



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

**FOR J.S.D. STUDENTS**

Note to J.S.D. Students: 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.

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## I. INTRODUCTION

This document contains information about the University at Buffalo School of Law’s General Academic Requirements and the 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 from the Records and Registration Office and online at [www.law.buffalo.edu/registrar/policies](http://www.law.buffalo.edu/registrar/policies). Doctor of Juridical Science (J.S.D.) 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, J.S.D. 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 the 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. 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. 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”, Section 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 J.S.D. students, must adhere. These rules may be found at <https://www.buffalo.edu/studentlife/life-on-campus/community/rules.html>.

## **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 is scheduled during January.
5. “Credit hours” means semester hours of credit.
6. “Dean” includes an acting or interim dean.
7. “J.S.D.” means the “Doctor of Juridical Science” degree.
8. “Advisor” means the faculty advisor selected by the Director of the J.S.D. program.
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 Affairs” means the Student Affairs 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.
14. “UB Law” means the University at Buffalo School of Law.

## **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,” Section III.K). In general, only courses taken subsequent to matriculation at UB Law can be used to satisfy the J.S.D. requirements. It is the responsibility of each student to determine whether they have satisfied these requirements. If you have any questions about whether your planned course of study is in conformance with these requirements, please consult the J.S.D. Director or the Registrar.

#### **1. TOTAL REQUIRED CREDITS**

All J.S.D. students are required to complete (27) twenty-seven credit hours of coursework.

#### **2. ACADEMIC AND RESIDENCE REQUIREMENTS**

Students must meet all academic and residency requirements. J.S.D. students can typically satisfy their academic and residency requirements in three academic years if they are in residence and carry a credit load of twelve credits per semester in the first year, and take one credit per semester in the subsequent two years. (Such a schedule would total 28 credits). Additional requirements, defined in greater detail below, include: admission to candidacy (which includes passing the advanced examination and successful defense of the dissertation proposal); and

successful defense of their dissertation. International students studying on F-1 or J-1 visas, are required to register for a minimum of twelve credit hours per semester during the first year, unless qualifying for an applicable exception, and one credit in subsequent semesters after they are admitted to candidacy. See <http://www.buffalo.edu/international-student-services/immigration-visa/f-1-student/reduced-course-load.html>.

### 3. EXTENSION OF J.S.D. PROGRAM AND REDUCED COURSE LOAD

In exceptional circumstances it is possible for students to complete their academic and residence requirements in a period of time that is longer or shorter than three years. With the approval of their advisor, the J.S.D. Director, students may extend or accelerate their J.S.D. program; however, they must complete all required credit hours and academic requirements, including the dissertation defense, within four calendar years after their matriculation date, including any leaves of absence. J.S.D. students whose circumstances warrant may take a reduced course load for one or more semesters. Students taking a reduced course load in the first year generally register for nine to eleven credit hours per semester. After admission to candidacy, typically starting in the second year, the normal load is one credit per semester. To obtain approval to take a reduced course load in any semester, and after obtaining the approval of their advisor and the J.S.D. Director, students should file a written request for approval explaining the reason(s) that they would like to register for a reduced course load in that semester with the Registrar. To make this request, students must use a Petition for Waiver of Faculty Policy: <http://www.law.buffalo.edu/content/dam/law/restricted-assets/pdf/registrar/Forms/facultyPolicyWaiver.pdf>. International students must also ensure that their course-load conforms with the expectations of their visa status. See <http://www.buffalo.edu/international-student-services/immigration-visa/f-1-student/reduced-course-load.html>.

### 4. OVERLOAD

A J.S.D. student who wants to register for more than fifteen credit hours in any semester must receive prior approval from their J.S.D. advisor, the J.S.D. Director and the Vice Dean for Student Affairs. Courses taken in the January “Bridge Term” are not included in the fifteen credit-hour limit for the Spring Semester. In any event, students are not permitted to register for more than eighteen credit hours in any semester. To obtain approval to register for a course overload, students must submit a Petition for Waiver of Faculty Policy, <http://www.law.buffalo.edu/content/dam/law/restricted-assets/pdf/registrar/Forms/facultyPolicyWaiver.pdf>, to R&R or via email to [law-records@buffalo.edu](mailto:law-records@buffalo.edu).

### 5. 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.

## B. Course requirements

### 1. FIRST YEAR REQUIRED COURSES

- a. ***LAW 762 Colloquium: Advanced Topics in Law and Society Research*** (two semesters; three credits each semester). Study in the J.S.D. begins with a year-long colloquium that familiarizes students with contemporary issues in legal theory. The colloquium also exposes students to a variety of research approaches and methods efficacious for identifying, analyzing, situating and critically assessing legal norms, institutions and behavior.
- b. ***LAW 799 Independent Study*** (two semesters; three credits each semester). While enrolled in the colloquium in their first year, each student will also undertake a year-long independent study under the supervision of their advisor. Students will develop the reading lists for their advanced examination and their dissertation proposal. The independent study will introduce the student to the formal conventions of American scholarly writing about law and legal institutions. The student will then proceed to frame, identify and refine an appropriate topic for the production of their dissertation; work with reference librarians to identify useful resources; and develop a plan of work. Except in unusual cases, it is expected that the dissertation topic will grow out of the draft dissertation proposal required as part of the application to the J.S.D. program.

To register for each semester of Independent Study, the student should prepare and submit to R&R (1) a written research proposal approved by the supervising full-time faculty member and (2) an “Independent Study Request” form signed by the full-time faculty member for the Registrar’s additional signature. Unlike J.D. students (UB J.D. GARP, Section B.3.B.), J.S.D. students are not required to obtain the approval of the Vice Dean for Student Affairs for subsequent Independent Study courses. Further, subject to their advisor’s approval, J.S.D. students are not limited in the number of Independent Study courses they may take. However, students may not receive independent study credit for work performed as a research assistant or for a law review note, or as students in internships, externships or clinics. The Independent Study form may be found at: <http://www.law.buffalo.edu/content/dam/law/restricted-assets/pdf/registrar/Forms/independentStudy.pdf>.

### 2. UPPER-LEVEL REQUIRED COURSE

***LAW 899 Dissertation Guidance*** (one credit per semester after admission to candidacy and until completion of degree). After completion of the first year required courses, J.S.D. students will enroll in Dissertation Guidance, taught by their advisor, until the completion of the degree.

### 3. ELECTIVES

The balance of the first-year program will be devoted to such substantive coursework (concentration electives) as may be appropriate given the student’s dissertation topic. These courses will be selected in consultation with and subject to the approval of the advisor. J.S.D. students may take graduate-level courses outside the Law School which are relevant to their research programs. Where appropriate to their projects, students will be encouraged to take

graduate courses in research methods offered by social science or humanities departments in the College of Arts and Sciences. Students wishing to take courses outside the Law School should complete and submit to R&R the form “Request for J.D. Credit for Courses Taken Outside the Law School” prior to enrolling in any non-Law School Course (they should obtain the signature of their advisor on the form, and attach a memorandum to the Registrar noting that they are in the J.S.D. program, not the J.D.). The form may be found at <https://www.law.buffalo.edu/content/dam/law/restricted-assets/pdf/registrar/Forms/jdCreditNonLawForm.pdf> (the restrictions enumerated in #2 of that form do not apply to J.S.D students).

## **C. Advisement**

### **1. J.S.D. ADVISOR**

All J.S.D. students will be assigned a J.S.D. advisor when they are admitted. They should consult with their advisors as soon as possible to plan their programs. The advisor, who also serves as Chair of the dissertation committee, must hold “unqualified” professorial rank in the Law School. Unqualified professorial ranks at the Law School are limited to Associate Professor, Professor, or Distinguished Professor.

Students should make sure that planned coursework will meet the total credit-hour requirement, and provide sufficient preparation for their advanced examination and dissertation proposal, along with dissertation research and writing. J.S.D. students will submit a written self-evaluation to their advisor at the end of each semester. Students are required to meet with their J.S.D. advisors prior to registration each semester and at such other times as required J.S.D. Director or the advisor. With the approval of the J.S.D. Director, advisor assignments may be changed by either the student or the advisor.

### **2. DISSERTATION COMMITTEE**

Each J.S.D. student will have a three-person committee, which will generally be formed by the beginning of the second semester. The composition of the dissertation committee will be determined by the advisor after consultation with the student and potential committee members. At least two members of the committee must hold “unqualified” professorial rank in the Law School or in other UB departments. Unqualified professorial ranks at UB are limited to Assistant Professor, Associate Professor, Professor, or Distinguished Professor. The third committee member will, in most cases, also hold “unqualified” professorial rank in the Law School or in other UB departments, but this is not a requirement.

The dissertation committee will help the student develop a formal dissertation proposal; a comprehensive reading list for the advanced examination; consider the student for admission to candidacy; review drafts of the student’s work; and determine whether the dissertation meets the expectations of the J.S.D. Though the advisor, as Chair of the dissertation committee, will usually work most closely with the student, other members should be kept fully informed as the dissertation progresses, and should have an opportunity to make their views known well before a final draft is done. With the approval of the J.S.D. Director, committee assignments may be changed by either the student or the committee member.

## **D. Application for candidacy**

Candidates will typically be considered for candidacy by the end of their second semester or, at the adviser's discretion, by the end of their third semester. To be admitted to candidacy, J.S.D. students will demonstrate to their dissertation committee that they are prepared to embark on their dissertation research and writing. In particular, they will show their command of the relevant literature in an Advanced Examination, and they will present and defend their dissertation proposal. Students who have completed their required first year coursework, have passed their Advanced Examination, and have an approved dissertation proposal are eligible to be admitted to candidacy by their committee. Students who fail their advanced examination or their dissertation proposal defense may not continue in the program. Students ineligible to continue in the program may petition the Academic Standards and Standing Committee (ASSC) for reinstatement.

### **1. ADVANCED EXAMINATION**

The format and scope of the Advanced Examination will be determined on an individual basis for each student by their dissertation committee. The examination may range from a sit-down examination over a period of hours, to a series of essays written over a period of weeks, to an oral examination. The content of the exam is expected to cover the student's major areas of focus and concentration and will be based on reading lists assembled with the dissertation committee. Normally there are three parts to the exam: research methods relevant to the student's proposed dissertation research; knowledge of issues in the general area of the student's work; and knowledge of special issues related to the student's dissertation research. The student's committee may change these areas, add additional areas, or propose alternative formats.

Students may receive one of three grades on the Advanced Examination: Fail, Pass, or Pass with Distinction. A student who fails the Advanced Examination may not continue in the program, unless the committee offers the student an opportunity to retake the exam. The student's committee may also require that the student re-take any portion of the exam that is found to be deficient, or may require that the student undertake other forms of remedial work as a condition of passing the advanced exam. Students ineligible to continue in the program may petition the Academic Standards and Standing Committee (ASSC) for reinstatement.

### **2. DISSERTATION PROPOSAL DEFENSE**

Each student must write and orally defend a dissertation research proposal of professional quality. The proposal defense may take place concurrent with the advanced examination or separately, as determined by the committee.

Students may receive one of three grades on the dissertation proposal and defense: Fail, Pass, or Pass with Distinction. A student who fails the defense may not continue in the program, unless the committee offers the student an opportunity to submit and defend the proposal again, or undertake other forms of remedial work. Students ineligible to continue in the program may petition the Academic Standards and Standing Committee (ASSC) for reinstatement.



It is important to emphasize that a dissertation will not be accepted if the student has not written and defended a dissertation research proposal prior to initiating the research on which the dissertation is based. Where necessary, a student will submit their dissertation research proposal to the appropriate university Institutional Review Board for approval.

### **E. Dissertation research, writing and defense**

After completion of the first year required courses and meeting the other requirements for candidacy, students will proceed with the necessary research for and writing of their dissertation (while enrolled in Dissertation Guidance, LAW 899). This work may be undertaken while in residence or at any place where the necessary work can be done and should be completed in one to three additional years, but the dissertation must be submitted, defended and approved within four calendar years after matriculation. Students must also report progress to their committee at least once each semester, including providing a written self-evaluation, and must submit draft chapters for comment.

#### **1. DISSERTATION: DEFINITION**

The J.S.D. dissertation is a substantial and original work of scholarship of professional quality produced by the student. It can take the form of either a single book-length monograph or three papers in the form of publishable journal articles. The dissertation will be written in English.

#### **2. SATISFACTORY PROGRESS**

A grade of B or higher in Dissertation Guidance (LAW 899) will indicate satisfactory progress. A grade of B- or lower constitutes a warning and indicates unsatisfactory progress. The advisor and the student should discuss the matter, and the advisor should set forth steps necessary to correct the deficiency. A second such grade will normally cause the Law School to deny the student further registration until a plan for completion of the dissertation is accepted by the dissertation committee and the J.S.D. Director; a third will result in dismissal from the J.S.D. program. Students declared ineligible to continue in the J.S.D. program may petition the Academic Standards and Standing Committee (ASSC) for reinstatement.

#### **3. DISSERTATION DEFENSE**

Once the dissertation is completed, it must be defended in an oral defense (the defense may be public at the discretion of the committee). The defense will not be scheduled until the committee members agree the student's dissertation is sufficiently complete. If, following the defense, the dissertation requires changes, the committee must specify these clearly, and give its approval only after these alterations have been satisfactorily made.

It is the student's responsibility to ensure that the dissertation conforms to all formatting requirements. After satisfactory defense and approval of the dissertation by committee members, one bound copy of the final version of the dissertation, and an electronic version, will be provided to the Law Library.

**F. The academic calendar**

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.

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. 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, that consists of Blocks 5, 6, and 7.

**G. Grading and related policies**

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

GRADED COURSES

A	Superior work which is significantly better than the normal range of performance expected of J.D., LL.M., and J.S.D. students.
A-	High quality work that is better than the normal range of performance expected of J.D., LL.M., and J.S.D. students.
B+	Professionally qualified work which is at the high end of the normal range of performance expected of J.D., LL.M., and J.S.D. students.
B	Professionally qualified work which is within the normal range of performance expected of J.D., LL.M., and J.S.D. students.
B-	Professionally qualified work that is at the low end of the normal range of performance expected of J.D., LL.M., and J.S.D. students. However, in LAW 899, a grade of B- or lower will have the consequences described above.

C	Professionally qualified work that is at the lowest end of the range of performance expected of J.D., LL.M., and J.S.D. students.
D	Work which is acceptable for academic credit but demonstrates a minimal level of performance expected of J.D., LL.M., and J.S.D. students.
F	Work which is not worthy of academic credit.
>F<	Failure due to findings of Academic Dishonesty. No academic credit.
Unless expressly noted otherwise, any grade of ">F<" 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< or F, 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.	

#### PASS-FAIL COURSES

Although as a general rule 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., LL.M. or J.S.D. candidates.
U	Unsatisfactory work that is not worthy of academic credit.

#### 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.

#### 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

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.

#### REPEATING COURSES

Required courses in which a student receives an “F” (including any “>F<” 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.

#### 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.

#### 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, they 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.**

## **H. Eligibility standards**

### 1. ACADEMIC STANDARDS

In addition to the requirements described above, in order to receive the J.S.D degree, students must complete twenty-seven (27) 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 J.S.D. degree and will be declared ineligible to continue in the program in subsequent semesters unless they successfully petition for reinstatement. In addition to the required minimum grade point average requirement described in this section, students must also pass their Advanced Examination, pass their dissertation proposal defense, earn a B- or higher grade in Law 899, and pass their dissertation defense, as described in previous sections.

### 2. PETITION FOR REINSTATEMENT

Students declared ineligible to continue in or graduate from the J.S.D. program may petition the Academic Standards and Standing Committee (ASSC) for reinstatement. The petition must demonstrate that: (a) if the student is reinstated, they will be able to complete the program within the time limits established by the Law School, or provide a compelling reason for a waiver of these time limits; AND (b) the failure to meet minimum continuation or 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 enrollment 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 "F" 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.

#### 4. LIMIT ON EMPLOYMENT AND OTHER ACTIVITIES

A student may not engage in employment for more than twenty hours per week in any semester in which the student is enrolled for twelve or more credit hours. This requirement may not be waived. Students whose employment for any semester will exceed the twenty-hour limit should register for a reduced course load for that semester. In addition, students who are studying pursuant to a visa may not work off-campus except as permitted by their immigration status and with appropriate authorization having been granted. Such students should consult the Office of International Student Services before undertaking any form of off-campus employment, whether paid or unpaid, to determine which of Optional Practical Training authorization and Curricular Practical Training authorization they need to apply for.

#### **I. 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, or projects 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. **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.

5. **STUDENTS WITH DISABILITIES:** Students with disabilities must seek accommodations through UB's Office of Accessibility Resources prior to the exam period in time for accommodations to be practically implemented. For more information see below Section III.J.

#### **J. Individuals with disabilities**

The University at Buffalo School of Law does not discriminate against individuals with disabilities in its program of legal education. UB Law's Office of Student Affairs coordinates with UB's Office of Accessibility Resources (OAR) to help provide reasonable accommodations to qualified students.

The OAR staff meets with students to obtain appropriate documentation, discuss student needs, and provide accommodations memoranda when appropriate. Our Vice Dean for Student Affairs is available to students who have questions about this process, need help coordinating accommodations, have emergency or unexpected needs, or generally need support or advice.

For more information, please see the following resources:

UB Law's Accessibility Resources, available at <http://www.law.buffalo.edu/current/accessibility.html>; and

UB's Reasonable Accommodation Policy, available at <https://www.buffalo.edu/administrative-services/policy1/ub-policy-lib/reasonable-accommodation.html>.

To request accommodations, students may contact OAR directly at 716-645-2608 or through its online request page, located at: [/www.buffalo.edu/studentlife/who-we-are/departments/accessibility/request-accommodations](http://www.buffalo.edu/studentlife/who-we-are/departments/accessibility/request-accommodations).

## **K. Graduation requirements**

**MINIMUM CREDIT HOURS REQUIRED FOR GRADUATION:** To be eligible to graduate, all J.S.D. students must complete at least twenty-seven (27) credit hours of course work and satisfy the requirements applicable to the J.S.D. as outlined above.

**MINIMUM SATISFACTORY GRADES REQUIRED FOR GRADUATION:** For all law school classes, J.S.D. students must earn A, A-, B+, B, B-, C, or S grades in a minimum of twenty-one credit hours of law school or other approved courses out of the total of twenty-seven credit hours required to receive the J.S.D degree.

**WAIVER OF SATISFACTORY GRADE REQUIREMENTS FOR GRADUATION:** The faculty, in its discretion, may waive the twenty-one credit hour requirement and award the J.S.D. degree to a student who has earned at least eighteen 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 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 credit 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**

**EXAMPLES OF MISCONDUCT:** Under this code, a J.S.D. 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, it 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 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.



**V. ACKNOWLEDGMENT FORM**

I acknowledge that I have received a copy of the General Academic Requirements, Policies and Code of Student Conduct for J.S.D. students.

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.