faculty member was expected to produce during that sabbatical or other form of reassigned time.

December 16, 2006

All tenured law teaching faculty shall produce a substantial publication every two (2) academic years. The Dean shall have the authority to waive or modify this requirement for a particular faculty member, if in his/her judgment, such a waiver serves the best interests of the College of Law.

February 19, 2003

All Legal Research and Writing faculty shall produce a substantial publication every three (3) academic years. The Dean shall have the authority to waive or modify this requirement for a particular faculty member, if in his/her judgment, such a waiver serves the best interests of the College of Law.

February 19, 2003

1. Faculty members, both tenured and untenured, have continuing responsibilities in areas of effective classroom teaching, service and scholarly activity.
2. In addition, all faculty members have a responsibility to engage in scholarly publication. Generally, tenure will not be granted without evidence of scholarly publication. This responsibility for scholarly publication continues after tenure.
3. In the normal sequence, it is expected that faculty members granted tenure will engage in scholarly publication at least once every three years. (Requirements for non-tenured faculty are somewhat different in this area because untenured faculty members are engaged in demonstrating "tenurability".)
4. There are valid reasons for delaying scholarly publications. In certain cases it may be proper for a faculty member to engage in no scholarly publications. Relevant considerations include, without limitation, the following:
  - a. A longer publication in the process of preparation or scholarly activity significantly above that normally required of a faculty member may be deemed a valid reason for lack of scholarly publication.
  - b. Service, teaching loads, committee assignments, and scholarly activity apart from publication may be valid reasons for a lack of scholarly publication, provided these activities are of sufficient importance to the law school and are carried on at levels significantly above that normally required of a faculty member.
5. The Dean has certain inherent powers in areas such as salary adjustments, summer teaching assignments, committee assignments, and teaching assignments.
6. It is important to emphasize that a faculty member's total contribution in all areas is more important than the faculty member's contribution in any one area and that lesser contribution in

one area can be evened out by greater contribution in another area or areas. Problems relating to faculty member's failure to engage in scholarly publication, as well as to his or her overall productivity, should be resolved whenever possible by informal discussion between the Dean and the faculty member.

March 7-8, 1981

#### **6.42 Post Tenure Review**

The faculty during the October 25, 2000 meeting adopted a Post Tenure Review, which would be added to the Faculty Handbook. The policy mirrored a NKU policy. It is included in the current Faculty Handbook and is not reprinted here. The faculty also adopted at the same meeting Narrative for Post Tenure Review – Law Teaching Faculty and Narrative for Post Tenure Review – Law Library Faculty. Both narratives are included in Appendix A to this Section 6.

## **6.5 SUMMER POLICIES**

Intersession and similar course schedules to be taught during the summer are included in the teaching assignments made pursuant to the Summer School Compensation Policy.

April 28, 1993

The faculty adopted the following policy on April 2, 1986.

1. Summer Term Curriculum. To the extent that it is feasible to do so, in light of the financial resources available, the courses or types of courses listed below should be offered during the summer term:
  - a) Criminal Law;
  - b) At least one course appropriate for first-year, part-time division students, such as Remedies, Products Liability and Family Law;
  - c) At least one breadth and perspective course;
  - d) A seminar;
  - e) A tax course;
  - f) A Uniform Commercial Code course; and
  - g) A public law course, such as Administrative Law, Environmental Law, Admiralty Law, Labor Law courses, and Municipal Corporations.

Except for Criminal Law, the specific courses to be offered need not be the same from year to year.
2. Selection of Faculty. The following matters are to be considered in selecting faculty to teach during the summer term:
  - a) The faculty member must be competent to teach the course which is to be assigned to him or her, or become competent in the subject prior to the beginning of the summer term;
  - b) Ordinarily, one should not be considered for summer term teaching if (s)he fails to obtain a rating of "adequate," at least, in each of the teaching, scholarship and service categories for the rating period next preceding the summer term; and
  - c) Subject to the foregoing, each faculty member who wishes to teach during the summer term should have a relatively equal opportunity to do so - i.e., faculty wishing and qualified to participate should be assigned on a rotating basis.

This proposal will be effective immediately, except for paragraph b, which will become effective with respect to the 1987 summer term.

Faculty will be paid at the rate of 6% per credit hour with a maximum of \$3,100 per credit hour, based on a set amount decided annually by the Dean.

January 25, 1984

[Revised to reflect current

practice, December, 2011]



## **6.6 CLINICAL FACULTY**

Clinical faculty members are expected to serve and may serve on faculty committees, except for committees relating to tenure-track personnel matters, such as the Faculty Appointments Committee and the Law Faculty and Law Library Faculty RPT Committees. These clinical faculty members are expected to attend all meetings of the faculty, and they may, as part of their expected participation in faculty governance of the law school, vote on all matters brought before the faculty for consideration, except for matters relating to tenure-track personnel matters, such as faculty appointments, reappointment, promotion, and tenure.”

August 19, 2004

The policy above does not apply to tenure-track clinical faculty. Tenure-track clinical faculty members may serve on any faculty committee and may vote on all matters brought before the faculty for consideration.

[March 17, 2011]

### **6.61 Director of Clinical and Public Engagement Programs**

The faculty approved the concept of creating a new faculty position, Director of Clinical and Public Engagement Programs, and hiring someone to fill the position during the 2006 hiring season via national search. The position is envisioned as a 12-month administrative position with possible teaching obligations involving the classroom component of Chase’s externship program. The main responsibilities of this position are to improve Chase’s clinical learning and public services opportunities for students, including supervising Chase’s current externship and public engagement programs, help develop clinical and public engagement opportunities for part-time students, and provide support for faculty and administrators involved with clinical and public engagement programs or interested in developing such programs.

December 16, 2005

The faculty voted to implement the following:

1. There is hereby established a new position of Director of Clinical and Public Engagement Programs.
2. The Director’s position will be a 12-month administrative position, possessing the same type of faculty status granted to the Director of the Local Government Law Center.
3. The Director’s position is to be filled expeditiously.

February 22, 2006

The faculty postponed its search for a clinical director pending further decision making on the direction in which it wants to shape its clinical offerings.

September 20, 2006

## **6.7 TENURE FOR LEGAL RESEARCH AND WRITING POSITION**

Any full-time Legal Research and Writing Position shall be a tenure-track position under the following conditions:

(1) The tenure for any such position shall be specific to teaching Legal Research and Writing.

(2) A person occupying a Legal Research and Writing position shall have no right to make a lateral move from a Legal Research and Writing Position into a full-time non-Legal Research and Writing Law Faculty position. Such person may apply for a non-Legal Research and Writing faculty vacancy by going through the Faculty Appointments process the same as any outside candidate. If a person holding a Legal Research and Writing position is approved by the Faculty and hired into a non-Legal Research and Writing position, that person shall be subject to all of the procedures and standards required for appointment, reappointment, promotion, and tenure required of a non-Legal Research and Writing appointee.

(3) Under no circumstances shall a person holding a Legal Research and Writing position be allowed to teach more than one course other than Legal Research and Writing from the Law School curriculum, with a maximum of three semester hours credit, in any regular academic year (Fall and Spring Semesters).

(4) A person holding a Legal Research and Writing position shall have the same opportunities as any non-Legal Research and Writing teacher to be assigned to teach during the Summer Term.

(5) A person holding a tenure-track Legal Research and Writing position shall have full Law Faculty voting rights.

### **THE GENERAL CRITERIA FOR HIRING A TENURE-TRACK LEGAL RESEARCH AND WRITING TEACHER ARE AS FOLLOWS:**

A candidate for a position as a tenure-track Legal Research and Writing teacher shall have a law degree from an ABA accredited law school, shall be admitted to practice law in some United States jurisdiction, and must have some substantial experience after graduation from law school which demonstrates the ability to effectively teach Legal Research and Writing.

[Addition to Section III. CRITERIA FOR PROMOTION IN RANK AND GRANTING OF TENURE in College of Law Section of Faculty Manual.]

#### **Special Factors: Legal Research and Writing Position**

If tenure is conferred upon a person holding rank as a teacher of Legal Research and Writing at the College of Law, the contract between that person and the University which confers tenure shall contain a provision stating that such person's tenure is specific to teaching Legal Research and Writing at the College of Law. A person occupying a tenure-track Legal Research and Writing position shall have no right to make a lateral move from a Legal Research and Writing position into a non-Legal Research and Writing Law Faculty position. Such person may apply for a non-Legal Research and Writing position by going through the Faculty Appointments process the same as an outside candidate. If a person holding a Legal Research and Writing position is approved by the faculty and hired into a non-Legal Research and Writing Law Faculty position, that person shall be subject to all of the procedures and standards required for appointment, reappointment, promotion and tenure required of a non-Legal Research and Writing Law Faculty appointee.

The reappointment, promotion and tenure criteria used for law faculty shall apply to a person holding an appointment as a Legal Research and Writing teacher except as modified below:

(1) Because of the special time-intensive nature of teaching Legal Research and Writing, the primary basis for evaluation will be Quality of Teaching. A strong performance in the area of teaching effectiveness is mandatory. It is recognized that substantially more of the effective teaching of Legal Research and Writing will occur outside the classroom environment than in the teaching of other courses in the law school curriculum.

(2) Published scholarship may be different than that expected of a regular law teaching faculty member, e.g., focused on the area of teaching Legal Research and Writing, although it is not required to be. The quality and value of scholarly activity, not the number of such activities, shall influence tenure and promotion recommendations for Legal Research and Writing faculty.

(3) In the area of service, again, the quality and value of such activity, not the number of such activities, shall influence tenure and promotion recommendations for Legal Research and Writing faculty.

(4) While desirable, Recognition in the Legal Community is not a requirement for promotion and tenure for Legal Research and Writing faculty.

September 26, 1990

**6.8 ADJUNCT FACULTY**

The faculty adopted the below regarding adjunct faculty:

A. The use of adjuncts is largely to enrich the law school experience rather than to supplement the full-time faculty and their knowledge. Given this, whenever possible, we should attempt to have full-time faculty teach all but the most specialized courses or courses where the use of a sitting judge or highly skilled practitioner would be more educationally effective.

When feasible, courses should be taught by full-time members. There is, of course, nothing wrong with utilizing adjuncts in the program to provide that sort of window on the world of practicality that they do provide and to provide certain experiences which may in a particular case extend beyond those of most full-time faculty members.

B. It would perhaps improve the availability of adjunct faculty to both day and evening students and work more easily into the schedules of adjunct faculty in some courses taught by adjuncts were offered on Saturdays. In terms of the availability to both day and evening students, less pressure on the time of the adjunct, and ease of planning schedules for both students and adjunct faculty, Saturday would seem to be a good time to offer some courses. We would suggest that one course be offered on an experimental basis between the hours of 10 and 1 on a Saturday.

C. Certain schools rely heavily on certain adjuncts to consistently teach courses. Although in the cases where the adjunct professor is a recognized expert in the field, this is obviously a benefit to the student, this practice should certainly be limited to such cases and unless the adjunct instructor has demonstrated particular expertise in the field that brought him to substantial recognition by his peers at least within the locality, there is no obvious reason to hire an adjunct again and again to teach a course simply because the person has taught the course in a reasonably satisfactory manner before unless it is done along with some type of effective peer evaluation by one or more full-time faculty on some reasonable, periodic basis established by the dean of the law school.

D. Although present economic circumstances may not allow it, we feel that pursuant to a fuller study of adjunct teachers' pay scales, serious consideration should be given to improving the pay of adjunct faculty.

E. Adjunct faculty shall be peer reviewed the first, second, fourth and seventh year of their teaching or by the request of the administration.

September 20, 2000

The Dean shall immediately implement a plan for review of adjunct faculty.

March 31, 1982

We recommend that a written policy be established regarding pay scales, qualifications, course loads, standards of teaching effectiveness, means of hiring and of discharging adjunct faculty.

March 7-8, 1981

At the October 26, 1983, faculty meeting an adjunct faculty handbook was adopted. Appendix I was deleted in its entirety "with directions that it be redrafted to conform to the present policies since changes have recently been made." Article 4 was amended February 22, 1989. Article 3 was amended September 20, 2000.

**6.81 NORTHERN KENTUCKY UNIVERSITY**  
**CHASE COLLEGE OF LAW**  
**ADJUNCT FACULTY HANDBOOK**

**INTRODUCTION**

The College of Law recognizes the value conferred upon it by a competent, experienced and broad-based adjunct faculty. To that end, the College of Law endeavors to achieve a healthy mix of adjunct and full-time faculty, the benefits of which have been recognized by the American Bar Association and the Association of American Law Schools. However, because the task of providing the core of legal education should predominantly fall upon full-time faculty, adjunct faculty serve their most valued purpose in those courses which require special expertise or practice in order to adequately amplify the subject area. Through the guidelines promulgated in this handbook, the College of Law reaffirms its commitment to the development and retention of its adjunct faculty base.

**ARTICLE I - FACULTY**

A. The appointment of an adjunct faculty member in the College of Law will be based upon a recommendation initiated within and approved by the office of the Associate Dean with the approval of the Dean of the College of Law.

B. All adjunct faculty appointments at the College of Law shall be identified by one of the following ranks: Lecturer, Adjunct Assistant Professor of Law, Adjunct Associate Professor of Law, or Adjunct Professor of Law.

C. Definition of adjunct faculty and rank:

Adjunct Faculty: Adjunct faculty are fully qualified judges or practitioners who are paid more than 50% of their salary from non-University sources but who contribute significantly to teaching and service to the College of Law. Adjunct faculty will not be granted tenure, faculty retirement, insurance benefits or leave but may be entitled to all other University benefits.

Lecturer: This term shall connote a judge or practitioner who regularly presides over one or more class meetings during a course which is assigned to another member of the faculty and who lectures for the purpose of providing information on a specific subject area within such course. It is intended that only those persons who regularly appear as guest lecturers in specific courses shall hold the rank of Lecturer.

Adjunct Assistant Professor of Law: This rank shall connote the normal entry level for an adjunct faculty member and, except in extraordinary circumstances, shall apply to all adjunct faculty through their first four semesters or summer terms of teaching.

Adjunct Associate Professor of Law: Except in extraordinary circumstances, this rank shall connote adjunct faculty with more than four but less than ten semesters or summer terms of teaching experience at the College of Law and who have demonstrated excellence in teaching and who have otherwise met the criteria for promotion as hereinafter defined.

Adjunct Professor of Law: Except in extraordinary circumstances, this rank shall connote those persons with more than ten semesters or summer terms of teaching experience at the College of Law and who have demonstrated superior teaching abilities and who have otherwise met the criteria for promotion as hereinafter defined.

## ARTICLE II

### CRITERIA FOR PROMOTION IN RANK

An adjunct faculty member will have the right to teach in an atmosphere of free intellectual inquiry in accordance with institutional regulations and subject to the constraints of federal and state legislation; he/she will not be subject to constraints or harassments that impair teaching and creativity. An adjunct faculty member has the responsibility to insure an atmosphere of free inquiry by exploring relative alternative viewpoints and bringing to the classroom relevant substantive material gleaned from the practice of law. The following criteria shall be considered in reaching decisions on promotion:

1. Quality of teaching.
2. Effective utilization of outside resources and the ability to relate relevant substantive practical experience to the subject matter under consideration.
3. The extent to which he/she has remained current in his/her field and has utilized current materials to enrich the classroom experience.

These criteria shall be applied based upon the descriptions below. These descriptions are illustrative but not inclusive.

Quality of teaching: Principally, this means effective classroom teaching, and it is to be measured by student evaluations, including the ability to intellectually challenge and stimulate students, and by peer evaluations, which shall include classroom visitations. Also included is teaching work outside the classroom, both on a one to one basis and in groups; included in this are answering questions after class and in the office and meeting with groups to assist the learning process.

Effective utilization of outside resources and the ability to relate relevant substantive practical experience to the subject matter under consideration: This criterion connotes the principal reason for employment of adjunct faculty by the College of Law. The College of Law recognizes that certain subject areas are more fully amplified with the assistance of an experienced judge or practitioner. Accordingly, this criterion seeks to measure the extent to which an adjunct faculty member is able to relate relevant substantive practical experience to the teaching materials being utilized. This is to be measured by the use of examples demonstrated in class or in handout materials or the use of pleadings or legal forms where relevant as well as the utilization of law review articles. While relevant substantive practical experience should be integrated into the classroom setting in an organized manner, recanting personal experience for its own sake often results in a digression from the subject matter at issue. As a consequence, great care should be

exercised to avoid telling "war stories." It should also be born in mind that the adjunct faculty member is responsible for adequately conveying the course material described under the description for such course in the College of Law catalog. Therefore, the entire scope of the course, as well as the use of "practical" materials should be confined to an organized presentation of the subject matter of the course being taught.

The maintenance of currency in the field of expertise and the use of current materials: This criterion connotes the extent to which the adjunct faculty member has continued his/her education, either in practice or through more formal means, and has kept abreast of current developments in the area in which he/she is teaching and the extent to which such adjunct faculty member has communicated his/her expertise through the use of current up-to-date materials in the classroom.

### ARTICLE III APPOINTMENT, REAPPOINTMENT AND PROMOTION

A. Adjunct Assistant Professor: Except in extraordinary circumstances, all adjunct faculty who have less than four semesters or summer terms of teaching experience at the College of Law shall be appointed to the rank of Adjunct Assistant Professor of Law. Such appointment shall be for a one semester term and shall terminate at the conclusion of the semester in which he/she is initially appointed. The Associate Dean, after having reviewed peer evaluations and student evaluations which are described hereafter, shall have the right to offer an appointment in successive semesters to such adjunct faculty member at the appropriate rank depending upon the College of Law's need for such an appointment which shall be determined, in part, by the availability of full-time faculty to teach the course in question and the number of students who enroll for the course. Even in the event that an offer of an adjunct faculty appointment is made and accepted, the College of Law reserves the right to revoke such offer in the event that there is insufficient enrollment in the course to justify its being offered. Adjunct faculty who have been appointed and who have taught for four semesters shall be reviewed by the Dean and Associate Dean at the conclusion of four semesters with a view towards promotion to Adjunct Associate Professor of Law at the conclusion of the fourth semester. The criteria to be employed in reviewing adjunct faculty for promotion is described in Article IV hereof. Except in extraordinary circumstances, in the event the Associate Dean, in consultation with the Dean, determines that such adjunct faculty member shall not be appointed to the rank of Associate Professor after four semesters in rank as an Assistant Professor, such decision shall operate to terminate any further employment of such adjunct faculty member with the College of Law.

Adjunct Associate Professor: Except in extraordinary circumstances, all adjunct faculty who have more than four but less than ten semesters or summer terms of teaching experience at the College of Law shall have attained the rank of Adjunct Associate Professor of Law. All appointments of Adjunct Associate Professors shall be for one semester or summer term and shall terminate at the conclusion of the semester or summer term in which he/she was appointed. The Associate Dean, after having reviewed peer evaluations and student evaluations described hereafter, shall have the right to offer an appointment in successive semesters or summer terms to such Adjunct Associate Professors depending upon the College of Law's need for such an appointment which shall be determined, in part, by the availability of full-time faculty to teach the course in question and the number of students enrolled for such course. Even in the event that an offer of an appointment to the rank of Adjunct Associate Professor shall have been made and accepted, the College of Law reserves the right to revoke such offer in the event that there is insufficient enrollment in the course to justify its being offered. Adjunct Associate Professors who have been appointed and who have taught for ten semesters or summer terms shall be

reviewed by the Dean and Associate Dean at the conclusion of the tenth semester of summer term with a view towards promotion to Adjunct Professor of Law. The criteria to be employed in reviewing Adjunct Associate Professors for promotion is described in Article IV hereof. Except in extraordinary circumstances, in the event the Associate Dean, in consultation with the Dean, determines that such Adjunct Associate Professor shall not be appointed to the rank of Adjunct Professor after ten semesters or summer terms in rank as an Adjunct Associate Professor, such decision shall operate to terminate any further employment of such Adjunct Associate Professor with the College of Law.

Adjunct Professor: Except in extraordinary circumstances, all adjunct faculty who have more than ten semesters or summer terms of teaching experience at the College of Law shall be appointed to the rank of Adjunct Professor of Law. All appointments of Adjunct Professors shall be for one semester or summer term and shall terminate at the conclusion of the semester of summer term in which he/she was appointed. The Associate Dean, after having reviewed peer evaluations and student evaluations described hereafter, shall have the right to offer an appointment in successive semesters or summer terms to such adjunct professors depending upon the College of Law's need for such an appointment which shall be determined, in part, by the availability of full-time faculty to teach the course in question and the number of students enrolled for such course. Even in the event that an offer of an appointment to the rank of adjunct professor shall have been made and accepted, the College of Law reserves the right to revoke such offer in the event that there is insufficient enrollment in the course to justify its being offered.

#### ARTICLE IV REVIEW OF ADJUNCT FACULTY

"All adjunct faculty of all ranks shall be evaluated each semester or summer term by the students enrolled in his/her course who shall submit student evaluations to the office of the Associate Dean in a format prescribed the College of Law. In addition to student evaluations of classes taught by all adjunct faculty each semester or summer term, all adjunct faculty holding the rank of Assistant Professor or Associate Professor shall be subject to peer review and shall have his/her class visited by a member of the College of Law's Reappointment, Promotion & Tenure Committee or such tenured full-time faculty as may be appointed by the Committee, provided, however, that each semester or summer term, the Associate Dean for Academic Affairs shall furnish the Committee a list of those adjunct faculty who have been appointed on a one-time basis and who are not expected to teach on a continuing basis at the College of Law, and such adjunct faculty are not subject to the peer review process. Those adjunct faculty who are not so designated by the Associate Dean for Academic Affairs and who are expected to continue on a regular basis will have a peer evaluation in the first and third semester or summer term in which they teach, and thereafter, will be evaluated every second semester or summer term until they achieve the rank of Professor. The full-time faculty member undertaking such review shall provide a report to the Associate Dean and to the adjunct faculty member which shall evaluate the teaching effectiveness of the adjunct faculty member. No particular format is prescribed for this report, and it may very well, if the teaching is satisfactory, include nothing more than a statement as to the date on which the evaluation took place and that the teaching was found to be satisfactory. The report of the full-time faculty member is to be submitted to the Associate Dean as provided below. The number of classroom visits is left to the discretion of the full-time faculty member conducting the evaluation. The full-time faculty member who will be reviewing the adjunct faculty member shall ordinarily provide at least one week's notice to such adjunct faculty member prior to undertaking classroom visitation. Prior to submitting the report of the peer



review to the Associate Dean, the full-time faculty member undertaking the review shall provide a copy of his peer review to such adjunct faculty member, and if requested by such adjunct faculty member within one week of his/her having received a copy of the peer review, the full-time faculty member will review the contents of such report with such adjunct faculty member. After such review, or at the expiration of the one week period if no review is requested, the full-time faculty member shall submit the report to the Associate Dean. The adjunct faculty member shall have the right to respond to such report by directing such response to the Associate Dean within one week of submission of the report to him/her or the review of the contents of the report, whichever date is later. The Associate Dean, after consultation with the Dean, shall review the classroom visitation reports and responses from the adjunct faculty member, and the student evaluations of the adjunct faculty member's courses, in determining whether to reappoint or promote such adjunct faculty member after the time periods listed in Article III.

#### ARTICLE V - PAY SCALE

The pay scale for all adjunct faculty shall be determined by the Provost of the University. The pay for all adjunct faculty holding the rank of Assistant and Associate Professor will be equal and shall be determined by applying a uniform multiplier to the number of credit hours being taught each semester. The salary for each adjunct faculty member shall be determined and shall be communicated to such adjunct faculty member by the Associate Dean in his/her letter of appointment to such adjunct faculty member preceding the semester or summer term for which the appointment is made. All adjunct faculty achieving the rank of Adjunct Professor shall receive a one-time salary increase in an amount to be determined from time to time by the Provost of the University. All adjunct professor of law shall receive the same pay determined by applying a uniform multiplier to the number of credit hours such adjunct professors shall be teaching during the semester or summer term of appointment.

#### ARTICLE VI GENERAL POLICIES

Notwithstanding any other section of this handbook, all adjunct faculty shall comply with the policies of the university and the policies of the College of Law regarding attendance at regularly scheduled classes and the scheduling of make-up classes where it is necessary to cancel a class, requiring attendance and keeping accurate attendance records, the distribution of a syllabus and course outline to all students at the first session of the class as well as other policies adopted from time to time by the College of Law. Such policies are delineated more fully in Appendix I attached hereto. Failure to comply with such policies may result in such adjunct faculty member's termination.

#### APPENDIX I

[Omitted because not adopted by the faculty.]

**APPENDIX II**

1. A: The grade of A is given to student work which is outstanding. This level of achievement represents honors work. This grade is not automatically given to the best performance in a class, but is used to show that the work is of a superior level. Thus, in the context of an examination or paper, all or most issues will be identified. The presentation will be logical, well-developed and contain very good analysis. The law is accurate and used sensibly. Creativity should be present.
2. B and B+: The grade of B is given to student work which is solidly competent. B represents more than satisfactory, yet not outstanding. Thus, in the context of an examination or paper, all or most major issues, and some other issues, will be identified. Usually the presentation is logical, well-developed, containing good analysis. The law is usually accurate and sensibly used. Creativity may be present. The grade of B+ is given to work which is among the more competently done in the B level, yet not sufficient for the grade of A.
3. C and C+: The grade of C is given to student work which is of satisfactory professional competence. Thus, in the context of an examination or paper, the major issues are identified. In the main, the law is accurate but sometimes handled imprecisely. Such a paper or examination is often given characterized by conclusory statements. Extraneous issues may appear. Although the presentation may lack logical, analytical development, it does demonstrate a basic understanding of the area covered. The grade of C+ is given to work which is among the more competently done in the C level, yet not sufficient for the grade of B.
4. D and D+: The grade of D is given to student work which is not of satisfactory professional competence but which demonstrates a modicum of knowledge and ability. Thus, in the context of an examination or a paper, the discussion is often not fully developed and frequently proceeds in a illogical manner. Usually some major issues are not identified. For those issues that are identified, often there are substantial inaccuracies in the law and its application. The grade of D+ is given to work which is among the more competently done in the D level, yet not sufficient for the grade of C.
5. F: The grade of F is given to student work which is of substantially less than satisfactory professional competence. This grade represents a low level of achievement, and is not given automatically to the worst performance in a class. Thus, in the context of an examination or paper, the performance is worse than that for a grade of D. The presentation demonstrates little or no competence.
6. A+: The grade of A+ is reserved for the unusual and truly outstanding performance. It is not automatically given to the highest A in a class, but is given in only exceptional cases where the performance is outstanding on both a relative and an absolute scale. (This grade would carry 4 quality points for computation of the grade point average; placing the grade on the transcript is deemed sufficient recognition for this outstanding work.)

October 26, 1983, as amended  
February 22, 1989

Amended Article III of Adjunct Faculty Handbook adopted September 20, 2000:

**ARTICLE III**  
**EVALUATION OF ADJUNCT FACULTY**

All adjunct faculty, regardless of rank, shall be evaluated each semester or summer term by the students enrolled in his/her course on Student Evaluation Forms supplied by the College of Law.

In addition to the student evaluations, all adjunct faculty shall be subject to peer review by a member of the College of Law's Reappointment, Promotion and Tenure Committee or their designated representative.

For all newly appointed adjuncts, they shall be peer reviewed the first, second, fourth and seventh year of their teaching or by the request of the administration.

All adjunct faculty, regardless of rank or length of teaching at the College of Law, shall be subject to peer review, if requested by the Dean or Associate Dean for Academic Affairs at the College of Law.

The full-time faculty member undertaking such peer review shall provide a report to the Associate Dean and to the adjunct faculty member which shall evaluate the teaching effectiveness of the adjunct faculty member. No particular format is prescribed for this report, and it may very well, if the teaching is satisfactory, include nothing more than a statement as to the date on which the evaluation took place and that the teaching was found to be satisfactory. The number of classroom visits is left to the discretion of the full-time faculty member conducting the evaluation.

The full-time faculty member who will be reviewing the adjunct faculty member shall ordinarily provide at least one week's notice to such adjunct faculty member prior to undertaking classroom visitation.

Prior to submitting the report of the peer review to the Associate Dean, the full-time faculty member undertaking the review shall provide a copy of his peer review to the adjunct faculty member, and if requested by the adjunct faculty member within one week of his/her having received a copy of the peer review, the full-time faculty member will review the contents of such report with the adjunct faculty member. After such review, or at the expiration of the one week period if no review, or at the expiration of the one week period if no review is requested, the full-time faculty member shall submit the report to the Associate Dean.

The adjunct faculty member shall have the right to respond to such report by directing a response to the Associate Dean within one week of submission of the report to him/her or the review of the contents of the report, whichever date is later.

In determining whether to reappoint an adjunct faculty member, the Associate Dean will consider visitation reports and responses from the adjunct faculty member, and the student evaluations of the adjunct faculty member's courses.

## **6.9 FACULTY COMMITTEES**

[Compiler's Note: The list of committees was revised to reflect current practice. December, 2011]

All committee reports shall be submitted to the Dean's Office in electronic format for distribution to each faculty member, all Deans, and to the SBA. [Compiler's note: Revised to reflect current practice and to avoid specific format designations, December, 2011]

April 28, 1993

The Standing Committees of the Faculty are:

- Academic Standing/Honor Council
- Admissions
- Curriculum
- Faculty Recruitment
- Library
- Library Reappointment, Promotion and Tenure
- Reappointment, Promotion and Tenure

April 26, 1983, as amended  
[Amended April 19, 2012]

Each standing committee be charged with preparing and submitting for full faculty approval a formal jurisdictional statement.

April 26, 1983

Membership of those committees that are not confidential should be posted.

November 5, 1975

### **6.9.1 Academic Standing Committee**

The Academic Standing Committee hears all petitions for readmission and reinstatement filed by students previously dismissed from Chase College of Law.

In addition, the Academic Standing Committee reviews all files of students seeking admission to the College of Law who have been dismissed from another law school. In such cases, if the Academic Standing Committee determines that the student is eligible to apply for regular admission, it shall forward the applicant's file to the Admissions Committee accompanied by a memorandum attached to the file stating the reasons which justify the Academic Standing Committee's conclusion. If, however, the Academic Standing Committee is of the opinion that an applicant should receive credit for course work completed at another law school, it shall have the authority to confer advanced standing for course work not to exceed 30 hours.

April 25, 1984, as amended

**6.9.2 Admissions Committee**

1. To propose changes in admissions policy to the faculty.
2. To interpret and implement the admissions policy as adopted.
3. To consider applicants to the College of Law who have not attended another law school or who have attended another law school but are released to the jurisdiction of the Admissions Committee by the Academic Standing Committee.
4. To make decisions concerning the acceptance and rejection of such applicants.
5. With the Assistant Dean, to award those scholarships which have been put under the jurisdiction of the Admissions Committee.
6. To recommend changes in the practice or procedure for awarding scholarships.
7. To consider any matter referred to the Committee by the faculty or Dean and to make any proposals concerning such matters as the Committee may deem appropriate.

April 25, 1984

[Repealed April 19, 2012]

**6.9.3 Curriculum Committee**

The Curriculum Committee has jurisdiction to consider and to make recommendations to the Faculty concerning the following matters.

**I. Revisions in the required curriculum, including:**

1. Addition or deletion of courses from the list of required courses,
2. Modifications of the sequencing of required courses,
3. Changes in the number of hours of credit given for courses, and
4. Substantial changes in course format and/or content.

**II. Revisions in the elective curriculum, including:**

1. Addition or deletion of courses from the list of elective offerings,
2. Modification of the
  - a. sequencing of elective courses
  - b. frequency with which they are offered in each division
  - c. prerequisite requirements
3. Changes in the number of hours of credit given for courses
4. Substantial changes in course format and/or content

**III. Revision of other graduation requirements of a curricular nature, such as the writing and breadth and perspective requirements.**

**IV. Any other curricular matter referred to the committee by the Faculty of Dean.**

April 25, 1984

[Repealed April 19, 2012]

**6.9.4 Faculty Development Committee**

This committee is reinstituted effective with the 2009-2010 academic year and will, among other possible charges, address what faculty activities the law school should encourage and reward and how those rewards should be structured.

[May 14, 2009]

**6.9.5 Law Library and Information Technology Committee**

This committee was established to comply with ABA Standards.

March 21, 2007

[Repealed April 19, 2012]

**6.9.6 Library Reappointment, Promotion and Tenure Committee**

The Library Reappointment, Promotion and Tenure Committee reviews the applications of law library faculty for reappointment, promotion, and/or tenure and submits its recommendations to the Law Library Director.

April 25, 1984

**6.9.7 Reappointment, Promotion and Tenure Committee**

The Reappointment, Promotion and Tenure Committee has exclusive jurisdiction to evaluate all untenured faculty for the purpose of making recommendations to the faculty with regard to retention, promotion and tenure at the Salmon P. Chase College of Law in accordance with the Faculty Handbook and with the Policies and Practices for Promotion and Tenure adopted by the faculty. The Committee also has jurisdiction over all other matters as may be referred to it.

April 25, 1984

[Repealed April 19, 2012]

**6.9.9 Students on Faculty Committees**

Two students (1 night and 1 day) shall be appointed to each administrative and faculty committee with the following exceptions: (1) Tenure and Promotion Committee, (2) Academic Standing Committee, (3) Student members on the Admissions Committee are ineligible to vote on individual files. They may vote on policy matters only. Aside from the above stated exceptions, student committee members shall be voting members equal to all other committee members.

March 31, 1978

Committee appointments shall be made by the President of the Student Bar Association subject to approval by a majority vote of the House of Representatives of the Student Bar Association. Appointments are to be restricted to those students possessing at least a Junior standing.

March 1, 1974

## **6.10 FACULTY MEETINGS**

All matters needing consideration of the faculty shall be issued to all members of the faculty one (1) week in advance to be properly presented at a faculty meeting.

April 28, 1978

An agenda shall be prepared and posted for the information of the students. Any motions which are adopted or any matters of particular interest to the students shall be posted on the Student Bar Association bulletin board.

November 5, 1975

Based on the advice of Counsel, the Kentucky Open Meeting Act does not apply to faculty meetings.

December 6, 1974

### **Voting**

Full-time, tenured and tenure-track, non-teaching law library faculty shall have the right to vote in faculty meetings of the College of Law on all issues affecting the library or library faculty in their capacity as librarians and on personnel matters affecting them as faculty members of the University generally. In preparing the agenda for faculty meetings, the Dean shall designate, in his discretion, those agenda items on which such library faculty may vote.

April 30, 1986

The Student Bar President or his duly appointed representative shall be entitled to one (1) vote on those issues voted upon by the full faculty that directly affects the students at Chase. It shall be in the discretion of the Chair as to those matters directly affecting students and disqualification from voting on any matter must be declared before any vote is taken. No action by the Chair shall be construed as a ruling in favor of the students. This policy does not apply to votes approving students for graduation.

April 30, 1986



### **6.11 ADVISING OF STUDENTS**

[Compiler's note: Faculty should refer to the Student Handbook for the most recent information related to the Open and Structured Curricula.]

April 19, 2012

[Repealed April 19, 2012]

### **6.12 PROFESSIONALISM MATTERS**

Faculty members shall cover ethical and professionalism issues in each course. These issues shall be interwoven into the content of the course to assist students to learn how the issues arise and how they should be resolved. The Dean shall monitor implementation of this policy as part of performance review.

October 26, 1988

It is unprofessional: (1) to give an examination preview that is substantially a summary of the final examination; or (2) to give a final examination which is not substantially different from previous exams which are available to students. Every faculty member is expected to devise a challenging examination based upon the course material. It is each faculty member's professional responsibility to comply with ABA Standard 304(b) which reads as follows:

"The scholastic achievement of students shall be evaluated from the inception of their studies. As part of the testing of scholastic achievement, a written examination of suitable length and complexity shall be required in every course for which credit is given, except clinical work, courses involving extensive written work such as moot court, practice court, legal writing and drafting, and seminars and individual research projects."

The Dean shall undertake any measures necessary to insure compliance with the above recommendation and ABA Standard.

April 27, 1982

### **6.13 PUBLIC SERVICE AWARD**

- I. Name - This award shall be named the NKU Chase Public Service Award.
- II. Purpose – This award shall recognize significant law-related public service to the community beyond the law school and the University by members of the Chase Faculty. [For purposes of this award, the term Chase faculty shall include law school and library faculty as well as Chase administrators.]

Each year, when appropriate, a winner shall be selected for recognition. In any year a winner is selected, one additional member of the Chase faculty may be selected for an "Honorable Mention" recognition.

#### **III. Selection Procedure**

- A. Administration of the Award – The Office of the Dean of the Chase College of Law shall be responsible for the administration of this award.
- B. Eligibility – All full-time members of the Chase faculty shall be eligible for this award.
- C. Nominations – Chase faculty members who wish to be considered may self-nominate or have others nominate them.

Any eligible member of the Chase faculty who wishes to be considered for the Public Service Award shall assemble a packet outlining his or her public service activities during the previous calendar year and submit that packet to the Selection Committee no later than February 1 following the close of the year under consideration.

- D. Selection Committee – The selection of awards will be made by the Selection Committee. The Committee shall be comprised of a member of the Alumni Board of Governors, a person appointed by the Volunteer Lawyers Project and a person appointed by the NKU Scripps Howard Center for Public Engagement. The Office of the Dean of the College of Law will facilitate the establishment and the work of the Selection Committee.

The Committee shall consider the nomination packets and select the award winners using voting procedures the Committee deems appropriate and the selection criteria outlined below. The Committee shall inform the Dean of the College of Law no later than April 1 of the award recipients, if any, for a particular year.

- E. Selection Criteria – In making its selection, the Selection Committee shall take into account the impact of the nominee's public service activity in the community addressed by the activity and shall consider the nature and scope of such activity and, where appropriate, the level of student involvement in such activity.

While teaching is specific to the classroom and scholarship is the written expression of a legal idea, public service in the law is law in action in the service of a public good, such as the development of the law or the improvement of access to the law through a public project or through pro bono legal services. Examples of service to be honored with this award include the following public interest endeavors: pro bono representation of clients; participation in local, regional or national bar associations and legal education association on topics dealing with the public interest; law-related participation in local, regional or national non-profit organizations or public interest endeavors; provision of pro bono legal services to government agencies and the courts; presenting lectures and speeches on legal topics to non-lawyers; or law-related participation in local, regional or national charitable, religious or political organizations. This list of examples is not intended to be exhaustive and is not presented in any particular order of importance.

#### IV. Announcement and Award

- A. Announcement – Announcement of the winner of the NKU Chase Public Service Award and the Honorable Mention recipient shall be made at the Chase College of Law graduation ceremony.
- B. Award – The award shall consist of a plaque to commemorate the service of the recipient. In addition, the names of the winner and the Honorable Mention recipient shall also be inscribed on a separate plaque to be publicly displayed at the law school. In addition, in recognition and celebration of the public service activity for which the award is presented, the law school shall allocate for each year an award is made, in addition to and above any normal budgeting earmarks, \$10,000 for use by the Chase Public Interest Fellowship Program.

March 25, 2010

#### **6.14 MISCELLANEOUS**

During the first class session for each course, the professor shall inform the students of the materials to be covered in that course by written syllabus. Any changes shall be made in writing. The Administration shall be given a copy.

October 3, 1983

The faculty reaffirmed the recommendation of Task Force IV adopted at Shakertown directing the Dean to consult with those professors who consistently give high grades. Grade distributions for every class for each semester shall be distributed to all full and part-time faculty.

April 27, 1982

The Tutorial Program is a Student Bar Association program. Faculty at the College of Law should not be directly involved in the Student Bar Association's Tutorial Program.

March 7-8, 1981

The Dean will explore the possibility of NKU allowing the College of Law to adopt its own policy on the matter of outside consulting by faculty. It is the consensus of the faculty that the below stated policy would be acceptable:

It is recommended that a statement that is applicable to the law school concerning outside activities would be as follows:

"the Salmon P. Chase College of Law of Northern Kentucky University recognizes that faculty members are on occasion called upon to provide consulting and other professional activities by outside agencies, industries, governmental organizations, and private individuals. Such activities are normally looked upon with favor where they (1) contribute to the professional development of the faculty member, or (2) contribute an expertise to a problem of society, industry, government or individual, that is not commonly available, or (3) provide some carryover into the instructional program on the professor involved. Such activities may not interfere with law school duties and one's obligation to the law school and the university must take priority over any outside, income producing commitments."

"It shall be the responsibility of each faculty member to see to it that such consulting or other remunerated activities as may be engaged in shall be in compliance with the spirit of this policy. The dean of the law school shall have the responsibility of monitoring such activities within the law school. The dean shall, in those cases where he finds non-compliance with this policy, take appropriate steps to bring the faculty member back into compliance."

March 7-8, 1981

**6.15** The following faculty were recommended for Emeritus status on the dates indicated:

|                        |            |
|------------------------|------------|
| C. Maxwell Dieffenbach |            |
| Eugene W. Youngs       |            |
| W. Jack Grosse         |            |
| William R. Jones       | 10-28-1992 |
| Edward P. Goggin       |            |
| Robert L. Seaver       | 3-31-1999  |

|                        |           |
|------------------------|-----------|
| Carol B. Allred        | 3-20-2002 |
| Robert M. Bratton      | 3-20-2002 |
| Kamilla M. Mazanec     | 3-20-2002 |
| David C. Short         | 4-6-2005  |
| Frederick R. Schneider | 1-31-2008 |
| David A. Elder         | 4-28-2011 |
| Lowell F. Schechter    | 4-28-2011 |

**SECTION 7**  
**LAW LIBRARY**

RESOLVED: That the faculty of the Chase College of Law, Northern Kentucky University, is firmly committed to the principle that the College of Law library shall continue to be administered as an integral part of the College of Law and not as part of the centralized University library system.

November 5, 1976

The Northern Kentucky State College administration has consented that the law library is not to be considered a part of the law school, separate from the College Library.

December 6, 1974

**7.1 ASSOCIATE DEAN FOR LAW LIBRARY SERVICES AND INFORMATION TECHNOLOGY**

The new title for the Law Library Director position is "Associate Dean for Law Library Services and Information Technology.

May 8, 2002

1. The law library director is responsible for the "design and maintenance of the Law Library collection." (Chase Faculty Handbook)
2. The library director solicits informal faculty input and recommendations about the collection in the following ways:
  - a. Consulting members of the law faculty about the collection and particularly, about major items in individual areas of expertise to be added to the collection or cancelled.
  - b. Encouraging faculty comments and recommendations on the collection and acting favorably upon those recommendations and suggestions whenever possible.
3. The library director encourages formal faculty input and recommendations in the following ways:
  - a. Wide distribution and availability of book purchase recommendation forms. These forms are available to law faculty members in the faculty library, faculty research rooms, and reference desk. These forms are also distributed to each law faculty member in the Information Update packet each fall.
  - b. The law library staff asks for general faculty comment about items to be cancelled or other major collection development changes. A formal written notice and request for comments and recommendations is sent to faculty members whenever a major change or decision affects an individual faculty member.
  - c. The law library staff requests assistance from interested and knowledgeable faculty members in both shaping and culling areas of the collection.
  - d. The Law Library Committee provides an open meeting once a year to provide a forum to discuss views and concerns about the library, its collection, and its budget. All law faculty are invited to this meeting.

Nov. 30, 1988

## **7.2 LAW LIBRARY FACULTY**

### **Committee Service by Library Faculty**

In view of the fact that the library faculty is concerned with the work of some committees, and tenure and promotion decisions for library faculty are based in part on committee work, the library faculty should be assigned to work on law school faculty committees. In particular, a member of the library faculty as well as the Director of the law library should be appointed to the library committee. As always, the Dean should consider the special expertise and interests of individuals when making committee assignments.

April 27, 1982

### **Faculty Senate**

The practice for a number of years has been to include one member of the law library faculty among the three faculty senate representatives of Chase College of Law. The committee recommends that this practice be confirmed as the official policy of the faculty of the college of law.

April 27, 1982

[Compiler's note: A restructuring of the Faculty Senate in 2007 resulted in the loss of one Senate seat for the College of Law. Senate seats are allocated on the college's percentage of the total university faculty.]

### **Participation in Law School Faculty Meetings**

The committee recommends that library faculty who are required to be on campus during hours when faculty meetings are scheduled be expected to make every effort to attend those meetings. To facilitate such participation, the committee recommends that all materials distributed to participants prior to faculty meetings be distributed to library faculty. [There was no recommendation on voting rights of library faculty in this report.]

April 27, 1982

## **7.3 PROMOTION AND TENURE OF LIBRARY FACULTY**

The committee has studied the standards and procedures for tenure and promotion of library faculty. The scheme set forth in the Chase addendum to the Northern Kentucky University Faculty Handbook as amended reflects the recommendations of the committee with respect to full time library faculty. The committee recommends that the Dean be directed to make every effort to secure university approval for tenuring permanent part-time library faculty. This is important not only because the law school's needs would be served by tenuring part-time library faculty but also because at least one part-time person now on the library staff was told at the time of hiring that her position was tenure-track.

April 27, 1982

#### **7.4 LIBRARY COMMITTEE**

1. Library Committee Membership. The Library Committee shall have five members -three law faculty members, one library faculty member, and one student member, all to be selected by the Dean according to the standard committee membership selection procedure. The Director of the Law Library shall also be an ex officio member of the Committee.

2. Library Committee Function. The Library Committee shall have all the duties of the current Library Committee. In addition, the Committee, along with the Law Library Director and staff, shall oversee Library Collection development (including collection cuts and book management and report to the law faculty on these matters on a regular basis.

3. Library collection Development Policy. The Library Committee shall also draft a Law Library Collection Policy, dealing with collection cutting and book management as well as collection additions, for timely consideration at the October 1988 faculty meeting.

4. Implementation. Recommendations 1, 2, and 3 shall take effect immediately.  
April 20, 1988

The faculty approved a recommendation to establish a Law Library and Information Technology Committee to comply with ABA Standards.

March 21, 2007

#### **7.5 FUNDING**

The Dean of the College of Law should pursue all reasonable efforts to secure approval of new student fees for the use of the law library. The revenues realized from such fees shall be used exclusively to provide to students additional equipment and services which cannot be secured through existing institutional funding.

April 20, 1994

BE IT RESOLVED that the faculty of the Salmon P. Chase College of Law urgently implores the administration of Northern Kentucky University and the Salmon P. Chase College of Law to take immediate action to restore funding to the law library for acquisitions to levels that existed during 1983-1984 adjusted for inflation in the cost of books as measured by the American Association of Law Libraries Price Index so as to prevent imminent, irreparable harm to the law library's collection and to the stature and effectiveness of the College of Law.

March 25, 1987

[All policies under "Miscellaneous" repealed April 19, 2012]

**SECTION 8  
BOARD OF VISITORS**

The previous by-laws are below the following revised by-laws which were adopted by the faculty May 13, 2004 and approved by the Board April 16, 2004:

**BY-LAWS  
BOARD OF ADVISORS**

**Salmon P. Chase College of Law  
Northern Kentucky University**

**Article I**

**Nature and Purpose**

- 1.1 **Nature.** The Board of Advisors is an appointive board within the organizational structure of the Salmon P. Chase College of Law which assists the Dean and Chase College of Law in an advisory capacity.
- 1.2 **Purpose.** The purpose of the Board of Advisors is to further the objectives of the Salmon P. Chase College of Law of Northern Kentucky University by participating with the law school community in the process of examination and evaluation of the programs, activities, issues and strategies of the Law School. The Board, upon request by the Dean, shall make recommendations to the law school concerning any matter included in its process of examination and evaluation.

**Article II**

**Board Membership and Terms of Office**

- 2.1 **Categories of Members.** The membership of the Board of Advisors shall consist of leaders of the legal profession and knowledgeable men and women from diverse walks of life who are especially interested in the educational and professional goals of Chase College of Law. Members shall be selected by the Dean with a view to achieving a broad representation of perspectives. The categories from which members shall be chosen include:
  - Judiciary
  - Attorneys in Private Practice
  - Attorneys in Government Service
  - Attorneys Serving as In-House or Corporate Counsel
  - Public Officials
  - Business Leaders
- 2.2 **Number.** The Board of Advisors shall normally consist of no more than 25 members ("Board



## BOARD OF VISITORS

### Section 8 - Page 2

Members" or "Member").

- 2.3 Term. Members of the Board of Advisors shall be appointed for three-year terms. No person shall serve more than two consecutive terms, provided that special exceptions may be made by the Dean of the College of Law.
- 2.4 Staggered Terms. The terms of the Members of the Board of Advisors shall be staggered so that approximately one-third of the members of the Board shall be appointed each year.
- 2.5 Initial Appointments. For purpose of the initial composition of the Board, following the adoption of these By-Laws appointments shall be made so that approximately one-third of the members are appointed for a one-year term, one-third for a two-year term and one-third for a three-year term. Thereafter, all appointments shall be for a three-year term.
- 2.6 Resignation and Removal. Any Member may resign at any time by written letter to the Chair of the Board of Advisors and the Dean, addressed c/o Salmon P. Chase College of Law. Any member of the Board of Advisors may be removed at any time by a vote of a majority of the Board of Advisors, or with reasonable cause, by written notice from the Dean.
- 2.7 Voting. Each Board Member shall have one vote on all matters raised for a vote before the Board.
- 2.8 Responsibilities - It is understood the Board is composed of those volunteering their time for the betterment of the Chase College of Law. Upon accepting an appointment to serve on the Board of Advisors, Board Members accept the responsibility to participate in Board activities in a meaningful way. Subject to reasonable exception, Board Members are responsible for attending all scheduled meetings of the Board, participating in social events and/or committee meetings as time permits, providing personal financial support to the law school's annual fund, and participating in fundraising activities in the community in support of the law school.
- 2.9 Board Committees - From time to time, either by request of the Dean, the Chair, or by vote of a majority of Board Members at a Board Meeting at which there is a quorum present, the Board may delegate the Board's examination or evaluation of a program, activity or issue to a Committee. The Committee shall select its own Chair and shall work with the Secretary to further develop the matter for Report to the Board.

**Article III**

**Officers**

- 3.1 Officers. The officers of the Board of Advisors shall consist of a Chair, a Vice-Chair and a Secretary. The Chair shall be appointed by the Dean. The Vice Chair and Secretary shall be nominated by the Dean, in consultation with the Chair, and shall take office upon receiving a majority vote of the Board Members present at a meeting at which a quorum is present. Officers shall serve one-year terms unless a Member shall earlier resign or be removed from office pursuant to §2.6 above. In no case may an officer's term exceed his or her term as a member of the Board of Advisors.
- 3.2 Duties. The Chair shall, in cooperation with the Dean, plan and organize the meetings of the Board. The Chair shall preside at all meetings of the Board of Advisors. The Vice Chair shall perform the duties of the Chair in the absence or during the disability of the Chair. The Secretary shall cause notices of all meetings to be kept in a permanent form, and cause meeting agendas, minutes and all Reports required by the Board of Advisors to be prepared and distributed. All officers shall perform such additional duties as may be reasonably assigned to them by the Board of Advisors or the Dean from time to time.
- 3.3 Vacancies. In the event of the death, resignation, disability or removal of the Vice Chair or Secretary, the Dean shall be authorized to make interim appointments until the next meeting of the Board of Advisors, at which time consent of the Board shall be sought for the interim appointee or a new nominee for the vacant post.

**Article IV**

**Meetings**

- 4.1 Frequency. The Board of Advisors shall normally meet twice each year. Other meetings shall be upon special call of the Chair after consultation with the Dean, or by written request signed by a majority of Board Members.
- 4.2 Notices. The Secretary shall cause Notices of meetings to be issued to the membership as early as feasible and, in any event, at least fourteen days preceding the date of the proposed meeting.
- 4.3 Place. Meetings shall be held at Chase College of Law or elsewhere as specified in the notice of the meeting.
- 4.4 Quorum. Forty percent of the Members shall constitute a quorum qualified to take action as the Board of Advisors. The vote of a majority of a quorum shall constitute the action of the Board of Advisors.
- 4.5 Minutes. Minutes of each Board Meeting shall be taken by the Secretary, or in the Secretary's absence, a designee of the Dean.

**Article V**

**Scope of the Process of Examination and Evaluation**

- 5.1 The Board of Advisors shall examine and evaluate the programs, activities, issues and strategies referred to it by the Dean on behalf of the Law School. The matters referred by the Dean shall fall into the following categories:
- 1) Matters of concern of the bench and bar concerning legal education;
  - 2) Programmatic issues affecting the mission of the law school;
  - 3) Matters concerning placement activities;
  - 4) Matters relating to the recruitment of diverse and highly qualified potential students, faculty or administrative staff;
  - 5) Matters relating to the focus and content of the continuing legal education programs;
  - 6) Matters concerning public relations activities designed to enhance the public image of the Law School;
  - 7) Matters involving liaison with the state, local and national bar associations and the legal community generally;
  - 8) Any other matter not falling within the categories below defining those matters that are outside the scope of the Board of Advisors.
- 5.2 The matters falling into the following categories are outside the scope of the Board of Advisors and will not be examined, reviewed or referred by the Dean to the Board of Advisors:
- 1) Matters concerning course content or classroom effectiveness of faculty;
  - 2) Matters involving faculty or administrative personnel decisions;
  - 3) Matters involving admission decisions or development of admissions criteria;
  - 4) Matters involving disputes or controversies with University administration;
  - 5) Matters involving disputes or controversies between students, the Dean and/or faculty;
  - 6) Matters involving faculty scholarship or scholarly activity;
  - 7) Any other matter involving a faculty or decision of the Dean in a specific circumstance not involving policy.

**Article VI**

**Reports**

- 6.1 Reports and Actions - Upon request of the Dean or at the initiation of the Board, the Board or any committee of the Board may produce a Report on a subject examined and evaluated by the Board. Upon further request of the Dean or at the initiation of the Board, the Board may take formal action in the form of a Board position concerning a matter examined or evaluated by the Board. Formal action of the Board requires a majority vote of members present at a meeting at which there is a quorum. The record of the Board's position will include the tally of votes in support of the Board's position. Board Members not supporting the Board's position may submit a minority report setting forth their position.

**Article VII**

- 7.1 Adoption and Amendment. These By-Laws and any amendments thereto will be effective upon approval of the Board and after written notice by the Dean to the Board that the By-Laws have been approved by the College of Law following consultation between the Dean and the faculty.

May 13, 2004

Previous by-laws:

**BY-LAWS**  
**BOARD OF VISITORS**

The Salmon P. Chase College of Law  
Northern Kentucky University

**Article I**

**Nature and Purpose**

- 1.1. Nature. The Board of Visitors is an appointive board within the organizational structure of the Salmon P. Chase College of Law which assists the Dean and faculty in an advisory capacity.
- 1.2. Purpose. The purpose of the Board of Visitors is to further the objectives of the Salmon P. Chase College of Law of Northern Kentucky University by participating with the law school community in the process of examination and evaluation of the programs and activities of the law school. The Board, upon request by the Dean, shall make recommendations to the law school concerning any matter included in its process of examination and evaluation.

Article II

Membership

- 2.1. Categories of Members. The membership of the Board of Visitors shall consist of leaders of the legal profession and knowledgeable men and women from diverse walks of life who are especially interested in the educational and professional goals of Chase College of Law. Members shall be selected by the Dean, in consultation with the faculty, with a view to achieving a broad representation of perspectives. The categories from which members shall be chosen are:

Judiciary  
Bar association members  
Law firm members  
Public, non-lawyers  
Governmental lawyers  
Public officials  
Sole practitioners

Corporate Executives

- 2.2. Number. The Board of Visitors shall consist of between 12-15 members.
- 2.3. Term. Members of the Board of Visitors shall be appointed for three-year terms. No person shall serve more than two consecutive terms, provided that special exceptions may be made by the Dean of the College of Law.
- 2.4. Staggered Terms. The terms of the members of the Board of Visitors shall be staggered so that at least one-third of the members of the Board shall be appointed each year.
- 2.5. Initial Appointments. For purpose of the initial composition of the Board, appointments shall be made so that one-third of the members are appointed for a one-year term, one-third for a two-year term and one-third for a three year term. Thereafter, all appointments shall be for a three-year term.
- 2.6. Resignation and Removal. Any member may resign at any time by written letter to the Chair of the Board of Visitors and the Dean, addressed c/o Salmon P. Chase College of Law. Any member of the Board of Visitors may be removed at any time by a vote of a majority of the Board of Visitors.
- 2.7. Voting. Each member of the Board of Visitors shall have one vote on all matters coming before the Board.

Article III

Officers

- 3.1. Officers. The officers of the Board of Visitors shall consist of a Chair, a Vice-Chair and a Secretary. The Chair shall be appointed by the Dean of the College of Law. The other officers shall be elected by the members of the Board of Visitors. All such officers shall be members of the Board of Visitors and the Vice-Chair and Secretary

## **BOARD OF VISITORS**

### **Section 8 - Page 7**

shall be elected to one-year terms by majority vote of a quorum of the members of the Board. The Chair shall be appointed by the Dean of the College of Law for a renewable one-year term. In no case may an officer's term exceed his or her term as a member of the Board of Visitors.

- 3.2. Duties. The Chair shall plan and organize the affairs and meetings of the Board of Visitors, in cooperation with the Dean, so that maximum accomplishments may be achieved and so that periodic reports and recommendations concerning the activities, needs and programs of Chase College of Law may be made to the Board of Visitors. The Chair shall preside at all meetings of the Board of Visitors. The Vice Chair shall perform the duties of the Chair in the absence or during the disability of the Chair. The Secretary shall cause notices of all meetings to be kept in a permanent form, and cause all reports required by the Board of Visitors to be prepared. All officers shall perform such additional duties as may be assigned to them by the Board of Visitors from time to time.
- 3.3. Vacancies. In the event of the death, resignation, disability or removal of any officer, the Dean shall be authorized to make interim appointments until the next meeting of the Board of Visitors.

Article IV

Meetings

- 4.1. Frequency. Meetings of the Board of Visitors shall occur at least once each year upon call of the Dean. Other meetings shall be upon special call of the Chair and the Dean, acting in concert.
- 4.2. Notices. Notices of meetings shall be issued to the membership as early as feasible and, in any event, at least fourteen days preceding the date of the proposed meeting.
- 4.3. Place. Meetings shall be held at Chase College of Law or elsewhere as specified in the notice of the meeting.
- 4.4. Quorum. Forty percent of the regular members shall constitute a quorum qualified to take action as the Board of Visitors. The vote of a majority of a quorum shall constitute the action of the Board of Visitors.

Article V

Scope of the Process of Examination and Evaluation

- 5.1. The Board of Visitors shall examine and evaluate all matters relating to the law schools' programs and activities referred to it by the Dean after consultation with and advice from the law school faculty and students. The matters referred by the Dean shall fall into the following categories:
  - 1) matters of concern of the bench and bar concerning legal education;
  - 2) comprehensive programmatic changes in the missions of the law school;
  - 3) matters concerning the augmentation and development of enhanced placement opportunities;
  - 4) matters relating to the recruitment of highly qualified potential students;
  - 5) matters relating to the focus and content of the continuing legal education programs;
  - 6) matters concerning public relations activities designed to enhance the public image of the law school;
  - 7) matters involving liaison with the state, local and national bar associations and the legal community generally;
  - 8) any other matter relating to policy that the Dean and faculty determine to be in need of examination and evaluation.

The matters falling into the following categories will not be referred by the Dean to the Board of Visitors:

- 1) matters concerning course content or classroom effectiveness of faculty;
- 2) matters involving faculty or administrative personnel decisions;
- 3) matters involving admission decisions or development of admissions criteria;
- 4) matters involving disputes or controversies with university administration;
- 5) matters involving disputes or controversies between students, the Dean and/or the faculty;
- 6) matters involving faculty scholarship or scholarly activity;
- 7) any other matter involving a faculty or decanal decision in a specific circumstance not involving policy.

Article VI

Meeting Agenda

- 6.1. Agenda. The agenda for the meeting of the Board of Visitors shall consist of the following categories subject to modification by the Dean of the College of Law as he or she deems appropriate.

- A) Breakfast meeting. The Dean welcomes the Board members, distributes materials and delivers the charge for the meeting.
- B) Morning activities. Opportunities shall be provided to Board of Visitors' members to speak with Law School:
  1. Faculty members
  2. Students and student organizations
  3. Members of the administration
  4. Placement administration

Opportunities shall be provided to the members of the Board of Visitors to examine and discuss documents supplied by the Dean.

- C) Lunch. The Dean invites dignitaries from the bench and bar to mingle and converse with the Board of Visitors. The Dean provides for a luncheon speech on some special topic that involves law school programs, activities or policy.
- D) Afternoon. Time is set aside so that members of the Board of Visitors shall have opportunities to meet together and discuss the programs, activities, and policies of the College of Law and to meet with the Dean and communicate impressions, findings, and recommendations.
- E) Evening. The members of the Board of Visitors shall be extended an invitation to the Siebenthaler Dinner Program.



- F) Conclusion. The meeting of the Board of Visitors shall conclude with the Siebenthaler Dinner Program.

Article VII

Report

- 7.1. The Board of Visitors through its chair shall transmit to the Dean of the College of Law a written report of its visitation with a reasonable time following the annual meeting.

Article VIII

- 8.1. Changes. These By-Laws may be amended and repealed by the Dean and the faculty.

**SECTION 9**  
**MISCELLANEOUS POLICIES**

**9.1 SELF-ASSESSMENT AND DIRECTION**

A Motion Regarding Public Service Concept was tabled and referred to committee at the April 6, 2005 Meeting.

The faculty tabled a motion for the University to give the College of Law full dominion over Nunn Hall for pedagogical purposes.

September 15, 2004

The College of Law should seek membership in Order of the Coif on or before 2013.

May 7, 2003

The faculty approved the Self Study report. [*Compiler's Note: This document is not included in the faculty meeting minutes. It is a two-binder report, which is available in the Dean's office and not reprinted here.*]

January 22, 2003

The College of Law is a professional school, and as such differs from a liberal arts school in many respects. Much of what is done in a law school is dictated by the profession through its accrediting and regulating bodies, including the American Bar Association, the Association of American Law Schools, and the courts. This regulation controls the preparation for membership in the profession and includes regular accreditation inspections.

Assessment is an evaluation of how well the goals of the College of Law are met. The current College of Law Catalog States:

"In its part-time and full-time educational programs, the College of law seeks to train its students to deal with the increasingly difficult demands on the legal profession. Its curriculum not only provides instruction aimed at developing competent legal practitioners but also includes courses designed to increase student proficiency in various areas of the law. The college provides a broad perspective from which its students may critically evaluate the law and legal institutions to better serve their future clients."

The faculty approved the following Mission Statement on March 26, 2008:

Since 1893, Salmon P. Chase College of Law of Northern Kentucky University has educated individuals who make immediate contributions to the legal profession and to their communities. With a collegial, learner-centered environment in full-time and part-time programs, Chase provides an intellectually rigorous education in legal theory and professional skills, offers practical training through its curricular offerings, co-curricular programs and specialized centers, and instills the ideals of ethics, leadership, and public engagement.

At its Shakertown Retreat in 1981, the faculty adopted this as its mission statement:

"The primary mission of Salmon P. Chase College of Law of Northern Kentucky University is to prepare men and women to be competent and ethical members of the legal profession. The

## MISCELLANEOUS POLICIES

### Section 9 - Page 2

profession encompasses not only those who practice law, but those who serve other important functions within the legal environment, including - but not limited to - judges, teachers, judicial clerks, hearing officers, military personnel, and legislative aides.

"This mission entails the following obligations upon the faculty and administrators of the law school:

"(1) provide the substantive and procedural principles of public and private law through teaching techniques designed to sharpen analytical skills;

"(2) create an intellectual atmosphere where students are encouraged to develop a critical, yet constructive, approach toward the law, the courts, the legal profession, and society;

"(3) foster an appreciation for the values which underly our system of laws along with their historic and theoretical antecedents, particularly those values which are deemed fundamental, including due process, equality before the law, privacy and free speech;

"(4) encourage scholarly research and writing."

Evaluation of accomplishment of these goals shall be by:

1] the regular grading of courses; [The faculty of the College of Law has implemented rigorous grading standards, including definitions of the meaning of grades and grading norms.]

2] bar examination passage rates;

3] Kentucky ethics examination passage rates;

4] placement rates and success measured by the annual report prepared by the Placement Office;

5] alumni questionnaires administered every three years to those alumni who graduated 5, 10 and 15 years earlier;

6] the joint American Bar Association - Association of American Law Schools inspections which occur every seven years; and

7] evaluations made by the Board of Visitors.

In addition, student analytic, research and writing skills are measured by successful completion of the Upper Division Writing Requirement, and by participation in law review, moot court and inter-school competitions.

April 26, 1989

**9.2 DISCONTINUED LECTURES & PROGRAMS** [*Compiler's Note: Not in chronological order.*]

1. That Chase College of Law and Queen Mary College, University of London, establish a Faculty exchange program;
2. That faculty of all ranks would be eligible for inclusion in the program and that junior faculty would have the option of having the year abroad count in their tenure track or not;
3. That unless term/semester arrangements are practicable, it is contemplated that faculty would be exchanged for an entire academic year;
4. That the College of Law concurs in establishment of a private trust fund to be jointly administered by the College of Law and QMC to augment the salaries of faculty subject to the exchange program as needed;
5. That the Dean of the College of Law urge the University to recognize this exchange program as a mechanism for providing faculty with significant educational experiences abroad separate and apart from the usual mechanisms of leaves and sabbaticals;
6. That the administration of the College of Law use its best efforts to raise money for the Faculty exchange program;
7. That the Dean of the College of Law utilize his/her best efforts to effectuate the purposes of the faculty exchange program consistent with the tenor of this report.

April 24, 1985

Effective with the 1994 Siebenthaler Lecture, the lecture will be given on a Friday evening with the formal reception (black tie optional) to be held on Saturday evening. The speaker will meet with students on Saturday morning, followed by lunch with the editors of the Law Review.

April 29, 1992

There should be a Friday noon luncheon with the speaker and the faculty.

April 29, 1988

The Friday evening dinner at the Maisonette should be replaced with a smaller dinner for the speaker.

April 20, 1988

1. The aim of the Klein Program shall be to bring nationally known jurists, professors, and practitioners to Chase Law School and Northern Kentucky University. Efforts shall be made to maintain a balance over time among these varied categories, as all are beneficial to the Program. The purposes of the Klein Program shall be to benefit the students, the faculty, the Law School, the University and the Northern Kentucky community. Every effort shall be made to involve the University and the larger community, as well as the Law School, in the Klein Program. In particular, efforts shall be made to involve the Student Bar Association in at least one Klein Program activity.

2. The Klein Program shall be made up of one event to be conducted during the fall of the academic year (preferable during the earlier portion of that semester). The specific event and format shall be approved by the Dean upon the recommendation of the Lectures and Chairs Committee. Initial proposals and suggestions for possible Klein Programs may come from the Dean, the Committee, faculty, students, or other interested parties. The Lectures and Chairs Committee shall solicit Klein proposals from a wide variety of law School, University, and other sources.

3. Klein Program events may be given in a lecture, symposium, conference, or other format. Efforts shall be made to vary the format as well as the participants' backgrounds and viewpoints from event to event to get the maximum possible benefit from the Program. Klein Programs shall normally be from two to fourteen days in length, the precise length varying with the nature of the program, the number of participants, the audience, and the cost of the event. The Klein Program shall not duplicate the Siebenthaler format. The Klein Program is intended to be both wider in scope and longer in duration than the Siebenthaler lecture.

4. The annual contribution of Northern Kentucky University to the Klein Program shall not exceed \$12,000.

5. An attempt shall be made to keep a balance between issues of national interest and legal issues of tri-state interest in Klein Program.

6. The Klein Program shall be administered by the Chase Law School administration. The Dean shall appoint one faculty member each year as the Klein Program Coordinator. This person shall have the primary responsibility for planning, organizing, and coordinating the Klein Program for that year. The Chase Law School administration shall provide clerical, logistical, and other support for the Klein Program Coordinator. The Klein Program Coordinator shall be given suitable service credit in terms of committee assignments by the Dean.

7. The first Klein program under the new format will occur during the 1988-1989 academic year. The planning and preparation will occur during the prior academic year.

November 19, 1986

The law school should establish a W. Jack Grosse Distinguished International Visiting Professorship to honor Professor Grosse upon his retirement, enhance teaching diversity and capability in both the law school and university generally, and increase the internationalization of instruction at Chase and NKU. We recommend that each Grosse Professor visit for a semester and teach at both the law school, and, if possible, some other college or department of the university. We propose that the rules relating to teaching be left flexible so that they might be met by an appropriate combination of course work, public and guest lectures, faculty colloquia, and other modalities.

The Grosse Professorship should carry with it an appropriate stipend. Selection should be made jointly by the Chase Dean and Lectures and Chairs Committee and by the appropriate university body if university financing is forthcoming. The Grosse Professor should be a prominent international scholar in law and allied fields or an eminent domestic scholar in the field of International Law.

The Grosse Professorship should be inaugurated, if possible, during Chase's centennial year of 1993. This would give us two years to complete the financial and other groundwork for the chair. Naming the position after Jack Grosse would enhance the law school's ability to raise private funds to fund its share of the costs. The position would fit well with NKU's international vision by building on the proven track record we have for attracting notable international scholars under the predecessor Klein chair.

April 12 and 24, 1991

The faculty endorsed the concept of the Ohio Valley Environmental & Natural Resources Law Institute, and made suggestions to the Board of Directors. The faculty asked for consideration of

## MISCELLANEOUS POLICIES

### Section 9 - Page 5

increasing the number of members of the Board of Governors to: five law school faculty members, one other Northern Kentucky University faculty member, and ten persons from outside the University.

A Statement of Purpose is appended to the Minutes.

January 29, 1992

The faculty voted to discontinue admissions to the five-year part time program.

May 17, 2006

Admissions procedures are not modified by the 5-year program. All applicants for part-time education will be considered by the Admissions Committee. After an offer of admission is made, the applicant will be asked to promptly choose between the 4-year and 5-year program.

All 5-year students who transfer to the 4-year program or to the full-time program will remain in the ranking, retention, and other statistics of 5-year class with which they entered unless they change entering classes prior to completing 50% of the number of hours required for graduation (45 hours), in which case they will be placed in the class to which they have switched. (This is consistent with what happens when a 4-year student transfers to the full-time program.)

No special action would be taken for 4-year students who drop a course; it is assumed they will finish in 4 years nevertheless and do not intend to switch to the 5-year program.

The timing for decisions related to the Structured Curriculum, Academic Standing, and Dismissal is the same for the 5-year program as for the 4-year program.

Determination of class rank: so long as 5-year enrollment remains low, keep students in with 4-years of same entering year and make retroactive after graduation.

Determination of dean's list: so long as 5-year enrollments remain low, keep students in with 4-years for same entering year.

| FALL #1                                             | FALL #2              | FALL #3                  | FALL #4                                   | FALL #5                                        |
|-----------------------------------------------------|----------------------|--------------------------|-------------------------------------------|------------------------------------------------|
| Intro L.S. 1<br>Torts 3<br>Contracts 3<br>Library 0 | BLS 2<br>Civ. Pro. 3 | Property 3<br>Con. Law 3 | UCC Pay. 3<br>Crim Pro. 3<br>Evidence 4   | Wills & Trusts 4<br>Admin. Law 3<br>Elective 3 |
| Total: 7                                            | Total: 5             | Total: 6                 | Total: 10                                 | Total: 10                                      |
| SPRING #1                                           | SPRING #2            | SPRING #3                | SPRING #4                                 | SPRING #5                                      |
| Torts 3<br>Contracts 3                              | BLS 3<br>Civ. Pro. 3 | Property 3<br>Con. Law 3 | Tax 1A 3<br>Conflicts 3<br>Corporations 4 | Elective 3<br>Remedies 3<br>Elective 3         |
| Total: 6                                            | Total: 6             | Total: 6                 | Total: 10                                 | Total: 9                                       |
| SUMMER #1                                           | SUMMER #2            | SUMMER #3                | SUMMER #4                                 | SUMMER #5                                      |

**MISCELLANEOUS POLICIES****Section 9 - Page 6**

|                                      |                         |                              |                                      |                                      |
|--------------------------------------|-------------------------|------------------------------|--------------------------------------|--------------------------------------|
| Crim. Law 3                          | Agency, P, LLC 3        | UCC Sales 3<br>Prof. Resp. 3 | Family Law 3                         |                                      |
| Total: 3                             | Total: 3                | Total: 6                     | Total: 3                             | Total:                               |
| Total<br>1 <sup>st</sup> yr. hrs. 16 | Total<br>2d yr. hrs. 14 | Total<br>3d yr. hrs. 18      | Total<br>4 <sup>th</sup> yr. hrs. 23 | Total<br>5 <sup>th</sup> yr. hrs. 19 |

1. It is recommended that the same faculty member serve as advisor for all 5-year students, at least so long as the program remains somewhat small. Particularly strong advising should urge the 5-year students to participate in existing legal writing and academic support workshops and programs.

2. It is recommended that a member of the law library faculty and a member of the legal writing faculty be appointed to be contact persons to whom the 5-year students can bring questions related to research and writing. (This is necessary because BLS is not a first-year 5-year course.)

3. It is recommended that the library create a specials session(s) to provide 5-year students with essential legal research tools such as finding cases, articles or statutes for which students already have citations, basic indexing (or restatements, encyclopedias, treatises), and fundamental updating such as pocket-parts. Five-year students should have the same access to TWEN as first-semester students. Specific content will depend on the profiles of the 5-year students.

January 16, 2002

**9.3 FINAL MISCELLANEOUS POLICIES**

National Women's Law Student Association "I Can Pass" Program

The faculty voted to approve permanent implementation of this policy whereby students may make donations of canned and dry goods at donation points in classrooms in exchange for a "pass" from class participation for the day. The event occurs in late October or early November each year. The Association is to remind the faculty each year about the event.

October 12, 2005

The faculty voted to approve the "I Can Pass" program.

September 20, 2000 and October 16, 2002

[Compiler's Note: The student composite picture was made obsolete by the availability of Chase's Faces which allows faculty members to create picture seating charts of their classes.]

Smoking in Classrooms

No smoking or drinking in the classrooms is permitted before, during or after class.

September 9, 1970; December 10, 1970; January 11, 1971; February 11, 1972; March 7, 1975

Faculty Senate

Chase senators are to abstain from voting on any curriculum matters presented at Faculty Senate meetings.

January 12, 1983

Room Names

The Dean was authorized to name the Rare Book Room or the Chase Room for honoring Harold J. Siebenthaler, and the Moot Court Room for honoring Harry T. Klein.

January 12, 1983



#### Compiler's Note:

In compiling this version of Compiled Faculty Policies, the Compiled Faculty Policies of October, 2006 (complete through the September 15, 2006 faculty meeting) was the starting point. I reviewed all the Faculty Meeting minutes from that time forward. It is intended for the "Policies" to become a continuing document, updated after faculty meetings so that lengthy revisions do not become necessary. There will be a "current policies" version as well as a comprehensive version showing all amendments and deletions from the policies.

I followed the same organizational pattern, simply adding new policies where they fit.

Some regularly occurring faculty actions are not reflected in the policies. These include the approval of graduates every semester and the approval of sabbatical Self Study reports prior to re-accreditation and re-approval of membership visits by the ABA and AALS. I have added a list of approvals for emeritus status for faculty members, beginning with 2006 going forward and will attempt at some point to go back and finish that list retrospectively.

This revision is complete through the December 2012 faculty meeting, including the Student Honor Code which was approved by the NKU Board of Regents in January 2013.

Carol Bredemeyer

Professor of Library Services