Law Student Rights and Responsibilities (LSRR)

COLLEGE OF LAW

Preface

The College of Law at Michigan State University shares with the rest of the University the commitment to free inquiry and pursuit of knowledge that marks the academic institution. Students enrolled in the professional curricula of the College of Law are collectively referred to in this document as “law students.” This document and related documents, including:

- Academic Freedom for Students at Michigan State University
  - (http://splife.studentlife.msu.edu/academic-freedom-for-students-at-michigan-state-university)
- Academic Hearing Procedures for Michigan State University College of Law
  - (http://law.msu.edu/academics/handbook/academic_hearing_procedures_for_msu_col.html)
- Code of Student Discipline
  - (http://www.law.msu.edu/academics/code-discipline.html)

contain guidelines to the rights and responsibilities of law students in matters of conduct, professionalism and ethics, academic pursuits, keeping of records, and employment. This document describes structures and procedures for interpreting and amending the guidelines described herein, for formulating regulations governing law student conduct, for adjudicating law student disciplinary cases not arising under the Code of Student Discipline, and for channeling law student complaints, grievances, or concerns to faculty, staff, and administrators for appropriate action.

The College of Law educates students for careers in the legal profession and evaluates students on their professional and ethical behavior as well as on other elements of their academic performance. This dual focus has been incorporated into this document. When disputes or complaints arise regarding law student rights and responsibilities, the academic tradition of the University and the professional and ethical traditions of the legal profession generally allow for the differences to be settled quickly and informally. This document is intended, in part, to address those instances when a formal mechanism for adjudicating differences must be instituted.

ARTICLE 1: Law Student Rights and Responsibilities

1.1 Michigan State University is a community of scholars. The basic purposes of the University are the advancement, dissemination, and application of knowledge. While engaged in these activities, the University seeks to provide an environment conducive to instruction, research, and service.

1.2 Each right of an individual places a reciprocal responsibility upon others: the responsibility to permit the individual to exercise the right. The law student, as a member of the academic
community, has both rights and responsibilities. Within that community, the law student’s most
essential right is the right to learn. The University provides for the law student those privileges,
opportunities, and protections that best promote the learning process in all its aspects. The law
student has responsibilities to other members of the academic community, the bar, and to clients
and the general public.

1.3 Regulations governing the activities and conduct of student groups and individual law
students do not attempt to specify all prohibited and permitted conduct. Rather, they are intended
to govern conduct that seriously interferes with the basic purposes and processes of the
community or with the rights of members of the community.

1.4 The law student is not only a member of the academic community, but also a citizen of the
larger society who retains those rights, protections, and guarantees of fair treatment held by all
citizens.

1.5 GUIDELINES REGARDING LAW STUDENT REGULATIONS.

1.5.1 The College of Law shall not enact student regulations unless there is a demonstrable need
for them that is reasonably related to the basic purposes and necessities of the College.

1.5.2 The College of Law shall provide opportunities for law students to participate in
formulating and revising regulations governing law student conduct.

1.5.3 All regulations governing law student rights and responsibilities, including both University
and College of Law policies, shall be made available to law students in print or in electronic
form. The Michigan State University College of Law Student Handbook
(http://www.law.msu.edu/academics/handbook/) and the Michigan State University College of
are incorporated herein by reference.

1.5.4 The College of Law shall make reasonable efforts to ensure that every regulation is brief,
clear, and specific.

1.5.5 Wherever rights conflict, regulations shall, to the maximum extent feasible, permit
reasonable scope for each conflicting right by defining the circumstances of time, place, and
means appropriate to its exercise.

1.5.6 Regulations shall respect the free expression of ideas and shall encourage the competition
of ideas from diverse perspectives.

1.5.7 Penalties shall be commensurate with the seriousness of the offense. Repeated violations
may justify increasingly severe penalties.

1.5.8 There shall be clearly defined channels and procedures for the appeal and/or review of:

a. The finding of a violation of a regulation.
b. The reasonableness, under the circumstances, of the penalty imposed for a violation.

c. A regulation or administrative decision that is alleged to be inconsistent with guidelines in this document.

d. Alleged violations of the complaint/grievance procedures set forth in Article V of this document.

1.5.9 Every regulation shall specify to whom it applies and whether responsibility for compliance lies with law students.

1.6 RELATIONSHIP BETWEEN LSRR AND CODE OF STUDENT DISCIPLINE

1.6.1 As aspiring members of the legal profession generally, and of one or more state bar associations specifically, law students are subject to standards of conduct relating to their character and fitness to engage in the practice of law. The obligation to assess the character and fitness of law students is imposed upon the faculty and administration of the College of Law, and is not appropriately delegated in any manner to non-lawyers.

1.6.2 The Code of Student Discipline (http://www.law.msu.edu/academics/code-discipline.html), subject to Section 1.6.4, provides the exclusive process and standards under which the College of Law will assess, discipline, and report matters going to the character and fitness of a law student to engage in the practice of law.

1.6.2.1 Matters falling within the exclusive jurisdiction of the Code of Student Discipline are those matters listed in Paragraph A.3 of the Code of Student Discipline.

1.6.3 The LSRR describes the rights and responsibilities of law students in all matters not falling under the jurisdiction of the Code of Student Discipline. All matters arising within the jurisdiction of the LSRR are subject to the procedures described in the Academic Hearing Procedures for Michigan State University College of Law (http://www.law.msu.edu/academics/handbook/academic_hearing_procedures_for_msu_col.html#msucol).

1.6.3.1 Matters arising within the LSRR and decided under the Academic Hearing Procedures for Michigan State University College of Law may be appealed under the procedures of Section 5.7.

1.6.3.2 Matters arising under the Code of Student Discipline and decided under the hearing procedures provided therein may be appealed only pursuant to the procedures described therein.

1.6.4 In appropriate cases, matters arising under the LSRR may be reported to a character and fitness committee (or equivalent) for a state bar if it is determined that those matters implicate the obligation of the College of Law to report matters relating to a law student’s
character and fitness to engage in the practice of law to a state bar to which the law student seeks admission.

1.6.5 Determinations Regarding Jurisdiction of the Code of Student Discipline and the LSRR.

1.6.5.1 Subject to Section 5.4 and Section 1.6.4, the Associate Dean for Student Engagement or the Associate Dean for Academic Affairs shall make an initial determination whether the matter raises issues going to character and fitness and must be decided under the procedures and standards of the Code of Student Discipline or whether the matter is not within the Code of Student Discipline and therefore must be decided under the procedures and standards of the LSRR and the Academic Hearing Procedures.

1.6.5.2 Any student whose matter is determined to be within the scope of the Code of Student Discipline may appeal that decision to the Dean. In the event the Dean determines that the matter is subject to the Code of Student Discipline, the student may appeal the Dean’s determination that the matter is subject to the Code of Student Discipline to a faculty hearing board organized pursuant to Section 5 of the Code of Student Discipline.

ARTICLE 2: Academic Rights and Responsibilities for Law Students

2.1 PREAMBLE.

2.1.1 The establishment and maintenance of the proper relationship between instructor and student are fundamental to the College’s function and require both instructor and student to recognize the rights and responsibilities that derive from that relationship. The relationship between instructor and student should be founded on mutual respect and understanding together with shared dedication to the educational process.

2.2. ROLE OF THE FACULTY IN THE INSTRUCTIONAL PROCESS.

2.2.1 No provision for the rights of law students can be valid that suspends the rights of the faculty. The law student’s right to competent instruction must be reconciled with the rights of the faculty, consistent with the principle that the competency of a professional can be rightly judged only by professionals. It is, therefore, acknowledged and mandated that competence of instruction shall be judged by the faculty.

2.2.1.1 Grades assigned by law faculty may be challenged or changed only in accordance with the Grade Change Policy in the Michigan State University College of Law Student Handbook (http://www.law.msu.edu/academics/handbook/grade-change-policy.html).
2.2.2 The College of Law shall provide clearly defined channels for the receipt and consideration of law student complaints concerning instruction. In no instance shall a dispute concerning the competence of instruction form the basis for a grievance under this document.

2.2.3 Faculty shall have authority and responsibility for academic policy and practices in areas such as degree eligibility and requirements, course content and grading, classroom procedure, and standards of professional behavior in accordance with the Bylaws for Academic Governance (http://www.law.msu.edu/faculty_staff/GovBylawsAmend.pdf), the College of Law Faculty Handbook (http://law.msu.edu/faculty_staff/faculty-handbook.pdf), and other documents on faculty rights and responsibilities.

2.2.3.1 It shall be the responsibility of the faculty of the College of Law to establish and disseminate academic and professional requirements and the methods for evaluating student performance in their classes.

2.2.4 No hearing board established under this document shall direct a change in the evaluation of a law student that represents a course instructor’s or instructional committee’s good faith judgment about the law student’s academic performance. In the event that the College of Law, in conformance with the Michigan State University College of Law Faculty Handbook, determines based on clear and convincing evidence that an evaluation was based on factors other than good faith judgment about the law student’s academic performance, the Dean of the College of Law shall direct that the student’s performance be reassessed and that a good faith evaluation be conducted pursuant to the Michigan State University College of Law Faculty Handbook. Recognizing that such a re-evaluation cannot replicate original assessment conditions and context, any remedy available under this section shall be limited to evaluating the student’s performance under a pass/fail or credit/no-credit standard. In no circumstance shall any grade entered by a College of Law faculty member be changed to a different grade.

2.3 LAW STUDENT RIGHTS AND RESPONSIBILITIES.

2.3.1 In all areas of legal education, the College of Law shall comply with the University’s Anti-Discrimination Policy and all other University policies.

2.3.2 The law student has a right to accurate, timely, and clearly written information concerning general academic requirements for establishing and maintaining an acceptable academic standing, the law student’s academic relationship with the University and College of Law, and any special academic conditions that may apply to the law student. Requirements for the student’s academic program and written academic regulations, including codes of professional behavior, shall be made known to the law student by the College of Law at the time of the law student’s enrollment, although such codes and regulations may, from time to time, be updated and amended and applicable in such a manner and at such a time as the faculty assembled in good faith shall determine to be necessary. Law students are responsible for informing themselves of University and College of Law requirements stated in College of Law publications and in the University catalog. In planning to meet such requirements, students are responsible for consulting with the Assistant or Associate Dean for Student Engagement (or designee of such Dean).
2.3.3 The law student has a right to seek advice from the student’s instructors, or the Assistant or Associate Dean of Student Engagement (or a designee of such dean), concerning program planning, research, professional expectations, selection of courses and professors, and general degree requirements. See Michigan State University College of Law Student Handbook (http://www.law.msu.edu/academics/handbook/course-selection.html).

2.3.4 The College of Law shall maintain records for law students, specifying and/or containing degree requirements, course waivers and substitutions, program changes, and other stipulations directly affecting their degree programs. Law students shall be provided access to and a copy of these records upon request.

2.3.5 Subject to Section 2.2, the law student shall be free to take respectful and reasoned exception to information and views offered in instructional contexts and to reserve judgment about matters of opinion, without penalty or reprisal.

2.3.6 Law students and faculty share responsibility for maintaining classroom decorum and a collegial atmosphere that promotes teaching and learning.

2.3.7 Each law student shares with the faculty responsibility for maintaining the integrity of scholarship, grades, client representation, and professional standards.

2.3.8 The law student is responsible for learning the content of a course of study according to standards of performance established by the faculty. The law student is also responsible for adhering to standards of professional behavior established by the College of Law.

2.3.9 The law student has a right to academic evaluations that represent good faith judgments of academic performance by course instructors. Course grades shall represent the instructor’s or instructors’ professional evaluation of the law student’s academic performance, including compliance with professional standards. Instructors shall comply with the University Code of Teaching Responsibility. (See also The Code of Teaching Responsibility (http://law.msu.edu/faculty_staff/faculty-handbook.pdf))

2.3.10 Faculty, academic staff, and support staff must respect the privacy of information concerning the law student’s academic performance and the law student’s values, beliefs, organizational affiliations, and health. (See also Article 3, infra.)

2.3.11 Law students and faculty members share responsibility for maintaining professional relationships based on mutual trust and civility.

2.3.12 Faculty, academic staff, and support staff may not exploit law students. “Exploit” means to make a selfish, corrupt, or unethical use of the labor, time, or talents of a student. There is no prohibition of the ordinary and ethical use of student talents for the benefit of students’ professional development and for the advancement of knowledge. Professors should always give students appropriate and fair credit for their individual work and assure that their work as a research assistant is compensated fully. Law students shall receive recognition for scholarly assistance to faculty.
2.3.13 The law student has the right to refuse to participate in any research being conducted by faculty without penalty or reprisal.

2.3.14 The law student has a right to have his/her grievance/complaint arising under the LSRR adjudicated in accordance with the procedures established in this document and in the Academic Hearing Procedures for Michigan State University College of Law.

2.3.15 Subject to Section 1.6, the law student subject to disciplinary action for alleged unprofessional behavior has a right to an explanation from the appropriate College of Law faculty member, instructor, supervisor, or administrator regarding the allegation, including how the judgment of unprofessional behavior was made, and the right to appeal.

2.4 ACADEMIC PROGRAMMING

2.4.1 COLLEGE LEVEL

2.4.1.1 Code of Professional Standards. Law students shall abide by the professional and educational standards and all regulations provided in the Michigan State University College of Law Student Handbook (http://www.law.msu.edu/students/student-handbook.html). This statement of Law Student Rights and Responsibilities shall be interpreted and applied in accordance with and for the purpose of inculcating the standards of conduct, ethics, and professionalism applicable to attorneys and the legal community, in particular with College of Law satisfaction of all requirements relating to American Bar Association and Association of American Law Schools accreditation.

2.4.1.2 Evaluation. The College of Law shall evaluate law students’ academic progress, performance, and professional potential.

2.4.1.2.1 When a law student’s progress or performance is unsatisfactory, the College of Law shall so notify the student in writing in a timely manner, and a copy of that notice shall be placed in the student’s file.

2.4.1.3 The College of Law shall make reasonable efforts to identify those students who have problems with academic performance, including compliance with professional standards, and when appropriate, to provide opportunities for remediation and/or improvement.

2.4.1.4 Removal. The College of Law shall protect clients and the general public from unprofessional conduct and from performance that falls below minimally acceptable professional standards of care and rules of professional ethics on the part of its students. In urgent cases, the College of Law must remove from client contact any student who has been found by the student’s instructor or supervising attorney to have engaged in unprofessional conduct that presents a significant possibility of immediate harm to clients or to the general public. In cases not presenting an immediate threat of harm to clients or to the general public, the instructor or supervising attorney shall have discretion to exercise professional judgment regarding whether removal is necessary or whether to provide the student with opportunities for remediation and/or improvement.
2.4.1.5 Dismissals and Withdrawals. The College of Law shall establish criteria for the dismissal or withdrawal of law students enrolled in its law programs. Such criteria shall be published and made available to law students at the time they begin their law programs. See Michigan State University College of Law Student Handbook (http://www.law.msu.edu/students/student-handbook.html). Should a decision to dismiss a law student be made by the Dean of the College of Law, the affected law student shall be so notified in writing in a timely manner, and the law student may request a review for reinstatement in accordance with the College of Law Probation-Dismissal procedures (http://www.law.msu.edu/academics/ac-polic-prob.html). All information regarding the decision to dismiss is confidential and shall only be shared in accordance with College and University policies governing the release of student records.

2.4.1.5.1 The College of Law shall deal expeditiously with all academic dismissals, disciplinary dismissals, suspensions, appeals, and grievances.

2.4.2 Joint Law/Graduate Program Students and Visiting Students.

2.4.2.1 Joint law/graduate program students and visiting students are responsible at the time they are enrolled in each program to review applicable University and College of Law requirements.

2.4.2.2 This document governs rights and responsibilities related to the law program of a joint law/graduate program student. The Graduate Student Rights and Responsibilities document (“GSRR”) or the Medical Student Rights and Responsibilities document (“MSRR”), in cases involving joint programs for medical students, governs rights and responsibilities related to the graduate program of a joint law/graduate program student. The GSRR is available at http://splife.studentlife.msu.edu/graduate-student-rights-and-responsibilities; the MSRR is available at http://splife.studentlife.msu.edu/medical-student-rights-and-responsibilities-msrr.

2.4.2.3 Complaints/grievances arising from the application of this document or of the GSRR (or, in appropriate cases, the MSRR) to a student enrolled in College of Law courses shall be referred to the appropriate hearing board. The Dean of the Graduate School will determine the hearing board to which the case will be referred. Notwithstanding this provision, the Code of Student Discipline continues to apply to all law student conduct.

2.5 Participation in Academic Governance

2.5.1 The College of Law shall make provision for law student participation on appropriate governance committees within the college and University as specified by the relevant bylaws.

2.5.2 This document shall be consistent with guidelines put forward by the national professional organizations of the College of Law.

2.5.3 Law student representatives shall participate as voting members on those College of Law committees identified in the Michigan State University College of Law Bylaws as committees that must include a law student as a voting member or members.
2.5.4 The College of Law shall inform its students in a timely manner of the committee positions that law students may hold, their duties and lengths of appointment, and the process by which law students are selected for appointment.

2.5.5 At the University level, law students (also referred to as graduate-professional students) shall be selected and shall have voting membership on the University Graduate Council, Academic Council, and other committees as may be specified by the Bylaws for Academic Governance.

ARTICLE 3: Student Records

3.1 Record practices within the College of Law shall be based on respect for the privacy of individual law students, as well as on current federal and state laws.

3.2 All policies and practices governing access, maintenance, and release of law student records shall conform to the University’s policies governing the release of student records. Changes to record policies shall be made known to law students.

3.2.1 No record shall be made, duplicated, or retained unless it is needed for University or College of Law operations.

3.2.2 Neither the University nor the College of Law shall make, duplicate, or retain records of a law student’s religious or political beliefs without the law student’s knowledge and consent.

3.2.3 Each law student shall have the right to inspect his or her own educational records, except confidential letters of recommendation. Each law student shall also have the right to inspect reports and evaluations of his or her academic performance and conduct.

3.2.4 All policies and practices dealing with the acquisition and dissemination of information in student records shall be formulated with due regard for the law student’s rights of privacy and access.

3.2.5 The College of Law shall train persons handling confidential records regarding appropriate methods of keeping such records.

3.2.6 Except as permitted by law, neither the University nor the College of Law shall provide access to a law student’s disciplinary record without the written permission of the student.

3.2.7 College of Law policies governing the maintenance and the release of records shall be subject to judicial review as provided in Article 5.

ARTICLE 4: Law Student Support

4.1 CLASSES OF SUPPORT.

4.1.1 Law students receiving support from the University fall primarily into three classes:
a. Students employed by individual faculty part-time as “Research Assistants” or “Teaching Assistants”;
b. University or College of Law employees; and
c. Fellowship, scholarship, and/or grant recipients.

4.2 RESEARCH AND TEACHING ASSISTANTS.

4.2.1 This Article (Article 4) deals only with the employment of part-time research and teaching assistants not represented by the Graduate Employees Union (“GEU”). Accordingly, for the purposes of this document, the terms “research assistant” and “teaching assistant” do not include members of the GEU. Information related to the employment of graduate teaching assistants included in the GEU bargaining unit is included in the collective bargaining agreement between the University and the GEU.

4.2.2 Law students who are research or teaching assistants are appointed in accordance with College of Law policies governing research and teaching assistantships. Research or teaching assistant duties may include, but are not limited to: student advising, conduct of review sessions or labs, writing supervision, reading of papers and examinations, and research. The responsibilities delegated to a research or teaching assistant must be performed under the supervision of a faculty member, staff member, or administrator.

4.2.3 Individual members of the law faculty, staff, or administrators are responsible for criteria for selecting, renewing, or terminating research or teaching assistants; length of term; work load and duties (consistent with American Bar Association and Association of American Law Schools standards on student working hours and conditions). Grievance procedures shall be governed by this statement of Law Student Rights and Responsibilities.

4.2.4 The Associate Dean of Finance and Administration (or designee of such Dean) shall establish a College of Law policy for research assistant and teaching assistant wages. This office approves individual law faculty requests for all payments above the established maximums.

4.2.5 Law students who are research or teaching assistants should receive the same professional respect accorded to faculty, within the constraints of their training, experience, and responsibilities.

4.3 COLLEGE OF LAW-EMPLOYED AND UNIVERSITY EMPLOYED LAW STUDENTS.

4.3.1 The College of Law’s Associate Dean of Finance and Administration shall determine annually minimum and maximum hourly wages for College of Law-employed law students. This office approves individual law faculty requests for all payments above the established maximums. This Paragraph section applies only to part-time law student workers employed at hourly wages by the College of Law.
4.3.2 University or College of Law employees who are pursuing law study continue to be bound by collective bargaining agreements and / or other applicable University or College of Law personnel policies and agreements with respect to their employment.

4.4 UNIVERSITY POLICIES RELATING TO LAW STUDENT SUPPORT RECIPIENTS.

4.4.1 Employment practices within the College of Law shall conform to the University’s Anti-Discrimination Policy and all other relevant University policies.

4.4.2 Part-time law student workers employed at hourly wages by the College of Law are employed at will. A law student’s dismissal from an academic program may also terminate the law student’s employment, assistantship, or other support. Law students who believe they have a grievance under this Article may utilize the procedures set forth in Article 5.

4.4.2.1 In cases where the law student contends that action of the University or the College of Law may cause immediate and irreparable harm, the law student may ask the appropriate judiciary for an expedited hearing.

ARTICLE 5: Adjudication of Cases

5.1 ACADEMIC GRIEVANCES.

5.1.1 A grievance is defined as an allegation filed by a law student against a faculty, academic staff, or support staff member of the College of Law or University community.

5.1.2 Any law student may file a grievance within the time periods set forth in Section 5.3.3.

5.1.3 A grievance may allege a violation of any of the rights of law students under this document or challenge an academic evaluation on the ground that the evaluation was based entirely or in part upon factors other than a good faith judgment about the law student’s academic performance, including compliance with applicable professional standards.

5.1.3.1 A law student who receives a penalty grade based on a charge relating to or arising from lack of academic integrity and who is not referred for additional disciplinary action under the Code of Student Discipline may contest the penalty grade by filing a grievance under this section. Instructors seeking sanctions for academic dishonesty other than or in addition to penalty grades must file a complaint under Section 5.2.2. For purposes of this section, a “penalty grade” is a grade assigned to a student by a faculty member based on a charge of academic misconduct. “Penalty grade” does not include any grades or grade reductions based upon factors described in a course syllabus as relating to assessment for the course, including, but not limited to, assignments, exams, deadlines, class participation, attendance, tardiness, or respect for faculty or other students.
5.1.4 A student who has been dismissed for academic reasons by the College of Law may file a grievance under this section alleging procedural violations. Students may not file a grievance challenging such a decision to dismiss on substantive grounds.

5.1.5 Where an instructor or a committee has rendered a judgment regarding a law student’s academic performance, that judgment is presumed to be made in good faith and the grievant bears the burden of proving the contrary by clear and convincing evidence, with the exception of allegations relating to or arising from lack of academic integrity not referred for additional disciplinary action under the Code of Student Discipline. In those cases, the faculty member bears the burden of proof as to the act or actions allegedly constituting lack of academic integrity.

5.2. COMPLAINTS.

5.2.1 A complaint is defined as an allegation filed by a member of the College of Law community against a law student.

5.2.1.1 Subject to Section 1.6, in all cases involving a complaint against a law student, the Dean of the College of Law (or the designee of such Dean) shall determine whether the complaint shall proceed under the LSRR and Academic Hearing Procedures or under the Code of Student Discipline.

5.2.2 Any member of the College of Law community may file a complaint against a law student within the time periods set forth in Section 5.3.3 alleging a violation of this document, lack of academic integrity, violation of professional standards, or falsification of admission or academic records. (See also Integrity of Scholarships and Grades policy.)

5.2.3 If a law student or a student enrolled in a joint law/graduate program engages in conduct that would violate a student group regulation, general student regulation, or University policy if the conduct occurred on campus, that conduct may form the basis for a complaint when the alleged violation impairs, interferes with, or obstructs the mission, processes, or functions of the student’s College of Law program.

5.3 GRIEVANCE AND COMPLAINT PROCEDURES

5.3.1 To file a grievance/complaint, the grievant/complainant must submit a written, signed statement to the designated administrator of the College of Law. The statement must contain the following information:

A. the specific provision of this document or other policy/regulation that has allegedly been violated;
B. the time, place, and nature of the alleged violation;
C. the person(s) against whom the grievance/complaint is filed;
D. a concise and plain statement of the sanction or remedy sought; and
E. whether a hearing is requested.
5.3.2 Anonymous complaints will not be accepted. Students may seek assistance from the Office of Student Engagement to understand the grievance process.

5.3.3 Grievances/Complaints must be filed no later than mid-term of the fourteen-week semester following the one in which the alleged violation occurred (exclusive of the scheduled vacation periods, such as summer break (May – August) or winter break (December – January)). If either party to a grievance/complaint is absent from the College of Law during that semester, or if other appropriate reasons exist, an exception to this time limit may be granted by the designated College administrator. If either party to the grievance or complaint leaves the College of Law prior to its resolution, the grievance/complaint may proceed or be dismissed at the discretion of the chair of the hearing body.

5.4 ADMINISTRATIVE RESOLUTION.

5.4.1 Where possible, a grievant or complainant is encouraged to seek resolution and redress informally.

5.4.2 If problems arise in the relationship between instructor and student, both should attempt to resolve them by informal, direct discussions. If the problems remain unsolved through such informal procedures, the Assistant/Associate Dean of Student Engagement and/or the Associate Dean of Academic Affairs should be consulted. If a problem is still unresolved, the matter shall be referred to the Dean of the College of Law. If after reference to the Dean of the College of Law, the problem remains unresolved, either individual may submit a grievance or complaint under Article 5 of this LSRR.

5.4.3 A respondent who admits his/her violation of this document or other policy/regulation waives his/her right to a hearing regarding the underlying facts of that violation. In such a situation, the designated College administrator shall propose an appropriate redress or sanction for the violation. At that time, the respondent may choose to proceed to a hearing on the sole issue of the appropriateness of the sanction/redress.

5.5. SANCTIONS.

5.5.1 Complaints: If it finds a violation, the hearing body may impose one of the following sanctions:

5.5.1.1 Warning: An official written statement advising the law student that additional violations will result in more severe sanctions.

5.5.1.2 Probation: A period of time specified for observing and evaluating a law student’s conduct, with or without special conditions, including a written reprimand, with an indication that further violations will result in more severe disciplinary action, including suspension or dismissal from the College of Law. Probation will be imposed for a specific period of time and, provided no further violations have occurred, the law student shall automatically be removed from probation when that period expires. Probation may be accompanied by a requirement that restitution be made for University or College of Law property damages or other losses resulting
from the violation, or such other requirements or special conditions as may be appropriate under the circumstances.

5.5.1.3 **Suspension:** A suspension from the College of Law may be for a specified period of time, in which case the law student is eligible to apply for readmission at the end of that period of time, or it may be a conditional suspension, in which case the law student must demonstrate that he/she has fulfilled stated conditions prior to applying for readmission. Suspensions must be approved by the dean/designated college administrator of the College of Law. If the dean/designated college administrator does not approve the suspension, the dean/designated college administrator may direct that another sanction be imposed. The dean/designated college administrator will normally consult with the hearing body before imposing another sanction.

5.5.1.4 **Dismissal from the College of Law:** Dismissals must be approved by the Dean of the College of Law and the Provost. If the dismissal is not approved, the Dean and Provost may direct that another sanction be imposed. The Dean and Provost will normally consult with the hearing body before imposing another sanction.

5.5.1.5 **Other:** Other disciplinary action deemed appropriate to a specific case.

5.5.1.6 **Reporting Character and Fitness Issues:** In appropriate cases, matters arising herein may be reported to the character and fitness section of any state bar to which the student seeks admission.

5.6.3 **General Considerations.**

5.6.3.1 Any member of a hearing body who has a conflict of interest in a complaint/grievance shall be disqualified from sitting on the hearing body for that specific complaint/grievance. A “conflict of interest” is defined as any academic, financial, scholarly, or social relationship that would, in the judgment of the hearing body chair, impair the ability of a member to make a fair and impartial judgment. In the event that a member of a hearing body is disqualified, an alternate from the appropriate student or faculty group will be selected according to the established procedures for selecting members of that hearing body.

5.7 **Appeals**

5.7.1 Appeals must be written and signed by the individual filing the appeal and must specify the basis for appeal in sufficient detail to justify further proceedings. Appeals shall be to the University Graduate Professional Judiciary/Law and must be filed with the Dean of the Graduate School.

5.7.2 Appeals must specify the redress that is sought.

5.7.3 New evidence may only be submitted to the appellate body if it is relevant to the appeal and was previously unavailable to the individual submitting it, although the individual acted with due diligence to obtain such evidence.
5.7.4 Appeals must be filed within fourteen (14) class days following the date of the hearing body’s decision. Except in urgent cases, any redress or sanctions imposed by the hearing body will be held in abeyance while the appeal is pending.

5.7.5 The appellate body shall review the appeal and forward a copy of the appeal to the other party and invite a written response.

5.7.6 Appeals must allege either that applicable procedures for adjudicating the case were not followed in the previous hearing or that the findings of the hearing board were not supported by clear and convincing evidence. (Presentation of new information will normally be inappropriate at an appeal hearing.)

5.7.7 After considering the appeal and response, the appellate body may:

5.7.7.1 Decide that sufficient reasons for an appeal do not exist and that the decision of the hearing body shall stand;

5.7.7.2 Direct the hearing body to rehear the case or to reconsider or clarify its decision;

5.7.7.3 Decide that sufficient reasons exist for an appeal and schedule an appeal hearing in a timely manner.

5.7.8 Following an appeal hearing, the appellate body may affirm, reverse, or modify the decision of the hearing body. The appellate body may also direct the hearing body to rehear the original complaint/grievance.

ARTICLE 6: Procedure for Amending and Revising this Document

6.1 Initiation of Proposals for Amendment: Any member of the College of Law community may initiate a proposal to amend or revise this document. All such proposals shall be referred to the Academic Standards Committee and the Student Bar Association. Upon a majority vote in favor of the proposal by both the Academic Standards Committee and the Student Bar Association, the Academic Standards Committee shall submit the proposal, with a recommendation, to the faculty assembled for approval.

6.1.2 Amendments required by law, professional ethics, or accreditation agencies: In the event a change in substance or interpretation of any law, standard of professional ethics, or accreditation agency requirements requires a change in this document, such proposal shall be submitted to the Academic Standards Committee for approval and recommendation to the Faculty Assembled. A copy shall be submitted to the Student Bar Association for comment, but not approval.

6.2 Approval of Amendment Proposal by Faculty Assembled: This statement of Law Student Rights and Responsibilities may be amended from time to time by majority vote of the Faculty Assembled as a matter relating to academic standards. Such amendments shall become effective only upon final approval of the amendment as described in Section 6.3.
6.3 Approval Process: Proposals for amending or revising this document that have been approved by the Faculty Assembled shall be submitted to the Academic Council.

6.3.1 The Academic Council shall review the proposed amendment or revision and either approve or reject it in accordance with the Bylaws for Academic Governance. A proposed amendment / revision that is rejected by the Academic Council shall be returned to the College of Law Faculty Assembled and Faculty Advisory Council along with a written explanation for the rejection. This explanation may include suggestions for alteration of the proposal. A proposed amendment or revision that is approved by the Academic Council shall be forwarded to the President, who shall present it to the Board of Trustees for the College of Law.

6.3.2 The Board of Trustees for the College of Law shall review each proposed amendment and revision to this document and may approve it, at which time it shall become effective, or reject it and return it to the Academic Council.

6.3.3 The Dean of the College of Law shall be responsible for informing College of Law faculty and law students of the action taken on a proposed amendment or revision.

History of Approval

The Dean of the College of Law shall be responsible for informing College of Law faculty and law students of the action taken on a proposed amendment/revision.

- February 13, 2013 – Presented to Faculty Assembled as information item.
- August 26, 2013 – Referred to Academic Standards Committee (includes student representative)
- August-September 2013 – Review and Comment by Student Bar Association committee
- September 19, 2013 – Approval by Academic Standards Committee, further review and comment by Student Bar Association complete
- September 25, 2013 – Approval by Faculty Assembled
- September 25-November 4, 2013 – Review by University Committee on Graduate Studies Subcommittee on the Graduate Students Rights and Responsibilities and the Law Student Rights and Responsibilities
- November 11, 2013 – Submitted to SBA as information item for vote at Dec. 4, 2013 meeting
- November 13, 2013 – Submitted to faculty as information item for vote at December 12, 2013 meeting.
- December 2, 2013 – Approved by SBA.
- December 12, 2013 – Approved by Faculty.
- January 13, 2014 – Approved by University Committee on Graduate Studies
• January 15, 2014 – Endorsed by Council of Graduate Students
• February 17, 2014 – Law College Faculty Advisory Counsel reviews changes suggested by MSU General Counsel’s Office, accepts changes as non-substantive, notice forwarded to Faculty with FAC minutes March 4, 2014.