



# **GENERAL ACADEMIC REQUIREMENTS, POLICIES AND CODE OF STUDENT CONDUCT**

**FOR LL.M. STUDENTS**

Note to LL.M. Candidates: You are subject to the requirements and policies stated herein. Please review this booklet carefully and retain it for future reference while you are enrolled in the School of Law.

REVISED MAY 2018

## Table of Contents

I. INTRODUCTION .....	1
II. DEFINITIONS .....	2
III. GENERAL ACADEMIC REQUIREMENTS .....	2
A. Credit Hours and Residence Requirements .....	2
1) Rules and Requirements Applicable to all LL.M. Students .....	3
a. Total Required Credits .....	3
b. Financial Aid Eligibility .....	3
c. Residence Requirements .....	3
d. Extension of LL.M. Program .....	3
e. Overload .....	3
f. Individual Program Planning .....	3
g. Required Courses .....	3
h. Advisement .....	4
i. Bar Requirements .....	4
2) Specific LL.M. Program Requirements .....	4
a. General LL.M. Program Experiential Learning Requirements .....	4
b. Requirements Applicable to Criminal Law LL.M. Students .....	4
c. Requirements Applicable to Cross-Border Legal Studies LL.M. Students .....	5
d. Requirements Applicable to Environmental Law LL.M. Students .....	5
B. Special Course and Credit Requirements .....	5
1) Independent Study .....	5
a) Three-credit Independent Study .....	5
b) Additional credit for an Independent Study .....	5
2) Master's Thesis .....	6
3) Limits on Credit .....	6
C. The Academic Calendar .....	6
1) The Academic Year .....	6
2) Blocks and the Bridge Term .....	6
D. Grading and Related Policies .....	7
1) Graded Courses .....	7
2) Pass-Fail Courses .....	8

3) Other Grading Notations .....	8
4) Calculation of Grade Point Average (GPA) .....	8
5) Repeating Courses .....	9
6) Extensions Policy .....	9
7) Change of Grade Policy .....	9
8) Graduating with Honors .....	10
E. Eligibility Standards .....	10
1) Academic Standards .....	10
2) Petition for Reinstatement .....	10
3) Attendance in Class .....	10
F. Examination Policies .....	10
1) Maintaining Anonymity .....	11
2) Conduct During Exams .....	11
3) Failure to Complete an Examination: .....	11
4) Students with Disabilities .....	11
6) Rescheduling Examinations .....	11
G. Individuals with Disabilities .....	12
1) Policy .....	12
2) Definition .....	12
3) Reasonable Accommodation .....	12
H. Graduation Requirements .....	12
1) Minimum Credit Hours Required for Graduation .....	12
2) Minimum Satisfactory Grades Required for Graduation .....	13
3) Waiver of Satisfactory Grade Requirements for Graduation .....	13
IV. CODE OF STUDENT CONDUCT .....	13
A. Misconduct .....	13
1) Examples of Misconduct .....	13
B. Procedures .....	15
1) Initial Complaint .....	15
2) Notice .....	15
3) Investigation .....	15
4) Informal Resolution Meeting .....	15
5) Determination and Recommended Sanction. ....	17
6) Appeal .....	17

7) Adjudication Hearing .....	17
8) Determination of Guilt and Recommended Sanctions. ....	18
9) Finding Of Not Guilty .....	18
10) Notice of Decision .....	18
11) Dean’s Decision.....	18
12) Appeal.....	18
ACKNOWLEDGMENT FORM .....	19

## I. INTRODUCTION

This document contains information about the University at Buffalo School of Law's General Academic Requirements and Code of Student Conduct which will be important to you throughout your law school career. These Requirements are reviewed annually and may be changed. You are responsible for keeping informed of all changes. Extra copies are available each August from the Records and Registration Office. LL.M. students must satisfy certain academic requirements in order to maintain good academic standing and in order to be eligible to graduate. Many of these requirements are imposed by the bodies responsible for accrediting the University at Buffalo School of Law: the American Bar Association (ABA), the Association of American Law Schools, the New York State Court of Appeals, and the New York State Education Department. In addition, LL.M. students must fulfill their academic requirements with honesty and integrity in compliance with the policies of the University and Law School. Because a failure to satisfy academic requirements can have significant consequences, it is important that you read this document carefully. All students are required to sign the "Acknowledgment" page at the end of this document and return it to the Records and Registration Office. Your signed "Acknowledgment," which is included in your permanent file, provides the Law School with a record that you have received a copy of the General Academic Requirements and Policies and Code of Student Conduct; it also allows you to sit for Law School exams in your first semester and to register for courses in subsequent semesters.

When you register for your courses each semester, you will need to refer to this document in order to determine whether you will be able to satisfy your academic requirements in time for your planned graduation date and to arrange for any waivers or approvals that you might need in order to take the courses you have selected. For example, you may need to obtain prior approval from an instructor and the Registrar in order to take certain courses such as an Independent Study or experiential learning courses (see "[Independent Study](#)", III.B(3)). The Records and Registration staff are available to answer your questions and to provide any necessary forms that you will need. In most cases, the Registrar will be able to help you with your questions or concerns regarding the academic requirements and to provide approvals or waivers in appropriate circumstances. In addition, the Vice Dean for Student Affairs has responsibility for resolving issues that arise regarding the application of the academic requirements in particular cases.

Membership in the legal profession requires conduct that meets exacting and demanding ethical standards. As persons preparing for that profession, the University at Buffalo School of Law students are required to meet the highest standards of the profession, including but not limited to honesty, integrity, professionalism, and a commitment to treat others with respect, dignity and courtesy. The University at Buffalo School of Law hereby establishes the "Buffalo School of Law Code of Student Conduct" (see "[Code of Student Conduct](#)", IV.) – rules by which its students shall be governed – as participants in any law school activity, and in relationship to any other member of the law school community.

The University at Buffalo also has a Student Code of Conduct, to which all students of the University, including LL.M. students, must adhere. These rules may be found at <http://www.buffalo.edu/content/dam/www/studentlife/units/uls/judicial-affairs/ub-student-code->

[of-conduct.pdf](#). Student conduct alleged to be in violation of the University at Buffalo School of Law Code of Student Conduct will be governed solely according to policies and procedures described therein. However, some behavior may lead to allegations of violations of both the Law School and University codes. In such cases, alleged violations will be adjudicated solely under the provisions of the Law School Code. Absent extraordinary circumstances, LL.M. students will not be subject to multiple adjudications (i.e., Law School and University) for the same conduct. However, in such circumstances, where the Law School Code sets a higher standard for student conduct than that set by the University's Code, LL.M. students will be held to the standard set by the Law School.

## **II. DEFINITIONS**

As used in the Academic Requirements, Policies and Code of Student Conduct:

- (1) "Academic year" means the period of study at the University at Buffalo School of Law consisting of the Fall and Spring Semesters, and including the January Bridge Term as part of the Spring Semester.
- (2) "Approved law school" means a law school that appears on the list of law schools accredited by the American Bar Association.
- (3) "Block" means a period of study lasting approximately four weeks during a semester.
- (4) "Bridge Term" means Block 4 of the academic year, which is the first block of the Spring Semester and which is scheduled during January.
- (5) "Credit hours" means semester hours of credit.
- (6) "Dean" includes an acting or interim dean.
- (7) "LL.M." means the "Legum Magister" degree.
- (8) "LL.M. Advisor" means the director of the student's LL.M. program or the individual selected by the director and/or the Vice Dean for International and Graduate Programs to advise the student.
- (9) "R&R" means the Records and Registration Office, Room 304 O'Brian Hall.
- (10) "Registrar" means the Director of Records and Registration/Registrar.
- (11) "Student Services" means the Student Services Office, Room 314 O'Brian Hall.
- (12) "SUNY" means The State University of New York.
- (13) "UB" means the University at Buffalo, The State University of New York.

## **III. GENERAL ACADEMIC REQUIREMENTS**

### **A. Credit Hours and Residence Requirements**

The Law School requires students to satisfy minimum credit hours and residence requirements in order to be eligible to graduate (see "Graduation Requirements," § III.H). In general, only courses taken subsequent to matriculation at UB can be used to satisfy the LL.M. requirements. It is the responsibility of each student to determine whether he or she has satisfied these requirements. If you have any questions about whether your planned course of study is in conformance with these

requirements, please consult with the Vice Dean for International and Graduate Programs or your LL.M. program director.

#### 1) RULES AND REQUIREMENTS APPLICABLE TO ALL LL.M. STUDENTS

A. TOTAL REQUIRED CREDITS: All LL.M. students are required to complete twenty-four (24) credit hours of coursework.

B. FINANCIAL AID ELIGIBILITY: Students receiving federal financial aid must enroll for a minimum of six (6) credit hours in any semester in order to be eligible for financial aid for that semester. **THIS REQUIREMENT MAY NOT BE WAIVED.** Please note that federal and state-based financial aid is available only to U.S. citizens and permanent residents.

C. RESIDENCE REQUIREMENTS: LL.M. students normally satisfy their academic requirements in two (2) semesters. International students studying on F-1 or J-1 visas are **required** to register for a minimum of twelve (12) credit hours per semester unless qualifying for an applicable exception. See <http://www.buffalo.edu/international-student-and-scholar-services/immigration-visa/f-1-student/reduced-course-load.html>

D. EXTENSION OF LL.M. PROGRAM: With the approval of the Vice Dean for International and Graduate Programs, LL.M. students may extend their LL.M. program; however, they must complete all required credit hours and academic requirements within two (2) calendar years of the date they matriculated in the LL.M. program. The possibility of extending one's LL.M. program is subject to the above minimum credit hours requirement; therefore, a student on an F-1 or J-1 visa would need to apply for and receive permission from the Office of International Student and Scholar Services (see link above) in order to take fewer than twelve (12) credit hours in any given semester.

E. OVERLOAD: Any LL.M student who wants to register for more than fifteen (15) credit hours in any semester must receive prior approval from his or her LL.M. Advisor. Courses taken in the January "Bridge Term" are not included in the fifteen credit-hour limit for the Spring Semester. Permission to exceed the fifteen-credit limit will be granted only if the director of the student's LL.M. program is satisfied that the student is capable of handling the additional academic work. In any event, students are not permitted to register for more than eighteen (18) credit hours in any semester.

F. INDIVIDUAL PROGRAM PLANNING: Prior to registration for each semester of LL.M. coursework, each student must consult with, and receive approval from, his or her LL.M. Advisor regarding his or her proposed course schedule.

G. REQUIRED COURSES - INTRODUCTION TO THE U.S. LEGAL SYSTEM AND INTRODUCTION TO U.S. LEGAL RESEARCH AND WRITING: These courses are each

two credits and are *mandatory for all LL.M. students, regardless of program, who have not previously obtained a law degree from a U.S. law school.* These courses orient students to the American legal system, American legal education, and to the practice of law in the United States. Both courses count toward the required twenty-four credits of coursework.

H. ADVISEMENT: LL.M. students are required to meet with their LL.M. Advisors prior to registration each semester and at such other times as required by the Vice Dean for International and Graduate Programs. LL.M. students will not be permitted to register until all meeting obligations have been satisfied.

I. BAR REQUIREMENTS: It is the student's responsibility to identify the coursework and other requirements that must be satisfied to sit for the bar exam of his or her choice. The requirements outlined herein are those mandated by the respective LL.M. programs and are not designed to address all of the requirements that may be adopted by every state bar examiner in the United States.

## 2) SPECIFIC LL.M. PROGRAM REQUIREMENTS:

The below program-specific requirements are in addition to the required courses noted above in Section III.A.1.

A. GENERAL LL.M. PROGRAM EXPERIENTIAL LEARNING REQUIREMENTS: To successfully complete the General LL.M. program, students must successfully complete a minimum of three credits of experiential learning. Courses qualifying as experiential include externships, clerkships, clinical programs and practica, as well as the in-class courses identified in the document "Qualifying Experiential Courses" available on the Records and Registration website. **Any variation will require a waiver.**

### B. REQUIREMENTS APPLICABLE TO CRIMINAL LAW LL.M. STUDENTS

i. WRITING AND EXPERIENTIAL LEARNING REQUIREMENTS: Criminal Law LL.M. students must participate in the Criminal Law Colloquium (the writing requirement) and complete a minimum of three credits of experiential learning. Courses qualifying as experiential include externships, clerkships, clinical programs and practica, as well as the in-class courses identified in the document "Qualifying Experiential Courses" available on the Records and Registration website. **These requirements may only be waived with the advance approval of the Director of the Criminal Law LL.M. program and the Vice Dean for Student Affairs.**

ii. OTHER CORE COURSES: Criminal Law LL.M. students must successfully complete:

- Criminal Law;
- Criminal Procedure – Investigation; and
- Evidence *and/or* Criminal Procedure – Adjudication.



C. REQUIREMENTS APPLICABLE TO CROSS-BORDER LEGAL STUDIES LL.M. STUDENTS: Cross-Border Legal Studies LL.M. students must complete the Cross-Border Legal Studies experiential capstone course (four (4) credits) and at least twelve (12) credits from an approved list of classes. The list of approved classes may be obtained from the Cross-Border Legal Studies LL.M. Director, the Registrar, or online at: <http://www.law.buffalo.edu/academics/jd/concentrations/cross-border.html>.

D. REQUIREMENTS APPLICABLE TO ENVIRONMENTAL LAW LL.M. STUDENTS: Environmental Law LL.M. students must complete the following:

- An Experiential Capstone Course (3-4 credit hours);
- An Approved Research Course (3-4 credit hours);
- Two Environmental Law Core Courses (6 credit hours); and
- One Other Environmental Law-Related Course (3 credit hours).

A list of approved courses for each of the above categories may be obtained from the Director of the Environmental Law LL.M. program.

## **B. Special Course and Credit Requirements**

### 1) INDEPENDENT STUDY:

A) THREE-CREDIT INDEPENDENT STUDY. An LL.M. student who wishes to pursue a special research interest under the guidance of a full-time Law School faculty member may earn up to three (3) credit hours for an independent research and writing project. Students undertaking independent research meet periodically with the faculty member supervising the research for discussion, review, and evaluation of the research project. The proposed study should require a substantial investment of time and effort and should promise a significant product that makes an original contribution to the understanding of law or that reflects pursuit of a specialized interest not covered in standard offerings in the curriculum. The finished research paper should be comparable in scope and quality to a student note or comment in a law review or social science journal. Students are limited to one independent study absent extraordinary circumstances (see below) and prior approval by the Vice Dean for International and Graduate Programs.

B) ADDITIONAL CREDIT FOR AN INDEPENDENT STUDY: In very special, limited circumstances, such as where continuation of work on a project will facilitate publication of an independent research paper or allow completion of an ambitious social science research project, a student may receive permission to continue an Independent Study in a subsequent semester for additional credit up to a maximum of three (3) credit hours.

Registration for additional credit to continue an Independent Study project requires approval by the supervising faculty member and the Vice Dean for International and Graduate Programs. Students must complete and submit to

Records and Registration the forms entitled “Petition of Faculty Waiver Policy” and “Independent Study Request.”

2) MASTER’S THESIS: The master’s thesis is a substantial paper of a style and form appropriate for submission as an article to a scholarly journal. The Master’s Thesis is completed across two semesters and counts for six (6) credits. In consultation with the Program Director or Vice Dean for International and Graduate Programs and the relevant faculty member, the student identifies a faculty member to supervise the thesis. The supervisor must be a full-time member of the law school faculty (not an adjunct or emeritus faculty member). To register for the master’s thesis, the student must first obtain approval from the supervising faculty member and the Vice Dean for International and Graduate Programs. LL.M. Master’s Thesis forms are available on the Law School’s website.

3) LIMITS ON CREDIT FOR CLINICAL COURSES, INDEPENDENT STUDIES, MASTER’S THESIS, EXTERNSHIPS, AND CLERKSHIPS: Courses of this nature can comprise no more than 14 (fourteen) credits of a student’s total credit hours in any LL.M. program. Students may **NOT** take two Independent Studies in the same semester. **Any variation will require a waiver.**

4) STUDENTS ON VISAS AND EXPERIENTIAL LEARNING: Students who are in the United States on student visas may need to seek Curricular Practical Training (CPT) in order to participate in certain types of experiential learning, including, but not limited to, certain externships and practica. Students on F-1 or J-1 visas should speak to the Vice Dean for Advocacy and Experiential Education or the Vice Dean for Social Justice Initiatives before registering for courses identified as experiential in order to determine whether an application for CPT is required.

### C. The Academic Calendar

1) THE ACADEMIC YEAR: The academic calendar of the Law School consists of a Fall Semester and a Spring Semester that run from late August or early September to graduation in May. The January “Bridge Term” is considered part of the Spring Semester for purposes of registration, grade reporting on student transcripts, credit requirements, and financial aid. In addition, the Law School offers a limited number of courses in its Summer Session.

2) BLOCKS AND THE BRIDGE TERM: The Law School calendar is also divided into “Blocks,” each of which is approximately four weeks long. Most three-credit courses are taught over three blocks, similar to the conventional semester schedule. The Blocks, however, allow instructors the opportunity to offer intensive one- or two-credit courses that meet in one or two blocks. The Fall Semester consists of Blocks 1, 2, and 3, during which classes are scheduled over a period of twelve to thirteen weeks. The Spring Semester consists of Blocks 4, 5, 6, and 7, during which classes are scheduled over a period of sixteen weeks beginning in January. Block 4, held in January of the Spring semester, offers students single-block intensive courses that range from one-credit practice-oriented courses to three-credit seminars on theoretical or doctrinal topics. Upper-division students may

register for a maximum of three (3) credit hours during the Block 4. Similar to the Fall Semester, most three-credit courses in the Spring Semester are scheduled for the twelve-week period, similar to the conventional semester, that consists of Blocks 5, 6, and 7.

#### **D. Grading and Related Policies**

Most courses at the Law School are letter-graded by the instructor of record using the grades presented below.

##### 1) GRADED COURSES:

- A Superior work which is significantly better than the normal range of performance expected of JD and LL.M. candidates
- A- High quality work that is better than the normal range of performance expected of JD or LL.M. candidates
- B+ Professionally qualified work which is at the high end of the normal range of performance expected of J.D. or LL.M. candidates
- B Professionally qualified work which is within the normal range of performance expected of J.D. or LL.M. candidates
- B- Professionally qualified work that is at the low end of the normal range of performance expected of J.D. or LL.M. candidates
- C Professionally qualified work that is at the lowest end of the range of performance expected of J.D. or LL.M. candidates
- D Work which is acceptable for academic credit but demonstrates a minimal level of performance expected of J.D. or LL.M. candidates
- F Work which is not worthy of academic credit
- >F< Failure due to findings of Academic Dishonesty. No academic credit.
- FX Failure due to poor attendance or lack of participation.

\* Please note that A- and B- Grades were instituted in Fall 2006.

\*\* Unless expressly noted otherwise, any grade of ">F<" or "FX" shall be treated the same as an "F" for all purposes, including, but not limited to, calculation of grade point average and the need to repeat required courses. Grades of >F<, F or FX, therefore remain on a student's transcript and are included in GPA calculations, even if a course receiving such a grade is later retaken for a passing grade.

2) PASS-FAIL COURSES: Although as a general rule the University at Buffalo School of Law courses are graded using the A through F grading system, designated courses may be evaluated on a “pass-fail” basis. Designation of a course as “pass-fail” is not at the option of the student or the instructor, but is determined by the Buffalo Law Faculty as a body. In a course designated as “pass-fail,” the instructor evaluates student work for the course using the “S” and “U” grades described below:

S Professionally qualified work which is within the normal range of performance expected of J.D. or LL.M. candidates.

U Unsatisfactory work that is not worthy of academic credit.

3) OTHER GRADING NOTATIONS: The following non-grade notations may appear on student transcripts in appropriate circumstances:

I Incomplete. The student has not completed the assigned work for the course and the instructor granted additional time to complete the work. An “I” is not given in cases where a student has failed to complete a final examination. In order to receive a passing grade a student who has received an Incomplete must complete all course requirements pursuant to the Policy for Extensions. If a student fails to meet these requirements the “I” converts to an “F.”

N Auditing a course. No grade given or credit awarded.

R Resigned a course. No academic credit.

W Total withdrawal from course due to documented medical, family, or other circumstances as approved by the University

Z Year-Long course in which a final grade is given for both semesters at the completion of both semesters.

4) CALCULATION OF GRADE POINT AVERAGE (GPA): As of Fall 2010 the University at Buffalo School of Law allows GPA computation on a scale of 0.0 to 4.0 with the following quality point system (prior to Fall 2010 grades did not carry any computational value and therefore the School of Law did not allow GPA computation):

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

>F<	0.00
FX	0.00

Your University at Buffalo Law School Grade Point Average (“GPA”) is computed by dividing the grade points (quality points x credit hours) assigned to each grade by the credit hours attempted for courses graded with an “A” through “F” grade only. For example, earning a “B” grade in a 4.00 credit hour course would yield  $(3.00 \times 4.00) / 4.00 = 3.00$  GPA.

If you earn an “F” these credit hours count as attempted hours and therefore **are used** when calculating your GPA, however, grades of “S,” count toward total hours completed but **not** in the computation of your grade point average.

5) REPEATING COURSES: *Required* courses in which a student receives an “F” (including any “>F<” or “FX” grade) or “U” grade must be repeated in an effort to earn a passing grade. Students have the option of repeating other courses in which they receive an “F” or “U” grade. Both instances of the course will appear on the transcript.

Students may not repeat courses in which they earned a “D” grade.

6) EXTENSIONS POLICY: All exams and papers for the completion of a course work are due at the end of the exam period unless another date is otherwise agreed upon by the professor and a completed extension form is filed in the Records and Registration Office. Under no circumstances will extensions be granted (for Fall and Spring classes) past the first day of classes in the subsequent Fall semester.

A final grade of “F” will be entered on transcripts for all course work not completed by the appropriate deadline. This grade is not subject to appeal or change.

7) CHANGE OF GRADE POLICY: Except in cases of administrative or ministerial error (e.g., erroneous computation of the grade on a numerically graded exam), or findings of Academic Dishonesty, neither the Registrar nor the instructor is able to change a grade that was given to a student unless the voting faculty, on the petition of the faculty member who gave the grade, authorizes the change of grade. Instructors should not change grades for reasons such as saving a student from academic or financial aid penalties, or enabling students to graduate.

If a student has a question about a grade given for an exam or course the student should contact the professor’s faculty assistant who will arrange a time for the student to review his or her exam and/or grades within the course. If further questions exist the faculty assistant may contact the instructor to review the grading for the course to ensure no mistakes have been made. If the instructor feels an error has been made he or she may contact the Law School Registrar who will review the documentation, and, if satisfied, change the grade.

**Under no circumstances may students contact the instructor to petition for a higher grade, as grade changes are not allowed except in circumstances noted above.**

8) GRADUATING WITH HONORS: Honors will be awarded to LL.M. students who earn grades of “A/A-” in at least 50% of the total credit hours attempted. The Registrar will use the following formula to calculate the percentage of A/A- grades each LL.M. candidates received at UB Law School:

$$\frac{\text{Total A and A- credit hours minus D/F credit hours}}{\text{Total A, A-, B+,B, B-, C, D, and F credit hours}}$$

Note that “S” and “U” grades are **not** included in the computation for Honors.

#### **E. Eligibility Standards**

1) ACADEMIC STANDARDS: In order to receive any LL.M. degree, students must complete twenty-four (24) credit hours of course work, including all required courses, with a **minimum grade point average of 2.5 on a 4.0 scale**. The grade point average minimum is not a waivable or appealable requirement. Students who do not meet the minimum GPA standard will not be granted the LL.M. degree and will be declared ineligible to continue in the LL.M. program in subsequent semesters unless they successfully petition for reinstatement.

2) PETITION FOR REINSTATEMENT: Students declared ineligible to continue in or graduate from any LL.M. program may petition the Academic Standards and Standing Committee (ASSC) for reinstatement. The petition must demonstrate that (a) if the student is reinstated, he or she will be able to complete the program within the time limits established by the University at Buffalo School of Law, or provide a compelling reason for a waiver of these time limits, AND (b) that the failure to meet minimum graduation requirements was a result of unusual or extraordinary circumstances preventing or interfering with normal academic performance.

Students petitioning for reinstatement must establish to the satisfaction of the ASSC that the conditions have been resolved or will no longer interfere with their academic performance.

3) ATTENDANCE IN CLASS: The right to continue registration in a course or seminar, to take examinations in a course, or submit a paper for a seminar, is conditioned upon regular attendance in classes in that course or seminar. Failure to comply with attendance requirements may be treated as failure to complete the work in a course or seminar and may be graded accordingly, i.e., by the faculty member’s authorizing an “FX” or “U” grade. This requirement pertains to all courses and seminars, and its enforcement does not depend on additional warnings or reminders in particular course offerings.

#### **F. Examination Policies**

Students should adhere to the following general exam policies. More specific information about a particular exam is given prior to the exam period for each semester by the Registrar.

1) MAINTAINING ANONYMITY: Professors should not be contacted regarding an exam after the last class session (or review session), including questions regarding take-out exams. In addition, students must never contact an instructor regarding the rescheduling of an exam, rather such inquiries should be directed to Records and Registration in 304 O’Brian. Such requests will not be granted automatically. Students must also refrain from contacting instructors about performance on an exam until grades are posted since this removes anonymity.

2) CONDUCT DURING EXAMS: Students are expected to follow the directives and requests of examination proctors, Records and Registration staff, the Vice Dean for Student Affairs and the Registrar, and any other Law School employee involved in the administration of examinations, projects or papers before, during, and after an exam.

3) FAILURE TO COMPLETE AN EXAMINATION:

- A student who picks up an examination is expected to complete it during the scheduled examination period. A student who does not complete an examination will be graded on what he or she submits during the examination period unless an exception is granted on petition to the Vice Dean for Student Affairs.
- Exceptions will be granted only in extreme cases and only if (1) prior to completing the examination, the student has notified the Vice Dean for Student Affairs (645-6223, 314 O’Brian Hall) of the reason for the inability to complete the examination; (2) thereafter the student establishes the reason for such inability to the clear satisfaction of the Vice Dean for Student Affairs, and (3) the Vice Dean for Student Affairs determines that the circumstances are such that equity requires that the student be permitted to be re-examined.

4) STUDENTS WITH DISABILITIES: Students with disabilities should submit a written request for examination modifications to the Vice Dean for Student Affairs, Bernadette Gargano, Room 314 O’Brian Hall. Students who have not identified themselves as a student with a disability should see the Vice Dean for Student Affairs as soon as possible as they will need to provide appropriate documentation of their disability to qualify for modifications.

5) NON-NATIVE ENGLISH SPEAKERS: Students whose native language is not English and who have limited experience taking courses taught in English may be eligible for certain exam accommodations. Students should discuss their circumstances with the Vice Dean for Student Affairs.

6) RESCHEDULING EXAMINATIONS Prior to the Start of the Examination Period:

- In addition to requests based upon documented medical conditions, a student may request to change an examination date to the very next available date subsequent to the scheduled date only if he or she has:
  - two examinations scheduled on the same day;
  - three or more examinations on consecutive calendar days;
  - four or more examinations to be completed in one calendar week (Mon. – Fri.) for this examination period.
- Absent the written documented permission of the Vice Dean for Student Affairs, all examinations, papers, and projects that have been rescheduled for personal or medical reasons must be taken no later than two weeks after the end of the examination period.

## **G. Individuals with Disabilities**

1) POLICY: The University at Buffalo School of Law does not discriminate against individuals with disabilities in its program of legal education and provides full opportunities for the study of law and entry into the profession by qualified individuals with disabilities.

2) DEFINITION: For purposes of the General Academic Requirements and Policies, an “individual with a disability” is defined in Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §706, as further defined by the regulation on post-secondary education, 45 C.F.R. §84.3(k)(3), by 34 C.F.R. pt. 104, and by the Americans with Disabilities Act, 42 U.S.C. §§12101 et seq.

3) REASONABLE ACCOMMODATION: The essence of proper accommodation of qualified individuals with disabilities is individualization and reasonable accommodation. The use of the term “qualified” requires a careful and thorough consideration of each student’s qualifications in light of reasonable accommodations. Reasonable accommodations are those that do not fundamentally alter the nature of the program, that can be provided without undue financial or administrative burden, and that can be provided without lowering academic or other essential performance standards. Students with disabilities should obtain the Procedure Manual for Students with Disabilities from the Office of the Vice Dean for Student Affairs.

## **H. Graduation Requirements**

1) MINIMUM CREDIT HOURS REQUIRED FOR GRADUATION: To be eligible to graduate, all LL.M. candidates must:

- a. Complete at least twenty-four (24) credit hours of course work; and



- b. Satisfy the requirements applicable to all LL.M. programs as well as to their specific LL.M. programs as outlined in §§ III.A.1.g. and III.A.2, above.

2) MINIMUM SATISFACTORY GRADES REQUIRED FOR GRADUATION: For all law school classes, LL.M. candidates must earn A, A-, B+, B, B-, C, or S grades in a minimum of twenty-one (21) credit hours of law school or other approved courses out of the total of twenty-four (24) credit hours required to receive the LL.M. degree.

3) WAIVER OF SATISFACTORY GRADE REQUIREMENTS FOR GRADUATION: The faculty, in its discretion, may waive the twenty-one hour requirement and award the LL.M. degree to a student who has earned at least eighteen (18) credit hours with A, A-, B+, B, B-, C, or S grades and who has satisfied all other graduation requirements. Such a waiver may be granted only in cases where the deficiency is the result of an unsatisfactory grade earned in the student's final semester and where the faculty determines that the student's overall record is sufficient to satisfy the minimum graduation requirements. In making its decision regarding such waiver, the faculty may take into account extraordinary factors, such as serious illness, which may have affected the student's performance in the semester in question.

- Students can apply for a waiver of the twenty-one hour requirement through the Office of the Vice Dean for Student Affairs by completing and submitting the form, "Petition for Waiver of Faculty Policy," available in Records and Registration.

## **IV. CODE OF STUDENT CONDUCT**

### **A. Misconduct**

1) EXAMPLES OF MISCONDUCT. Under this code, a LL.M. student may be subject to disciplinary action when he or she engages in unprofessional conduct, including but not limited to the following:

- a. Making any written or verbal statement to a Law School employee that contains any material misrepresentation or omission related to admission, financial aid, academic credit, standing, grading, employment or any matter related to enforcement of this code.
- b. Making any material misrepresentation to individuals not affiliated with the Law School with regard to grades, class rank, academic standing, honors, or involvement in any law school activity.
- c. Submitting plagiarized work in any law school activity, including but not limited to courses, seminars, clinics, externships, practicum placements, competitions and efforts to seek employment. In this code, plagiarism includes,

but is not limited to, the use of verbatim or nearly verbatim language of others without the use of quotation marks, footnotes and/or other appropriate source attribution; the substantial misappropriation of another's ideas without appropriate attribution; and the substantial misappropriation of another's work, organization or pattern without appropriate attribution.

- d. Submitting for academic credit the same or substantially the same work that has already been submitted (or is simultaneously being submitted) for academic credit in another course or academic program or work previously completed to satisfy employment, voluntary or other obligations in a setting outside the Law School.
- e. Submitting for academic credit work completed by another.
- f. Misrepresenting one's presence or absence or that of another in a class or other law school activity for which attendance is taken.
- g. Violating any policy regarding an examination or other written product or presentation to be submitted for evaluation. This includes, but is not limited to:
  - i. Possessing or consulting, during an examination, any source of information not expressly authorized by the assigning faculty member.
  - ii. Giving, receiving or exchanging any unauthorized information with regard to an examination prior to or during the examination, including viewing the examination materials of another student during the examination.
  - iii. Intentionally breaching the confidentiality of the grading process.
  - iv. Discussing any aspect of an examination with a student scheduled to take the examination who has not yet done so.
  - v. Removing an examination (in any form, including electronic) or a student's notes (including one's own) regarding an examination from the examination room without authorization.
  - vi. Taking an examination for another student or allowing another person to take one's own examination.
  - vii. Intentionally breaching the security of an examination in any way
  - viii. Failing to stop writing or otherwise responding to an examination once the examination time limit has been reached.
  - ix. Collaborating with another student or students on an examination, project or other class assignment without express faculty permission.
  - x. Intentionally distracting or disturbing others or otherwise interfering with or disrupting the administration of an examination.
  - xi. Using a false or misleading excuse to postpone the taking of an examination or submission of a paper or other assignment at the regularly scheduled time.

- h. Intentionally disrupting a class or other Law School sanctioned or sponsored activity.
- i. Intentionally stealing, destroying, damaging, defacing or hiding Law School property or that of another law student or employee of the law school, including electronic data.
- j. Removing library materials from the Law School Library without authorization.
- k. Using Law School student access to databases licensed at this university for outside employment, other activities unrelated to Law School courses, research or activities, or in any way that violates licensing agreements.
- l. Threatening, harassing, assaulting or intentionally interfering with the work of a Law School student or employee.
- m. Failing to cooperate with the investigation of any allegation of misconduct under this code.
- n. Failing to report to Law School authorities any misconduct under this code.

## **B. Procedures**

1) INITIAL COMPLAINT. If a student has reason to believe that a student may have committed an act of misconduct, as defined above, he or she shall report the suspected or alleged misconduct to the Vice Dean for Student Affairs and provide documentation, where applicable, of the suspected or alleged misconduct. This process may also be initiated by a member of the law school faculty or staff.

2) NOTICE. The Vice Dean for Student Affairs shall notify, in writing, the student or students suspected or accused of the alleged act of misconduct. Such notice shall include copies of any applicable documentation (e.g., a copy of the paper with the allegedly plagiarized sections highlighted along with a copy of the source material with the applicable sections highlighted). Copies of such notice shall also be provided to the Vice Dean for Academic Affairs and, where applicable, the faculty or staff member who initiated the complaint. Where the allegation is one of academic dishonesty and a grade is due to be entered, the Vice Dean for Student Affairs shall provide a copy of the notice to the Registrar with the direction to enter a grade of Incomplete (“I”) until the matter is resolved. Any such notice is confidential and shall be kept separate from the student’s other Law School records.

3) INVESTIGATION. The Vice Dean for Student Affairs will consult with the student within a reasonable period of time but as close as possible to the report and notice of the suspected or alleged misconduct. As part of the investigation, the Vice Dean for Student Affairs may consult with faculty, staff, students and/or others who may have some knowledge of the suspected or alleged misconduct. The Vice Dean for Student Affairs shall consult with and report to the Vice Dean for Academic Affairs on the results of the investigation.

4) INFORMAL RESOLUTION MEETING. During the investigation, the Vice Dean for Student Affairs shall offer the opportunity for the student to meet with the Vice Dean for

Student Affairs and the Vice Dean for Academic Affairs in an attempt to resolve the matter.

- a. If the allegation is one of academic dishonesty, the faculty member involved may also attend such meeting. Neither the faculty member nor the student shall be represented or accompanied by an attorney or any other advisor, and no record of this informal meeting need be preserved. As a result of this meeting, with the agreement of the faculty member, the student may consent to appropriate sanctions including but not limited to:
  - i. Admonition – An oral statement to the student that he or she has violated a Law School standard of academic honesty.
  - ii. Revision of Work – Requiring the student to replace or revise the work in which dishonesty occurred. (A grade of Incomplete will be entered pending replacement or revision of the work.)
  - iii. Reduction in Grade – With respect to the particular assignment/examination or the course.
  - iv. Mandatory Resignation – To be indicated on the transcript by an “R”.
  - v. Failure for Reason of Academic Dishonesty – To be indicated on the transcript by an “>F<”.
- b. If the suspected or alleged misconduct does not involve academic dishonesty, the student will be offered the opportunity to meet with the Vice Dean for Student Affairs and the Vice Dean for Academic Affairs in an attempt to resolve the matter. The student shall not be represented or accompanied by an attorney or any other advisor, and no record of this informal meeting need be preserved. As a result of this meeting, the student may consent to an appropriate sanction including but not limited to:
  - i. Admonition – An oral statement to the student that he or she has violated the Code of Conduct, with or without a written statement of admonition placed in the student’s file.
  - ii. Warning – An oral statement to the student that he or she has violated the Code of Conduct and that further misconduct may result in more serious disciplinary action, with or without a written statement of warning placed in the student’s file.
  - iii. Censure – A written reprimand detailing the violation and a warning of more serious disciplinary action if the student engages in further misconduct in violation of the code, with a written statement of censure to be placed in the student’s file.
  - iv. Probation – A specified period of time during which the student will be excluded from certain Law School privileges and activities and/or required to meet certain specified conditions in order to avoid more serious disciplinary action. A written statement of this sanction and the reasons for it will be placed in the student’s file.

- v. Suspension – Exclusion from enrollment and other Law School privileges or activities for a specific period of time. A written statement of this sanction and the reasons for it will be placed in the student’s file.
- vi. Expulsion – Termination of the student’s enrollment either permanently or for an indefinite period of time, with conditions for later enrollment (if any) to be specified. A written statement of this sanction and the reasons for it will be placed in the student’s file.
- vii. Restitution – In addition to, or instead of, any of the above sanctions, financial reimbursement for damage, destruction or misappropriation of property.

5) DETERMINATION AND RECOMMENDED SANCTION. If no informal resolution is agreed to, the Vice Dean for Student Affairs will provide a written report of the investigation with findings to the Vice Dean for Academic Affairs and a copy to the student. The Vice Dean for Academic Affairs shall review this report and shall advise the student of the sanctions that will be recommended to the Dean.

6) APPEAL. The student may appeal the recommended sanction(s) to the Code of Conduct Adjudication Committee (CCAC), composed of three members of the voting faculty, including the chair, chosen annually by the Law Faculty Committee on Committees. Neither the Dean nor the Vice Dean for Academic Affairs may serve on the CCAC. The student shall be entitled to a hearing before the CCAC, if he or she requests. The CCAC shall give the student reasonable advance notice (not less than 72 hours) of the hearing. If any member of the CCAC is a complainant or witness or has any other conflict of interests in the adjudication, he or she shall recuse himself or herself and be replaced by another faculty member designated by the Committee on Committees. If a member of the CCAC is otherwise unable to serve, he or she shall be replaced by another faculty member designated by the Committee on Committees.

The Vice Dean for Academic Affairs and/or Vice Dean for Student Affairs shall provide the CCAC with a written statement of the evidence against the student and the names of potential witnesses. The CCAC shall convey this information to the student prior to the hearing, and shall indicate the range of possible sanctions that might be imposed if the student is found guilty.

7) ADJUDICATION HEARING. At the hearing, the student shall be entitled to present evidence on his or her own behalf, examine all evidence against him or her, and cross-examine all witnesses against him or her. No party may be represented by an attorney or anyone else, but the student may be accompanied by an advisor of his or her choice, who may advise but not represent him or her during the proceedings. The technical and formal rules of evidence applicable in a court of law will not be controlling, and the CCAC may hear any and all relevant material and reliable evidence that may contribute to an informed result. The chair of the CCAC may exclude irrelevant or unduly repetitious evidence or cross-examination.

8) DETERMINATION OF GUILT AND RECOMMENDED SANCTIONS. If a majority of the CCAC's members find that the student committed an act of misconduct, the CCAC shall recommend that the Dean impose one or more of the following sanctions to which a majority of its members agree:

- a. In the case of academic dishonesty, any of the sanctions that the Instructor could have imposed as a consequence of an informal resolution meeting (Admonition; Revision of work; Reduction in grade; Mandatory resignation from the course; or Failure for reason of academic dishonesty) as well as Censure, Probation, Suspension or Expulsion, as those sanctions are defined above.  
Regardless of other sanctions, if a student is found guilty of academic dishonesty, a statement shall be placed in the student's academic record along with a description of the act of dishonesty. Such statement shall be disclosed to the Character and Fitness Committee or similar body of any jurisdiction for which the student seeks admission to the bar.
- b. In the case of any other violation of the Code of Conduct, any of the following sanctions: Admonition, Warning, Censure, Probation, Suspension, Expulsion and Restitution, as defined above.

9) FINDING OF NOT GUILTY. If a majority of the adjudication committee's members find that the student has not committed an act of misconduct under this Code, the matter shall be deemed closed and all copies of documentation, other than of a confidential file maintained separately by the Vice Dean for Student Affairs, shall be destroyed.

10) NOTICE OF DECISION. The student shall be notified of all decisions (including any finding of guilt and recommended sanctions) by letter, a copy of which shall become part of the confidential file maintained separately by the Vice Dean for Student Affairs. If the student has been found guilty, the letter shall advise the student of the sanction(s) recommended to the Dean.

11) DEAN'S DECISION. The final determination of the sanction(s) to be imposed is to be made by the Dean of the School of Law. In his or her discretion, the Dean may impose any sanction approved in this Code, except that he or she may not impose a sanction more severe than that recommended by the adjudication committee. The Dean shall make his or her decision solely upon the basis of the report and findings of the CCAC.

12) APPEAL. A student may appeal the decision of the Dean of the School of Law in accordance with University at Buffalo policy; provided, however, that any appeal shall be grounded solely on the grounds that (a) the policies and procedures outlined herein were not followed and (b) such failure had a material impact on the decision of the Dean.



### **ACKNOWLEDGMENT FORM**

I acknowledge that I have received a copy of the General Academic Requirements, Policies and Code of Student Conduct for LL.M. Candidates.

DATE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

SIGNATURE \_\_\_\_\_

Newly admitted students who do not sign and file this acknowledgment with the Records and Registration Office are not eligible to sit for exams in their first semester or to register for courses in subsequent semesters.