

*University of Maine*  
*School of Law*

**Student Handbook**  
**2011-2012**

## **MISSION STATEMENT**

*University of Maine School of Law*

The University of Maine School of Law delivers an intellectually challenging, high-quality legal education in a supportive, respectful and inclusive environment. We prepare our students for a wide range of professional careers, both within and outside the practice of law. We instill in our students a lifelong dedication to learning, professionalism, high ethical standards and conduct, community service and leadership, and the pursuit of justice. The Law School values scholarly research and writing; our faculty produces scholarship of the highest quality. We are committed to providing public service. Together, our teaching, scholarship, and service contribute significantly to advancing and improving the law, the legal system, and society.

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## I. ACADEMIC REQUIREMENTS, POLICIES AND PROCEDURES

### A. Introduction.

This section of the Student Handbook contains information about the University of Maine School of Law's general academic requirements and the Student Code of Conduct. Students at the University of Maine School of Law (Law School or Maine Law) must satisfy certain academic requirements in order to maintain good academic standing and in order to be eligible to graduate.

All students are required to sign the "Acknowledgment" page at the end of this document and return it to the Office of the Registrar. This provides the Law School with a record that you have received a copy of the Student Handbook, which includes the Student Code of Conduct. If you have any questions or concerns regarding these rules and regulations, please contact the Associate Dean for Student Services in Room 105, Law Building.

### B. Credit Hours and Residence Rules.

The Law School requires students to satisfy minimum credit hours and residence requirements in order to be eligible to graduate. (See "Graduation Requirements," Section J.1.c.) Only courses taken subsequent to matriculation in law school can be used to satisfy the J.D. 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 the Registrar.

#### 1. Total Required Credits.

Students are required to successfully complete for credit the first-year curriculum consisting of thirty-two (32) credit hours, as prescribed by the Faculty, plus at least fifty-eight (58) credit hours in upper-division courses. You will need to successfully complete for credit a total of at least ninety (90) credit hours in order to be eligible to graduate. (See "Graduation Requirements," Section J.1.c, for further details.) Successfully completed means an Honors, Pass, or Low Pass, in a Pass/Fail course and a D or above in a graded course. This requirement may be met either by work at the University of Maine School of Law, or by work at other law schools for which Maine Law has given credit, or by a combination of the two.

##### a. Full-time Students.

First-year full-time students must take the prescribed thirty-two (32) credit hours. Most second- and third-year courses are electives to be chosen by each student in order to constitute a semester course load of not fewer than twelve (12) hours or more than sixteen (16) hours.

Limit on Employment While Attending Law School: In accordance with American Bar Association (ABA) standards, a student may not be employed more than 20 hours per week in any week in which the student is enrolled in more than twelve class hours.

**b. Part-time Students/Reduced Course Load.**

First-year students enrolled in a reduced course load take ten (10) credits (Civil Procedure I, Property, and Legal Writing I) in the fall semester and ten (10) credits (Civil Procedure II, Constitutional Law, and Legal Writing II) in the spring semester. During the second year, students will take two semesters of Contracts, a semester each of Torts and Criminal Law, and from two to six credits of electives. After the first two years, students choose courses to take a minimum of eight credits. Students who wish to enroll in a reduced course load must receive approval before the semester from the Associate Dean for Student Services.

**2. Residence Requirements.**

Students are required to satisfy certain minimum residence requirements to obtain the J.D. In order to satisfy their residence requirements in three academic years, students must successfully complete six semesters of residence as a law student enrolled at an ABA accredited law school. The candidate must be in residence at least three semesters at the University of Maine School of Law. The student earns full resident credit for those semesters in which a full-time academic load is completed. Students who have been in a part-time status for any portion of their legal education should consult with the Associate Dean concerning residency requirements.

**3. Maximum Years to Complete J.D.**

In order to be eligible to graduate, students must complete all the required credit hours and satisfy their residence and academic requirements no later than 84 months after the date that they matriculated in law school.

**4. Exceptions to Minimum/Maximum Credit Rules.**

A student may not take fewer than twelve (12) hours without the prior approval of the Associate Dean for Student Services. A student may not take more than sixteen (16) hours in any semester without the prior approval of the Vice Dean. Permission to take more than sixteen (16) hours will be granted only upon a showing of extreme hardship. In no event, however, will more than seventeen (17) hours be approved.

**5. Special Credit Rules.**

**a. Summer Session.**

Maine Law offers a limited number of law courses in its summer session. Students may also take courses during the summer session at another ABA accredited law school. Such summer study may include a summer program of legal studies in a foreign country that is administered through an ABA accredited

law school. The course or courses completed may be applied toward the credit-hour requirements needed for graduation.

Credits earned in the Law School's summer session are recorded and averaged into students' law school grade point averages. Credits earned in a summer school program offered by another law school may be counted toward the minimum credit hours required for graduation provided those credits earned are from (a) courses in which the student received a grade of C or its equivalent, or better, and (b) courses which do not duplicate courses for which credits have already been earned. Course grades from other law schools will appear on the Law School transcript, but will not be included in the cumulative grade point average.

Requests for permission to attend the summer session at another ABA accredited law school and for approval of credit for taking specific courses must be made **in writing and approved in advance** by the Associate Dean for Student Services.

**b. Exchange Student Rule.**

Maine Law students who are interested in studying abroad either through an established exchange program or through an ABA approved exchange program will receive credit for courses taken as provided above for summer school courses at other law schools. Such students must see the Associate Dean for Student Services.

**c. Transfer Student Rule.**

A student who has been accepted for transfer to the University of Maine School of Law will be given credit for the number of hours accepted in transfer as determined by the Vice Dean. Courses completed with a grade of "C" or above are eligible for transfer, and a maximum of 32 hours of course credit may be transferred. The prior grades of a transfer student will not be computed into the student's grade point average, and such a person will not be given a ranking in class standings. Upon request to the Registrar, he or she will be given a letter stating the school's policy and a statement of estimated rank comparable to students in his or her graduating class.

**d. Visit Away Credit Rule.**

Students who wish to visit at another domestic law school must consult the Associate Dean for Student Services. No student may visit at another law school unless he or she has completed the first year curriculum, is in good academic standing, and the law school is fully accredited by the American Bar Association. The same requirements as outlined above pertaining to students enrolled in summer session at another institution are applicable to students visiting during the regular academic year.

**e. Clinic and Externship Credit Rule.**

A student may take no more than 12 total credit hours of clinical courses. For purposes of this rule “clinical courses” include: General Practice Clinic (LAW 663); Prisoner Assistance Clinic (LAW 712); Juvenile Justice Clinic (LAW 724); Intellectual Property Clinic (LAW 723); and Mediation Practicum (LAW 665). A student may take no more than 12 total credit hours of externship courses. For purposes of this rule “externship courses” include: Externship (LAW 690) and Judicial Externship (LAW 773). No student may take more than a total of 18 credits in clinical and externship courses combined. This rule may be waived in exceptional circumstances upon written request to the Vice Dean, or his/her designee.

**f. Joint Degrees Program Credit Rule.**

**1) Edmund S. Muskie School of Public Service/Maine Law.**

The Law School and the University of Southern Maine's Muskie School of Public Affairs offer Joint Degrees programs through which students can earn both a Juris Doctor degree and a Master of Arts degree in Public Policy and Management (PPM), Community Planning and Development (CPD), or Health Policy and Management (HPM) in as little as four years. If accepted, individually, into both programs, a student may then apply up to nine credits of specified relevant PPM, CPD, or HPM courses to the J.D. degree. For a list of approved courses, See Appendix III. Anyone interested in the Joint Degrees Program should consult the Vice Dean for specific information about procedures and policies.

**2) USM School of Business/Maine Law.**

The Law School and the University of Southern Maine School of Business offer a Joint Degrees program in law (JD) and business administration (MBA). Students who have been separately admitted to both programs may pursue the JD and MBA simultaneously. If accepted, individually, into both programs, a student may then apply up to nine credits of specified relevant business courses to the J.D. degree. The faculties of the schools of law and business have designated crossover courses which satisfy the graduation requirements for both degrees, permitting the completion of both degrees in four years, rather than the five years ordinarily required. For a list of approved courses, see Appendix III.

**3) UMaine School of Business/Maine Law.**

The Law School and the University of Maine School of Business offer a Joint Degrees program in law (JD) and business administration (MBA). Students with questions about this program should consult with the Vice Dean.

**g. Courses Taken at the University of Southern Maine.**

Students may petition to receive Law School credit for courses taken at the University of Southern Maine (USM). Courses must be approved by the Vice Dean in advance. Although the grades earned in the USM course will appear on the Law School transcript, that grade is not calculated in the cumulative grade point average. Additionally, students must earn a grade of “C” or better in the USM course to receive Law School credit. Tuition for USM courses is charged separately from Law School tuition. Students should be aware that the Law School full-time tuition charge does not cover USM coursework.

**C. Required and Recommended Courses.**

**1. First-Year Required Courses.**

The first-year curriculum is a structured program of courses prescribed for all first year students. Only under extreme circumstances will students be allowed to drop first-year courses.

<b>Fall Semester</b>			<b>Spring Semester</b>		
Law 613	Civil Procedure I	3 hours	Law 614	Civil Procedure II	3 hours
Law 603	Contracts I	3 hours	Law 620	Constitutional Law	4 hours
Law 607	Legal Writing I	3 hours	Law 605	Criminal Law	3 hours
Law 610	Property	4 hours	Law 608	Legal Writing II	3 hours
Law 611	Torts	3 hours	Law 604	Sale of Goods (Contracts II)	3 hours

**2. Upper-Division Courses.**

Except as noted in part (a) below, courses after the first year are elective.

**a. Required Courses.**

All students are required to successfully complete Professional Responsibility (LAW 632). In addition, as a requirement for graduation, all students are required to successfully complete: (1) the Upper Level Writing Requirement; (2) one of the upper-level courses designated by the Faculty as a "Perspective Course," (3) and one of the courses designated by the Faculty as a "Professional Skills Course."

**1) Upper Level Writing Requirement.** The purpose of this requirement is to ensure that every student develops analytic and research skills as well as skills in meaningful criticism. The Upper Level Writing Requirement may be satisfied through completion of a research paper in connection with any designated law school course or seminar or through membership on the Maine Law Review or Ocean and Coastal Law Journal. If the requirement is satisfied by writing a paper in connection with a designated law school course or seminar, the student will receive one additional credit for that course or seminar. With the prior approval of the supervising faculty member and the Associate Dean, the seminar requirement may be satisfied by taking

Independent Writing for three (3) credit hours. As used herein, the term “research paper” means a substantial research paper of publishable quality, of 25-40 pages in length, exclusive of footnotes. The Upper Level Writing Requirement can be completed in any semester after completion of the first-year curriculum.

Students who matriculated prior to or in 2006 are still governed by the Independent Writing Project guidelines outlined in the 2006-2007 student handbook.

**2) Perspective Course Requirement.** A perspective course is any course that places the American legal system in a broader context through a comparative, historical, or philosophical analysis, or through the systematic application of the methods of another discipline. Each student is required to successfully complete at least one course designated by the Faculty as a perspective course, which includes: American Indian Law; Canadian Legal System; Comparative Law; Economic Regulation of Business; European Union Law; International Law; Jurisprudence; Law of the Sea Seminar; Law & Literature; Legal History; Legal Process; Topics in Law and Philosophy, and any other course approved by the Curriculum Committee.

The Group Study Program may also be used to satisfy the perspective course requirement, provided that the requirements set out in the Group Study Program section are satisfied. Requests to have a Group Study satisfy the perspective requirement should be submitted to the Curriculum Committee along with the Group Study proposal.

**3) Professional Skills Course Requirement.** As a requirement for graduation, each student must fulfill the Professional Skills Requirement. To satisfy this requirement, each student is required to successfully complete at least one course from the following group of courses designated by the Faculty as professional skills courses: Advanced Legal Writing, Advanced Legal Research, Alternative Dispute Resolution, Business Planning, Estate Planning, Externship/Judicial Externship, General Practice Clinic, Intellectual Property Clinic, Juvenile Justice Clinic, Mediation Practicum, Moot Court II, Negotiation, Prisoner Assistance Clinic, and Trial Practice. These courses are designed to help students develop professional skills generally regarded as necessary for effective and responsible participation in the legal profession. Requests to have other courses satisfy the skills requirement should be submitted to the Curriculum Committee.

**b. Recommended Courses.**

Although most second- and third-year courses are elective, the faculty believes that certain courses are important components of a sound legal education. The faculty

therefore strongly recommends that students take the following courses prior to graduation: Administrative Law, Business Associations, Evidence, Taxation I, and Trusts and Estates. The faculty also recommends that students take one or more of the upper-level Commercial law courses -- Secured Transactions, Negotiable Instruments, or Bankruptcy -- as well as either Conflict of Laws or Federal Courts.

**c. Group Study Program.**

Second- and third-year students may form groups for the purpose of studying an area of the law not the topic of a currently offered course, subject to the following rules:

- 1) Group studies may not be composed of fewer than four or more than fourteen students. The members of the group must conduct weekly meetings and each member must submit an individual paper at the end of the semester. There will be a minimum attendance requirement that will be enforced by the group. Absence from more than two meetings will constitute an automatic withdrawal. Each group study must be supervised by a Faculty Advisor.
- 2) Group studies must be approved by the Curriculum Committee at least four weeks prior to the beginning of the semester. The group shall submit a proposal, signed by the Faculty Advisor, that describes the scope and content of the program, a list of group members, and any special rules governing participation in and withdrawal from the program.
- 3) A student may participate in only one such program at a time for credit.
- 4) The course shall be graded Pass/Fail/Honors.
- 5) A 2-credit Group Study may be used to satisfy the perspective course requirement if the Curriculum Committee approves the Group Study's perspective course status at the time the Committee approves the Group Study.
- 6) A student may request that the Group Study Program of which he or she is currently a member be used to satisfy the Upper Level Writing Requirement. Such a request must be made prior to the beginning of the semester.

**3. Attendance in Classes.**

Regular class attendance is a required feature of membership in the Law School community. If a student is chronically absent from class, the instructor may, after notice, require the student to withdraw from the course.

## **D. Registration and Course Evaluation Procedures.**

### **1. Registering for Courses.**

#### **a. Registration.**

All students register for courses at the Law School during a designated period several weeks prior to the end of each semester. Registration takes place in the Registrar's office. In addition, all students are required to fill out a registration form with the Registrar at the beginning of the fall semester so that the school may have an accurate list of the names and addresses of students, as well as emergency contact information. All student financial obligations to the University must be current in order to register for classes. In addition, failure to register during the designated registration period may result in the assessment of a late fee.

Any student whose cumulative GPA at any time falls below 2.333 must have his or her future course schedule approved by the Associate Dean for Student Services.

#### **b. Class Scheduling.**

Once the permanent class schedule has been set, classes may be rescheduled only upon 1) consent of all interested parties, and 2) approval by the Vice Dean. Each semester's schedule designates certain days/ times reserved for class make-up times; no class, however, may be permanently scheduled to meet at that time, and no extracurricular activities may be scheduled during the "make-up" times.

#### **c. Add/Drop Policy.**

Second- and third-year students may add and/or drop any course(s) during the Add/Drop period, which is normally the first five class days of each semester. After that period, the student may drop any course up to the sixth week of classes without penalty. After the sixth week, the student must get the permission of the professor whose course is affected, and of the Associate Dean, in order to receive a "W" in the course, or otherwise will receive a notation of withdrawn-failing on the transcript. This grade of WF is not calculated into the student's grade point average. A student may not add a course(s) after the Add/Drop period without the permission of the Faculty member whose course is to be added.

#### **d. Predictability of Course Offerings.**

In an attempt to provide students with information needed to select courses each semester and also to make long-range curriculum plans based on course availability, the Faculty has classified courses according to their probable availability. See Appendix V. (Full Course Descriptions may be found on the Law School's website.)

### **2. Course Evaluations.**

Optional course and teaching evaluation forms are available to students at the conclusion of each semester. Instructors will not have access to course evaluations until final grades

have been submitted. Data is released for use by faculty and administrators in evaluation of teaching.

## **E. Examination Procedures.**

Examination periods are an integral part of the academic calendar. Students must be available to sit for examinations during the designated period regardless of their individual examination schedules; this includes regularly scheduled examinations on Saturdays. Examinations may be rescheduled (due to inclement weather or some other unforeseeable event) during the period and students will be expected to be present at the newly appointed time.

All graded credits earned at the Law School are graded on the basis of an examination at the end of the semester; one or more papers, quizzes or special class assignments; or a combination of these options at the Faculty member's discretion. Part of a grade may also be based on periodic examination during the semester using any of the above options.

A portion of a grade may also be based on class participation if students are given notice of such a policy at the beginning of the semester.

Failure to take a scheduled examination, without permission from the Associate Dean, will result in a failing grade of F for that exercise. Return of a take-home examination after the deadline will result in severe penalties, including a grade of F for that exercise.

The Faculty places a high priority on having all fall semester grades completed during the first week of the spring semester. The Registrar will notify students by e-mail when grades have been released to Maine Street.

### **1. Exam Numbers.**

To ensure anonymity in grading examinations, each student is assigned an examination number. The Registrar keeps the record of student exam numbers; each student will obtain his/her examination number from the Student Services section of the Law School website. This is a secure site; students must log on using their school assigned log-in and password. The Registrar and the Associate Dean are the only persons who have access to the master list which links names and numbers.

### **2. Exam Schedule.**

The Registrar prepares and posts the final examination schedule at the beginning of the Add/Drop period. Students with two examinations on the same day will take one of the examinations on the next free examination day. Students with three or more examinations scheduled for successive days may request to reschedule one of the exams. This request must be made to the Registrar prior to the beginning of the examination period.

**3. Past Examinations and Model Examination Answers.**

Copies of selected past examinations and model examination answers are available to students on the library website.

**4. Retention of Blue Books/Papers.**

All papers and blue books upon which grades are based will be retained for a one-year period. Professors will keep their students' blue books/papers in the professor's office files until the end of the subsequent semester. Following the subsequent semester, the blue books/papers will be turned in to the Registrar, who will store the books/papers for the remaining period.

**5. Policies And Procedures Governing Final Exams.**

**a. Exam Schedule.** Examination schedules are available online and from the Registrar's office. Exam locations are posted on the Registrar's bulletin board well in advance of exams. *Student misunderstanding about the date or time of an exam is not a valid excuse for missing an exam. Students should arrive at least twenty minutes before the exam is scheduled to begin.* Please sit in every other seat in the exam room to the extent possible.

**b. Exam Administration.** The Registrar's Office and Office of Student Affairs administer exams with the assistance of designated proctors.

**c. Rescheduling Exams.** Exams may be rescheduled only in limited circumstances. Exams may be rescheduled by the Registrar when there is a direct conflict (two exams scheduled at the same time) or there are three or more exams in a row on consecutive days (including weekends). Other rescheduling requests of a personal nature require a demonstration of extreme hardship and must be made to the Associate Dean for Student Services. Professors cannot reschedule exams for individual students under any circumstances. All questions about exam scheduling must be addressed to the Associate Dean for Student Services rather than to professors.

**d. Emergencies Before the Exam.** In the event of an emergency (such as hospitalization or a death in the family), which prevents you from taking an exam, you must immediately contact the Associate Dean for Student Services (207) 780-4345 or the Registrar by telephone at or (207) 780-4346, or in person. Documentation may be required. Students who are absent from an exam and *not officially excused* will receive a grade of F for the course.

**e. Emergencies During the Exam.** Immediately inform the proctor if an emergency, such as severe illness, occurs during an exam. The proctor will contact the appropriate Law School officials. Students who leave an exam without contacting the proper Law School officials will not be eligible to finish or otherwise retake the exam at a later time.

**f. Academic Integrity Matters Related to Exams.** *(Student conduct code violations may result from non-compliance.)*

**1) Breaks.** If you need to leave the exam room, you may not take any materials with you and you may not bring any new materials back into the exam room. You may not confer with anyone about the exam or consult materials while you are outside the exam room. You may not leave the floor on which the exam is being administered (e.g., you may not go downstairs to the vending machines or lockers, or upstairs to the library area).

**2) Materials.** Strictly adhere to the professor's rules about notes, outlines, and other materials that a student may consult during an exam, and use **HARD COPY ONLY**. A student may use a laptop only for the purpose of taking an exam using the Extegrity software. Electronic data storage and/or electronic communications devices other than laptops, including, but not limited to, cell phones, handhelds and Ipods, may not be used for any purpose (including accessing notes or other information, even if the exam is open book) during the exam and must be turned off at all times. Students should keep electronic devices other than laptops outside of the exam room, or if it is imperative that such devices remain with a student in the exam room, they must be turned off and put in non-visible locations.

**3) Questions.** Proctors will contact the professor, via the Registrar's Office, to ask any questions about the content of an exam question. Under no circumstances should you ask for assistance from another student taking the exam.

**4) End of Exam.** Each student is responsible for monitoring the time during the exam. Proctors are not required to remind students of elapsed time. At the conclusion of the exam, as announced by the proctor, all typing or writing must stop immediately. Students may not continue to type/write after time has been called, except to exit the Extegrity program. Specifically, do not finish a sentence. In addition, students are responsible for ensuring that all blue books (final answers and blue books used for scrap paper), scantron sheets, exam responses, and all other exam materials are submitted to the proctor. The student's exam number must be written on all submitted materials.

**5) Identifying Exams.** Do not write your name anywhere on bluebooks, scantron sheets, or via laptop. Use only your Exam Number to identify yourself.

**6) Take Home Exams.** Adhere to take-home exam instructions and return the exams in a timely manner. The Registrar's Office and Law School administrators or officials are not responsible for submitting a student's take-

home exam to a professor if the exam instructions are not followed. All take home exams must be picked up at the designated time/location. In exceptional circumstances (e.g., a student lives a substantial distance from school), a written request to receive a take-home exam electronically may be submitted to the Registrar several days in advance. In all cases, a hard copy of the examination answers must be returned to the Registrar's office at the designated time. A person other than the student may turn in the examination answers provided that person is not also in the course. Return of a take-home examination after the deadline will result in severe penalties, including a grade of F for that exercise.

**g. Use of Laptop Computers During Exams.**

**1) Intent to Use Laptop.** Students wishing to use a laptop for the first time must notify the Registrar well in advance of the examination date. For subsequent exams, it will be presumed the student will continue to use his/her laptop, unless the student notifies the Registrar of his/her intent to handwrite at least two weeks prior to the exam.

**2) Obtaining Software.** To use the exam software for your exams, each semester please download the new version of the software from [www.exam4.com](http://www.exam4.com). The software requires a laptop with Microsoft Windows Vista, Windows 7, or Macintosh OS 10.5 or higher.

**3) Practice.** After you have downloaded the software and before the reading period ends, please take a practice exam and submit it electronically. Please authenticate the wireless network BEFORE you launch the exam software. Select "Practice Exam" from the drop-down menu. On the Exam Mode start-up page, type PRACTICE to become familiar with the program. If you cannot access the network or if the practice test submission fails, please notify the Registrar. Use your Exam Number for the practice exam. **A practice exam must be received from each student. For Practice Exams only, please put your exam number as well as your first initial and last name. Example: L2278TJones**

**4) Exam ID.** For purposes of both the practice test and the actual exams, use your designated Exam Number obtained from the Student Services section of the Law School website.

**5) During the Exam.** Prior to or upon arrival in the exam room, turn off anti-virus, hibernate, instant messaging and all other programs. Before the exam begins, the proctor will provide instruction for setting up the software. CLOSED MODE must be used during exams. Under no circumstances may an exam be taken using PRACTICE MODE. Please be sure your wireless card is installed and functioning properly at the exam.

**6) End of the Exam.** The proctor will instruct students when to submit their answers electronically. You must not electronically submit an essay answer until the proctor calls time **OR you have completed the entire exam and are prepared to turn in all exam materials to the proctor.** For example, you may not electronically submit an essay answer and then proceed to work on multiple choice questions. If you finish early, the proctor will record the time you pass in your exam.

**7) Equipment Failure.** The Law School is NOT responsible for any equipment failure during an exam and will not provide a back-up laptop. Extra time may be allotted at the proctor's discretion when students have needed to address equipment failure. Students who experience complete equipment failure will continue by writing in bluebooks in the laptop room. All other exam rules above pertain to laptop users.

## F. Grading System.

Grades at the Law School are given in letter terms, with the numerical equivalents used only to indicate the value assigned to each grade for purposes of calculating cumulative grade point averages.

<u>Letter Grade</u>		<u>Numerical Equivalent for Purposes of Calculating Cumulative GPA</u>
A	Excellent work	4.000
A-		3.667
B+		3.333
B	Work which displays very good understanding of course materials and objectives	3.000
B-		2.667
C+		2.333
C	Work which displays satisfactory understanding of course materials and objectives	2.000
C-	Work which is marginally satisfactory on an individual course basis. Aggregate performance at this level is below the average required for graduation.	1.667
D+		1.333
D	Low level passing work, below the average required for graduation. Multiple "D" level grades will trigger consequences under the probation rules.	1.000
F	Failure to meet course objective	0

### 1. Honors.

#### a. Dean's List.

A first-year student who earns an overall semester grade point average of 3.100 or above, and an upper-division student who earns an overall semester grade point average of 3.200 or above will be named to the Dean's List for academic distinction for that semester. All students, including those enrolled in a reduced course load, are eligible for the Dean's list.

**b. Graduation Honors.**

*Cum Laude*

Students whose cumulative grade point average for his/her school career is 3.200 or above, but below 3.400 will be awarded a *cum laude* degree.

*Magna Cum Laude*

Students whose cumulative grade point average for his/her school career is 3.400 or above, but below 3.600 will be awarded a *magna cum laude* degree.

*Summa Cum Laude*

Students whose cumulative grade point average for his/her school career is 3.600 or above will be graduated *summa cum laude*.

**2. Courses not Employing Letter Grades.**

The following courses have been designated Honors/Pass/Fail by the Faculty:

Group Study  
Moot Court I & II  
Trial Practice  
Trial Team

The following courses have been designated Honors/Pass/Low Pass/Fail by the faculty:

Externship  
General Practice Clinic  
Intellectual Property Clinic  
Juvenile Justice Clinic  
Law Review  
Ocean and Coastal Law Journal  
Prisoner Assistance Clinic

In addition to the courses listed above, second- and third-year students may elect to take one graded course each academic year on a "Pass/Low Pass/Fail " basis, subject to the following conditions:

- a. The instructor may designate his or her course as not available for the Pass/Fail election.
- b. The option is not available for the Upper Level Writing Requirement.

- c. In all courses, the instructor may, after notice during the Pre-registration period, remove the course from this "Pass/Fail" option.
- d. In Seminar courses, the instructor may, after notice during the Add/Drop period, remove the course from this "Pass/Fail" option.
- e. The option must be exercised during the Add/Drop period, on forms provided by the Registrar. Before 4:00 p.m. on the last day of classes, the student may change a pass/fail election to a decision to take the course for a grade by completing the appropriate paperwork with the Registrar. A student who revokes the pass/fail option in the fall semester may still elect to take a course pass/fail in the spring semester.
- f. "D" level work will receive a grade of "Low Pass."
- g. Students are limited to a total of two (2) such options during their Law School program.
- h. This option is not available to any student with a cumulative GPA of less than 2.333 at the beginning of that semester.

### **3. Grading Policies.**

- a. Grades of D or above. A student who receives a grade of D or above will receive the number of credits appropriate to that course.
- b. Failing Grades in Graded Courses. No credit hours will be given to any student who receives an F in a graded course. The course will appear on the transcript with the corresponding grade and the grade will be averaged into the grade point average.
- c. Honors/Pass/Low Pass/Fail Grades. Certain courses may be taken for Pass/Fail credit if so designated by the Faculty or elected by the student (see above rules for P/LP/F election). A student who receives a grade of H, P, or LP in a Pass/Fail course will receive the appropriate number of credit hours of the course. No credit hours shall be given to any student who receives an F in a Pass/Fail course. The course shall appear on the transcript with the grade of F. The F grade is not part of the student's cumulative average.

### **4. Incompletes.**

A temporary grade of "I" may be given to a student who, because of extraordinary circumstances, has failed to complete course requirements. Required work must be

completed by arrangement with the instructor with a maximum time limit of one semester. At that time, the "I" must be replaced by a letter grade, H, P, LP, F, or INC as determined by the instructor (or the Vice Dean as appropriate).

## **5. Grade Change Policy.**

After a final course grade has been recorded, it may not be changed except:

- a. Upon request of the instructor to the Vice Dean, in order to correct a clerical or mechanical error (including an error in the computation, recording, or reporting of the grade); or
- b. With the consent of the instructor and upon request to the Vice Dean, or as a result of review under appropriate procedures of the Law School or University, to correct a grade resulting from procedural irregularities or established prejudice by the instructor against the student.

## **G. Probation Rules.**

The Faculty of the Law School has adopted the following standards of academic attainment governing a student's right to continue in school as a candidate for the degree of Juris Doctor:

- a. Any student whose grade averages, both cumulative and for the semester last completed, are 2.000 or higher and who has no more than two (2) D level grades for the last semester completed and no more than six D grades cumulative is in good academic standing. A student not in good standing must be placed on probation or dismissed from school.
- b. A student whose grade average for any semester falls below 2.000 or who receives more than two (2) D level grades in any semester will be treated in one of three ways pursuant to paragraphs **c** to **g** below.
- c. Probation of first-year students who have completed only one semester in law school. A first-year student whose grade average for his/her first semester is 1.600 or higher but less than 2.000 will be placed on probation; such a student whose grade average is 1.000 or higher but less than 1.600 will be placed on probation only by special action of the Dean's Advisory Committee sitting as the Executive Committee and in the absence of such action will not be allowed to continue in school; such a student whose grade average is below 1.000 will not be allowed to continue in school.
- d. Terms of probation pursuant to paragraph **c** above.
  - i. A student placed on probation pursuant to paragraph **c** above achieving a cumulative average at the close of his/her second semester in law school of at least 2.000 and no more than two (2) D level grades will be removed from probation.

- ii. A student placed on probation pursuant to paragraph **c** above achieving a cumulative grade average at the close of his/her second semester in law school of 1.900 or higher but less than 2.000 will be allowed to continue in school only by special action of the Executive Committee. If the Executive Committee takes special action in such a case, the student may continue only in a probationary status.
- iii. A student placed on probation pursuant to paragraph **c** above achieving a cumulative grade average of less than 1.900 at the close of his/her second semester in law school will not be allowed to continue in school.
- iv. A student placed on probation pursuant to paragraph **c** and paragraph **d(ii)** above achieving a cumulative grade average at the close of his/her third semester in law school of at least 2.000 and **no more than two (2)** D level grades will be removed from probation.
- v. A student placed on probation pursuant to paragraph **c** and paragraph **d(ii)** above achieving a cumulative grade average at the close of his/her third semester in law school of less than 2.000 or earning more than two (2) D level grades will not be permitted to continue in school.
- e. Probation of students who have completed more than one semester in law school and who have not previously been on probation. A student who has completed his/her first semester in law school in good academic standing who has not previously been on academic probation and whose grade average for any one semester after the first is 1.800 or higher but less than 2.000 will be placed on probation; such a student whose grade average is 1.400 or higher but less than 1.800 will be placed on probation only by special action of the Executive Committee, and in the absence of such action will not be allowed to continue in school; such a student whose grade average is less than 1.4 will not be allowed to continue in school.
- f. Any student who receives more than (2) D level grades in one semester is not in good academic standing. Such a student will be treated as if he or she has a grade average of less than 2.000 but higher than 1.800 for purposes of other probationary rules. The terms of probation cannot be satisfied if a student receives more than two (2) D level grades in a semester while on probation. This applies to the terms of probation in paragraphs **d** and **g** and the rules of successive probation in paragraph **h**.
- g. Terms of probation pursuant to sections **e** and **f** above. A student placed on probation pursuant to paragraph **e** or **f** above will be permitted to remain in that status for only one semester. At the close of the probationary semester, a student achieving a grade average of at least 2.000 and receiving no more than two (2) D level grades for the probationary period and a cumulative grade average of at least 2.000 will be removed from probation; otherwise he/she will not be permitted to continue in school.

- h. Successive Probation. A student who has once been placed on academic probation in the School of Law who has met the terms of his/her probation and who later fails again to attain good academic standing (as defined in paragraph a above) may be placed on probation a second time only by special action of the Executive Committee and in the absence of such action will not be permitted to continue in school.
- i. Notwithstanding any other provision, a student who, upon completion of the first two semesters in law school, has a cumulative average of less than 2.000 or has received 4 or more D level grades, shall not be allowed to continue in school in the absence of special action of the Executive Committee.
- j. In any case where the student's academic status depends upon special action of the Executive Committee, the student may petition the Executive Committee. A student wishing to petition the Executive Committee must notify the Associate Dean of his/her intent. The Associate Dean will inform the student of the time at which the Executive Committee will consider the student's case, in order that he/she may, if he/she desires, submit orally or in writing any facts that he/she believes may be pertinent to the Executive Committee's decision. The Associate Dean will notify the Faculty of any petitions scheduled to be considered by the Executive Committee and will provide a copy of the student's petition to members of the Faculty upon request. The Faculty will have the opportunity to submit orally or in writing any information that he/she believes may be pertinent to the Executive Committee's decision. After consideration of the petition, the Executive Committee will notify the petitioning student in writing of its decision and of the availability of full Faculty review of an adverse decision pursuant to paragraph m.
- k. General conditions of probation: A student placed on probation must participate in the Academic Support Program, and the Executive Committee may include in the grant of probation any reasonable academic terms or conditions the faculty deems appropriate.
- l. Any student whose cumulative GPA at any time falls below 2.333 must have his or her future course schedule approved by the Associate Dean for Student Services.
- m. Faculty Review of Decisions by Executive Committee: Any student may appeal to the full Faculty an adverse decision of the Executive Committee. The student must notify the Associate Dean of his/her intent to appeal and provide the Associate Dean with any additional information in writing that he/she would like to submit to the full Faculty. Once the student has filed his/her appeal with the Associate Dean, the Faculty will be given a copy of the original petition, as well as any additional information provided. The Faculty shall review the Executive Committee's decision only at the request of three full-time faculty members. The Faculty shall affirm the decision of the Executive Committee unless upon review of the available information the Faculty is convinced that the decision is clearly erroneous. Decisions of the Faculty are final and may not be further appealed.

## H. Student Records.

1. **Class Standing.** Class standing may be obtained confidentially from the Law School Registrar. Standings are computed at the end of the fall and spring semesters.
2. **Grade Reports.** Grades are available to students through Maine Street.
3. **Transcripts.** Transcripts may be requested from the Law School Registrar. The requests must be in writing and signed. There is a minimum 24-hour processing time after receipt of the request. Request forms are available on the website.
4. **Confidentiality.** The Family Educational Rights and Privacy Act was formulated to protect the privacy rights of students and their parents as those rights apply to a student's educational records. (See below) The full regulations may be found at 41 *Federal Register* 24662 (June 17, 1976). The following information is to help clarify Law School policy and procedure:
  - a. Each student who is or has been in attendance at the Law School has the right:
    - 1) To inspect and review his/her own educational records and to request explanations and interpretations of those records;
    - 2) To request amendment of those records if the student believes the information to be inaccurate, misleading or in violation of privacy or other rights of the student;
    - 3) To a hearing in the event that the Law School chooses not to amend the challenged records.
  - b. Each student wishing to inspect his/her educational records must give the proper administrator twenty-four hours notice of his/her intent to inspect. The educational records must be read in the office of the administrator and may not be removed from that office for any reason. The Law School maintains a general comprehensive file located in the Registrar's Office and maintained by the Registrar.
  - c. A student may waive his/her right to inspect and review a confidential letter of recommendation provided by a specific individual, or confidential letters of recommendation provided for a specific purpose. The waiver will be considered to be in effect as long as the letters of recommendation are maintained in the educational records of the student.
  - d. This act also establishes guidelines for disclosure of personally identifiable information from a student's educational records. The Law School may not disclose personally identifiable information without the prior written consent of the student. Prior written consent is not required, however, for disclosure to certain individuals, including school officials and teachers with a legitimate educational interest, officials of other schools to which a student applies, and selected other officials. Information

defined as "directory information" (see below) is exempted from the consent requirement.

The consent to disclose:

- 1) Must be in writing
- 2) Must be signed and dated by the student
- 3) Must specify the records to be disclosed
- 4) Must specify the purpose of the disclosure
- 5) Must specify the party or class of parties to whom the disclosure may be made.

A health and safety emergency disclosure may be made without prior written consent if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

"Directory Information" has been defined at 41 *Federal Register* 24670 to include the following information relating to a student: The student's name, date and place of birth, major field of study, participation in officially recognized activities, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information.

"Educational Records" have been defined as those records, files, documents and other materials which 1) contain information directly related to a student, and 2) are maintained by a person acting for an educational institution.

## **I. Withdrawal/Leave of Absence/Readmission.**

A student who wishes to withdraw from the Law School after having registered for a semester must discuss the matter with the Associate Dean for Student Services and must obtain an official withdrawal slip from the Law School Registrar.

If a student withdraws from the Law School during the first five weeks of the semester, there will be no course grades recorded. If a student withdraws during the second five weeks, the student's record will show only "W" for any courses in which the student was enrolled. When a student withdraws from the Law School after the tenth week of a semester, the student will receive a "WF" in each course in which the student had been enrolled, unless the Associate Dean for Student Services finds that the withdrawal from school is due to personal circumstances not within the control of the student. Students seeking an official leave of absence must consult with the Associate Dean for Student Services.

Students who have withdrawn and who wish to be readmitted to the Law School will be governed by the following:

- 1. Students on Academic Probation.** A student who withdraws from the Law School while on academic probation must petition the Executive Committee for readmission. The student will be given notice of the time at which the Executive Committee will consider

his or her case in order that he/she may, if desired, submit orally or in writing any facts which he/she believes may be pertinent to the Executive Committee's decision. For procedures governing the Faculty review of Executive Committee decisions, see Rule I.G.m.

**2. Students in Good Standing.** A student who withdraws from the Law School in good academic standing must apply to the Admissions Committee for readmission as provided in this paragraph.

**a. Procedure.** The application must be submitted prior to the beginning of the semester for which readmission is sought. The application may be in the form of a letter setting forth the applicant's reasons for seeking readmission at this time and summarizing his or her activities since leaving the Law School. Additional information or supporting material may be requested of the applicant by the Committee if necessary.

**b. Criteria.** An applicant will be readmitted upon timely application unless the Admissions Committee finds that there is no room in the class to which readmission is sought or that circumstances exist indicating that the student cannot satisfactorily complete the required academic work or cannot function effectively in the Law School community. In determining whether such circumstances exist, the Committee will consider the following factors:

- 1) Original admissions credentials
- 2) Law School academic record
- 3) Reasons and circumstances surrounding withdrawal
- 4) Time elapsed since initial law school admission
- 5) Number of prior withdrawals
- 6) Activities since withdrawal and reasons for return

## **J. Graduation Requirements.**

The Juris Doctor degree will be recommended for each candidate who has:

**a.** Successfully completed six semesters of residence as a law student enrolled at an ABA accredited law school. The candidate must be in residence at least three semesters or the last two semesters at the University of Maine School of Law. The student earns resident credit only for those semesters in which a full academic program is carried. Any student attending another law school but receiving the University of Maine School of Law degree must meet all these requirements for graduation. (See Residence Requirements, Section I.B.2.).

**b.** Earned a cumulative average of at least 2.000 on all work attempted at the law school, earned an average grade of at least 2.000 on all work attempted during the semester immediately preceding the date the degree is to be conferred, earned no more than two (2) D+, D, or F grades during the semester immediately preceding the date the degree is to be conferred, and received not more than six (6) D+, D, or F grades on all work attempted at the

law school. A candidate who is on probation at the beginning of the semester immediately preceding the date the degree is to be conferred must also have satisfied the terms of probation. A candidate who fails to comply with any of the requirements set out in the preceding sentence but meets the other requirements for graduation will be recommended for the degree only under special circumstances and by special vote of the Executive Committee. Such a candidate will be permitted to continue in school only by a special vote of the Executive Committee. The Executive Committee may impose conditions on such permission to continue.

- c. Successfully completed 90 hours of credit, with a grade of Honors, Pass, or Low Pass, in a Pass/Fail course and a D or above in a graded course.
- d. Successfully completed all required courses (all first-year courses, Professional Responsibility, a Perspective Course, and a Professional Skills course).
- e. Satisfactorily completed the Upper Level Writing Requirement.

Participation in the graduation ceremony is limited to students who have completed all graduation requirements. Students who are enrolled at another law school during the last semester may participate in graduation but will not receive their degree until all grades are received.

## **K. Conduct Codes and Policies.**

Most University of Maine School of Law students intend to seek admission to the practice of law or other professional positions that require conformance to high ethical standards. It is therefore appropriate to require that law students conform their behavior to such standards during their enrollment in Law School. Accordingly, the University of Maine School of Law has adopted standards and procedures governing student conduct. All University of Maine School of Law students are subject to the University of Maine System Student Conduct Code, which is found in Appendix I. In addition, law students are required to abide by the rules of conduct described throughout this Handbook. The Law Student Conduct Code Procedures, also found in Appendix I, describe the disciplinary process the Law School follows in cases of alleged violation of the rules of student conduct.

## **L. Admission & Retention Standards and Procedures in Cases of Wrongdoing.**

### **1. Standards and Procedures for Submitting Information on Wrongdoing.**

The University of Maine School of Law's standards and procedures with regard to admission and retention of students who are involved in wrongdoing supplement provisions of the University of Maine System Student Conduct Code.

- a. The applicant must submit the following information:

i. All information concerning the applicant's citation, charge, or conviction for any crime (including any and all traffic infractions, except for parking tickets); adjudication of civil liability involving fraud, dishonesty, deceit or misrepresentation; and suspension or revocation of a professional license on grounds of fraud, dishonesty, deceit, misrepresentation or breach of an ethical obligation.

ii. All information concerning any pending criminal charge.

**b.** The applicant is responsible for the accuracy of all information submitted, created or prepared by the applicant. This includes a continuing obligation to update or correct any information that has been incorrectly reported or omitted. The presentation by the applicant of inaccurate material information on or in support of an application is in and of itself grounds for the denial of an application or for discipline of an admitted applicant at any time before the student graduates from the Law School. The sanctions for the violation may include expulsion.

**c. Continuing Duty to Report Information**

Following application, each student must inform the Dean or his/her designate in writing of any information that would have been required to be reported on his or her application for admission had it taken place prior to application. This includes, but is not limited to any citation, arrest, charge, or conviction for a crime or traffic infraction.

This duty to report continues through admission and attendance at the Law School.

**2. Standards and Procedures Concerning Wrongdoing Prior to Admission.**

The Admissions Committee will consider any information specified in Section (1) (a) in making its decision on admission. An applicant who has been adjudicated to have engaged in the conduct specified in Section (1)(a)(i) may be admitted to the Law School only upon clearly establishing the applicant's rehabilitation and good moral character through the responsible performance of reputable work or other activities or programs during the significant period of time sufficient to assure that the applicant is genuinely rehabilitated. The burden of proof on these issues shall be on the applicant. Any decision of the Admissions Committee to admit the applicant will require the concurrence of the Dean. The Law School shall inform the admitted applicant that the conviction may disqualify him or her from admission to the practice of law or other positions of trust.

**3. Standards and Procedures Concerning Wrongdoing Subsequent to Admission.**

The Law School may suspend, expel, or otherwise discipline a student who has been found to have engaged in the conduct specified in Section (1)(a)(i) subsequent to admission.

## II. GENERAL STUDENT INFORMATION

### A. Student Services.

#### 1. Associate Dean, Vice Dean, and Dean.

The Dean, Vice Dean, and Associate Dean for Student Services are available to talk with individual students, as well as to meet with student groups. Open communication with all faculty and administrators is encouraged; students with particular questions, concerns or suggestions should bring them to the attention of the Associate Dean or Vice Dean. S/he will attempt to answer the question or resolve the problem, or s/he will refer you to the appropriate administrator or university office.

#### 2. Support for Students with Disabilities.

The University of Maine School of Law works with USM's Office of Support for Students with Disabilities (OSSD) to provide accommodations for students with disabilities. Students with sensory, physical, psychological, learning, and attention disabilities must contact the OSSD, which coordinates services for students with disabilities. Located in Room 242 of Luther Bonney Hall on the Portland Campus, OSSD provides a variety of student support services for qualified individuals, such as: note-takers, texts in alternative formats, test proctoring, physical accommodations, interpreters, and extended time on exams, and assistive technology. In addition, OSSD makes referrals to educational evaluators for formal assessment of learning disabilities.

Students are advised to request services early in the semester to ensure the timely implementation of accommodations. Moreover, students are encouraged to notify the Associate Dean for Student Services about their disabilities. The Office of Student Affairs serves as the liaison to the OSSD and works with the OSSD to provide necessary services and accommodations.

*It is the responsibility of the student to seek assistance and to make his or her needs known.* Please note that services are provided at no additional cost to any currently enrolled, qualified student. To obtain accommodations, students are required to provide formal documentation of a disabling condition and resulting functional limitations impacting academic performance. The OSSD must be contacted each semester by any student desiring such services in order to identify appropriate accommodations. For more information about support for students with disabilities, [visit the OSSD web site](#).

#### 3. Career Services.

The Career Services Office (CSO) aims to assist each student in making wise, well-informed career decisions during the three years of law school and later as an alumna/us. To accomplish this, individual career counseling sessions with the CSO Director are encouraged as early as the first year of law school. The CSO also acts as a clearinghouse for full-time,

part-time, short-term, and long-term employment opportunities. The CSO publishes a newsletter, *The Advocate*, which contains career-related articles, announcements, and a classified section.

Other job listings are posted on bulletin boards located outside the office. Fall and spring recruitment programs enable students to interview with employers on campus, while other in-state and out-of-state opportunities are regularly posted. Career development workshops include topics such as résumé preparation, interviewing, and networking. Throughout the year, speaker panels focus on the numerous ways to use a law degree. In addition, the CSO hosts a variety of other functions and informational sessions designed to help students make the transition from law school to the practice of law.

The CSO library contains many useful resources focusing on legal specialties and practice areas, employer information, summer job evaluations, current available jobs, post graduate fellowship opportunities, judicial clerkships, and more.

#### **4. Alumni/ae Relations.**

Graduates of the University of Maine School of Law are active in supporting the school and serving as resources for current students. The Association supports a Student-Alumni Mentor Program, matching interested students with alumni mentors.

Additionally, the Association sponsors and maintains an active alumni website and on-line alumni directory which is available to students. Many student scholarships are awarded each year from funds contributed by alums and friends as well as from endowed scholarship funds. Contributions to the Annual Fund also support the Summer Public Interest Fellowship Program and other activities around the Law School. Alumni in states outside Maine serve as a resource to students interested in practicing in those areas. The Alumni Association also sponsors a variety of Law School events including an annual Road Race and an annual dinner.

#### **5. Veterans Services.**

Services for veterans are provided through the University of Southern Maine's School Certifying Official, located in 113 Corthell Hall, 780-5232. The office provides services to all students eligible to receive veterans' educational benefits. All veterans and dependents are encouraged to contact this office with any questions they may have regarding their educational benefits. Veterans should forward all certification paperwork to the Law School. At the Law School, the Registrar is designated as the certifying agent for veterans. Please see our website for details.

#### **6. University Health and Counseling Services.**

Maine Law students are eligible to use USM's convenient, affordable and accessible on-campus health care center in Gorham and counseling center in Portland, as well as their many

other services. For the most current information regarding the services available, as well as to find information on the health fee, please refer to the Health and Counseling Services portion of the USM website.

**a. Student Health Services.** The University Health and Counseling Services provides health care to students, including diagnosis and treatment of health problems and wellness exams. The health centers are staffed by a team of highly skilled nurse practitioners, registered nurses and part-time physicians. A range of additional services are available including laboratory services, after hours nurse triage service, travel abroad information and travel immunizations, state required immunizations, flu shots, consultation or referral services, health information, health promotion activities, health screenings, communicable disease surveillance, self-help cold care, safe sex supplies, and more.

**b. Counseling Center.** The Counseling Center provides free, confidential short-term personal counseling services for individuals, couples and groups, crisis/emergency assistance, and referral services to both on-campus and off-campus resources. Psychiatric assessment is available with a student co-pay. Consultation services and workshops are also offered to student and staff groups upon request. Counseling Services are provided by clinical psychologists, a licensed substance abuse counselor, a consultant psychiatrist and supervised graduate counseling interns.

Students who use the Counseling Services often have concerns and questions that interfere with their academic progress or other areas of personal growth. Typical reasons for requesting services include: developing confidence in self, coping with depression, anxiety, or stress, managing interpersonal conflicts, developing satisfying relationships, understanding and coping with family dynamics, managing multiple responsibilities, or handling personal crises. Substance abuse counseling is also available.

Students may be referred to Student Health Services for assessment, prescription and follow-up for antidepressant / anti-anxiety medication. This care is carefully coordinated between the two services. For more information or to make an appointment call: University Health and Counseling Services at 780-4050.

## **7. Health Insurance & Claims Procedure.**

Students are encouraged to purchase the Student Accident and Sickness Insurance package. Coverage is for a full calendar year, while at home, on vacation, or abroad. Information concerning the health insurance program is included with the semester billing or may be obtained through the University Health and Counseling Services. Additionally, specific information regarding health insurance, claims procedures, and other available insurance policies is found on the USM website.

## 8. Libraries.

### a. Law Library Information.

The Donald L. Garbrecht Law Library supports the Law School curriculum and research of its students and faculty. It contains over 400,000 volumes and is both a U.S. Government Documents Depository and a European Union Document Depository. The Library is open to the public. The Library staff is always willing to assist users, so ask questions, report missing volumes, and offer suggestions for improved service.

**1) Hours.** The Law Library is open seven days a week during the academic year. For specific hours throughout the year, please check the website at <http://mainelaw.maine.edu/library/libhours.htm>.

**2) Stacks.** Open stacks are located on the second and third floors of the main building and on all three floors of the annex. Ask at the circulation desk for materials located in the rare book room or basement.

**3) Carrels.** The Law School does not have a library carrel for each student. Therefore, priority is given to second- and third-year students. Although carrels are assigned, anyone may study at a carrel when it is unoccupied. Carrels are assigned for the academic year by means of a lottery system within each class.

**4) Textbooks.** The Law Library does not have copies of most casebooks. However, a selection of study aids is on special reserve behind the circulation desk and with the Associate Dean for Student Services.

**5) Circulation Policies.** All materials must be signed out using your USM/Maine Law student identification card and returned to the circulation desk. Books left on reading room tables throughout the Library will be picked up every day. Specific policies on circulation are available at the Circulation Desk.

**6) Computer Labs.** Computers are located on the third floor of the Law Library. There are several computers and the LexisNexis & Westlaw printers. The computers are for student use only and students must have an active user ID to use the computers. Persons with disabilities have priority in using the ADA work stations in the Library.

**7) Pay-For-Print.** The University charges for printing in the computer labs. This includes the lab at the Law School. When printing from LexisNexis or Westlaw, students should use the print icon imbedded in the program, which will allow them to print to the LexisNexis & Westlaw printers without charge.

**8) Interlibrary Loan.** If you need material that is not available in the Law Library, the staff will try to obtain it from another source. Please ask for assistance at the

Reference or Circulation Desks, call 780-4350 or visit the website at <http://mainelaw.maine.edu/library/ill.htm>.

**9) Copiers.** There are copiers available in the Law Library. Copies must be paid for with the USM/Maine Law identification card. You must stop by the Circulation Desk to activate your card, in order to access all Library services. Copies must be made in compliance with the Copyright Act of 1976.

#### **b. USM Libraries.**

The USM libraries on both the Portland and Gorham campuses and at USM's Lewiston Auburn College are open to law students. Vacation, holiday and summer hours may vary. Please check current schedule during these times at <http://library.usm.maine.edu>.

Books may be borrowed from the open stacks and renewed if no one else has requested them. Borrowers must have a USM/Maine Law identification card in order to take out library materials. Gorham books may be requested through the Library catalog. Portland books must be checked out in person at the Glickman Library. Listening facilities are available for use at the Gorham Campus Library.

### **B. Financial Information.**

Tuition rates are established by the University of Maine Board of Trustees. The University reserves the right to adjust these charges to respond to changing costs, state and/or federal legislative action and other matters. Such adjustment may be made any time. A student acknowledges this reservation by applying for admission or registering for courses.

#### **1. Tuition.**

The amount of tuition charged for students registered for less than twelve credits is determined by multiplying the number of credit hours attempted by a rate established by the University. Students registered for twelve or more credits are charged a flat per-semester tuition rate. A number of New England residents, selected on the basis of academic promise and financial need, are granted New England Board of Higher Education (NEBHE) rates.

#### **2. Fees.**

There are a number of fees charged to students, including a health fee, transportation fee, and an activity fee. Please refer to the Tuition and Fees portion of the Maine Law website and the Student Billing section of the USM website for more information.

### **3. Room and Board.**

**a. Board.** Descriptions of available meal plans and other information is available from Resident Student Services, Room 100, Upton Hall, Gorham (207) 780-5240, or may be seen on the USM website at <http://www.usm.maine.edu/reslife>.

**b. Room.** Although most law students prefer to find apartments in the greater Portland area, University housing is available. Additional information and application materials are available from Resident Student Services, Room 100, Upton Hall, Gorham at (207)780-5240.

### **4. Other Expenses.**

**a. Books and Supplies.** Students are responsible for the purchase of books and supplies. Payment is made at the time of purchase.

**b. Photocopying Charges.** For some courses, photocopied materials are prepared and distributed by the Law School in lieu of textbooks or as a supplemental textbook; students may purchase these materials at the campus bookstore.

### **5. Add/Drop.**

The add/drop period is normally the first five days of each semester. Tuition is calculated on the number of credit for which the student is registered after the close of the add/drop period. After the add/drop period, students should consult the student billing office and the Office of Financial Aid to determine what effect any further adjustments to the tuition charge.

### **6. Refund Policy.**

The charges assessed students who withdraw from all classes at the University are adjusted in accordance with the date the student officially withdraws from classes. Thus, the date the Registrar receives written notification of withdrawal is used when calculating refunds. A semester begins with the first day of scheduled Law School classes and includes weekends and holidays.

Failure to notify the Registrar promptly will increase financial liability. A student who feels the withdrawal was caused by reasons beyond his/her control (extended illness or military service obligations, for example) may petition for special consideration up to 90 days after the close of the semester/session for which the student is claiming a refund. Charges will not be reduced for voluntary absence from classes. Contact the Registrar for additional information about this procedure.

## **7. Rules Governing In-State and Out-of-State Tuition.**

There are many factors which will be considered in determining residency for in-state tuition purposes. No one factor can be used to establish domicile, rather all factors and circumstances must be considered on a case-by-case basis. A domicile or residency classification assigned by a public or private authority neither qualifies nor disqualifies a student for UMS in-state status. These rules are provided on the student billing portion of the USM website, as well as the procedures for applying to change tuition status.

### **C. Financial Aid.**

#### **1. University Aid.**

Law students may apply for financial aid through the University of Southern Maine's Financial Aid Office. Students are encouraged to apply for aid as early as possible after January 1. Students applying for admission to the first-year class should apply before February 1, because the deadline is in mid-February. The FAFSA can be filed electronically at: [www.fafsa.gov](http://www.fafsa.gov). All students must attending the University of Maine School of Law must list the University of Southern Maine school code on the FAFSA. For more information, contact the USM Student Financial Aid Office or refer to the USM website.

##### **a. Work-Study Employment.**

The work-study program is funded by the University and the federal government. A student's financial need governs the amount that can be earned.

##### **b. Direct Loans.**

This program, sponsored by federal and state governments, allows eligible students to secure low-interest loans. Students must apply for Financial Aid and demonstrate need to qualify for this program and the Federal Graduate Plus.

##### **c. Alternative Loans.**

These alternative, credit-based loan programs provide long-term financing options for qualified students. Additional information about these programs is available at the following website: [www.usm.maine.edu/fin](http://www.usm.maine.edu/fin).

**d. North American Indian Scholarship Program.**

Tuition, mandatory fees, and on-campus room and/or board will be waived for qualified and eligible North American Indians residing in Maine. Contact the Student Financial Aid Office for additional information.

**e. Law School Scholarships.**

A number of privately endowed and alumni-funded scholarships are available for needy and deserving law students. These scholarships are awarded to incoming, as well as second- and third-year students.

**f. Veterans Educational Benefits.**

The University of Maine School of Law is approved by the State Approving Agency for Veterans Education and Training Programs for educational benefits provided for veterans and dependents of veterans under various chapters of Title 38, United States Code. A student planning to enter the Law School under any of these laws should file an application with the Veterans Administration as early as possible in order that it may be approved before the student begins law study. Information and assistance is available through the School Certifying Official, located in 113 Corthell Hall, 780-5232. Please see our website for details.

**2. New England Board of Higher Education (NEBHE) Tuition Rates.**

Each year, by virtue of the NEBHE Compact, a limited number of students from New England states other than Connecticut and New Hampshire are eligible to pay a special tuition. Unless University policy changes, a student who enters the Law School eligible for NEBHE rates will remain eligible for this consideration during the full three years he or she is enrolled.

**D. Student Organizations.**

**1. Student Bar Association.**

Each student is a member of the Student Bar Association (SBA), which is an affiliate of the Law Student Division of the American Bar Association. Students may also join the Law Student Division of the ABA directly. The Association has been organized to promote educational and social activities among the students and to provide a means by which they may participate in the governance of the Law School and the University.

Three to five students from each class, depending on class size, are elected by the class to serve on the SBA Board of Governors. The Board of Governors of the SBA serves as a liaison between the faculty and administration and the student body, with board members serving on several internal Law School committees and also on committees of the University at large. The Student Bar Association functions as an umbrella organization coordinating the activities of other student organizations.

## 2. Other Student Groups.

Student groups are driven by student participation. Depending upon student interest, some organizations are currently inactive. The groups may be brought back to active status by vote of the SBA.

**a. American Constitution Society.** The American Constitution Society's purpose is to provide an open forum for the "marketplace of ideas." To this end, their purpose includes, but is not limited to, the sponsorship of lectures and discussions that are academically rigorous and intellectually honest concerning the courts, government, politics and jurisprudence.

**b. The Black Law Students Association.** The Black Law Student Association at the University of Maine School of Law is a sub-chapter of the National Black Law Student Association. BLSA was formed to provide the Law School with a medium that enables students to focus on the effects the law has on blacks in this country. BLSA invites speakers and sponsors events at the Law School.

**c. Business Law Association.** This group sponsors speakers, seminars, and problem-solving sessions with business people, commercial and business lawyers, and in-house counsels on a variety of issues concerning business law.

**d. Environmental Law Society.** The Environmental Law Society seeks to increase awareness and promote the protection of the environment through the University of Maine System, the general public, and local, state and national government. ELS works to achieve its goals through education, advocacy and legal action. ELS strives to put the skills and education of the law profession to constructive and meaningful use in the policy debate surrounding environmental issues. ELS activities represent the collective values and ideals of its participating membership.

**e. Federalist Society.** The Federalist Society for Law and Public Studies is a group of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The Society seeks both to promote an awareness of these principles and to further their application through its activities.

**f. Health Law Association.** This organization provides speakers and activities in the area of health law, including such topics as medical-legal ethics, health care management, and the interrelationships of the legal system with the provision of medical services.

**g. International Law Society.** The ILS is an academic and social group interested in public international law (the law between nations and international organizations), law internationally (laws within different nations), and international affairs. On-campus events normally include a guest speaker on an international law topic, but ILS also helps students learn about study abroad programs, assists newly arrived foreign law students, and sponsors needy children overseas.

**h. Latino/a Law Students Association.** Latino/a Law Students Association is the Latino law student organization promoting multi-cultural awareness. Latino/a Law Students Association accomplishes this by hosting various activities open to all such as dances, dinners and guest speakers from the Latino legal community. The main objective of Latino/a Law Students Association is to educate students and others about different cultures, so as to promote a better understanding of Latino people, while focusing on similarities and respecting differences.

**i. Lesbian/Gay/Bisexual Law Caucus.** The Lesbian, Gay, Bisexual, and Transgender Law Caucus serves as an educational, political, and social group for the LGBT community at the University of Maine School of Law. The Law Caucus serves as a support system for the LGBT community and is dedicated to the inclusion of all people who are interested in furthering the goals of our community. We are committed to sponsoring an array of events to increase awareness of both the issues that impact LGBT people and the unique legal concerns of the LGBT community.

**j. The Litigation Group.** This group is dedicated to bringing together students and practitioners who are interested in the field of litigation.

**k. Maine Association for Construction & Real Estate Law.** The Construction and Real Estate Law Association (CRELA) is an organization of Maine Law students interested in construction, real estate, land use, affordable housing and other fields of law commensurate with development and real estate investment. CRELA seeks to foster connections between students and professionals, provide networking opportunities, and encourage student engagement in related industries through scholarship, activism, and volunteerism.

**l. Maine Association for Law and Innovation.** This association brings together Maine Law students interested in intellectual property and emerging technologies. The Maine Association for Law and Innovation has two main goals: first, to promote an understanding of, and interest in intellectual property law and issues in emerging technologies; second, to facilitate interaction and networking between its members and professionals researching and practicing in these fields. The Maine Association for Law and Innovation arranges on-campus presentations and identifies opportunities for members to attend related functions.

**m. Maine Association for Public Interest Law.** The Maine Association for Public Interest Law (MAPIL) is a group affiliated with Equal Justice Works, formerly the

National Association for Public Interest Law (NAPIL). The organization has three goals. The first is to encourage students to engage in one of many diverse volunteer legal opportunities during the school year and summer. The second goal is to encourage students to pursue careers in the public arena by demonstrating that public interest work is a viable and desirable alternative to working in the private sector. Third, MAPIL promotes the ethic of pro bono work. MAPIL's annual activities include a trip to Washington, D.C. for the National Public Interest Law Fair, the Pledge Drive, and the Public Interest Auction. Money raised by MAPIL is awarded as fellowships to students who engage in public interest work during the summer months.

**n. Maine Law Basketball Association.** The Maine Law Basketball Association was established in 2009. While the group's membership cuts across all classes, genders and skill levels, there is one unifying attribute of its members: an emphasis on fun and comity. We are dedicated to helping students achieve a life/work balance while at school; fostering networking; and honing team-working skills. We regularly play at the Sullivan Gym on the USM campus, but also often play outdoors when weather permits.

**o. Maine Law Students for Reproductive Justice.** Maine Law Students for Reproductive Justice seeks to educate, organize and support Maine Law students to ensure that a new generation of advocates will be prepared to protect and expand reproductive rights as basic civil and human rights. As part of this purpose, MLSRJ hosts events for the student body such as forums, speakers, films, and panel discussions. MLSRJ is a chapter of the national-organization, Law Students for Reproductive Justice.

**p. Multicultural Association of Maine Law.** MAML, established in 2010, is a community-minded, academic, political, social, and professional law student organization. MAML is dedicated to serving the multicultural community at Maine Law and the community at large. Our goal is to foster an understanding of the diverse multicultural issues by increasing awareness about the culture, history, and current struggle of our community, and providing a safe atmosphere to voice our concerns. MAML also works closely with other student organizations in coordinating various educational and social events. MAML is open to all Maine Law students of every background.

**q. National Lawyers Guild.** The National Lawyers Guild is an organization of attorneys, law students, legal workers and jailhouse lawyers dedicated to progressive causes. The student group works closely with the local chapter on issues of mutual interest. Most recently, this has included legislative and educational activities addressing hate-violence, reproductive rights, capital punishment, diversity, and legal needs of the poor, among others. On the national level, the NLG is working on developing a job bank for progressively minded employers and attorneys, in addition to its work on a wide variety of national and international political causes.

**r. Native American Law Association.** The Native American Law Association is composed of Native American and non-Native American students at the University of Maine School of Law. The students seek to promote awareness, education, and interest in areas of law that involve Native American communities in the state of Maine and throughout the country. Within the law school and the greater community, the Association strives to cultivate an increased awareness and understanding of Native American culture, heritage, and perspective in relation to legal issues and challenges. The group also strives to provide support to current and prospective Native American law students at the University of Maine School of Law.

**s. Phi Alpha Delta.** Phi Alpha Delta is a professional legal fraternity dedicated to the ideals of community service. Its goal is to form a strong bond uniting students and teachers of the law with members of the bench and bar.

**t. Sports and Entertainment Law Society.** This organization seeks to present programs and provide information about the field of sports and entertainment law.

**u. Student Animal Legal Defense Fund.** The purpose of this organization is to inform the law school community about current legal issues in animal rights and animal welfare law; to host speakers and conferences; to carry out research projects for lawyers and organizations involved in animal welfare/rights litigation; and to conduct educational events.

**v. Women's Law Association.** The Women's Law Association has developed in response to the increased awareness of the impact of the law on women and the impact of the growing number of women attorneys on the law. Through its educational activities, the WLA encourages the development of a network among women at the law school, women practitioners in all branches of the legal field, women in the judiciary, and organizations in the state that are concerned with issues affecting women.

## **E. USM Facilities and Services.**

### **1. Gymnasium Facilities and Programs.**

The Sullivan Recreation and Fitness Complex, located on the Portland Campus, is a multi-purpose facility designed with your fitness and recreation interest in mind. The facility contains three basketball courts; racquetball, squash, and wallyball courts; two multi-purpose rooms, and locker room facilities with saunas. Please refer to the recreation section of the USM website for more information regarding available facilities, programs, and services.

### **2. Portland Campus Recreation and Fitness Program.**

USM offers a wide range of activities through Portland Campus Recreation. Programs include aerobics, yoga, dance, racquetball clinics, massage, relaxation workshops and more. Outdoor recreation clinics and trips include camping, hiking, canoeing, white water rafting, cross country skiing, snow shoeing, sea kayaking... and much more. Off-campus activities include swimming at local pools, skating at the Portland Ice Arena and more. Additional information is available on the USM website.

### **3. University Police Department.**

The University of Southern Maine provides services to the Portland and Gorham campuses. University Police may be reached at 780-5211 for non-emergency business and by dialing

**911 from any on-campus phone** for emergencies. The Police Department may also be reached by using any emergency phone on campus.

#### **4. Parking.**

All students are eligible to receive a motor vehicle permit to park on University of Southern Maine property. Student parking is allowed only in the Parking Garage located on Bedford Street and lot P-2, which is located in front of the Woodbury Campus Center. Students are allowed to park in the Law School parking lot after 4:30 p.m. on weekdays and on weekends. All students parking in designated disabled spots must display state-issued disabled placards or license plates.

Parking permits are required for all vehicles parking on campus and may be obtained at the Parking and Transportation Office located on the first floor of the Parking Garage on the Portland Campus. In order to register a vehicle to park on campus, each student must present a completed decal application form, a valid state issued registration, and a copy of his/her class schedule or student bill. Students wishing to register more than one vehicle may do so for an additional cost; an application and registration must be presented for each vehicle. For additional information refer to Parking and Transportation by visiting <http://www.usm.maine.edu/police/parking-and-transportation> or by calling 780-4718.

### **F. General Information.**

#### **1. Cancellation of Classes Due to Inclement Weather.**

The rules of the University of Southern Maine govern the Law School's cancellation of classes due to inclement weather. Only the President or his/her specific designee may determine whether the campus is open or closed during a storm or other emergency. Classes at the Law School are canceled whenever day classes at the University of Southern Maine are canceled. The Law School's offices will be closed when classes are canceled.

Cancellation of day classes will be announced on most local radio or television stations as close to 6:00 a.m. as possible. Recorded announcements on cancellations are also available by calling 780-4800.

#### **2. Handouts.**

Handouts for classes can be obtained from the racks in the hallway outside the Main Office, Room 115, or on blackboard. Please pay attention to individual professor's preferred modes of distribution.

#### **3. Identification Cards.**

Students should obtain photo identification cards, the USM/Maine Law identification card, in Room 4 of Payson-Smith Hall.

#### **4. Law School Master Schedule.**

The master schedule of room reservations for student or faculty groups is kept on the Law School's website. Students may view the schedules for all rooms to assess whether a room is available. Any student wishing to make a reservation should refer to the website and submit a request for a room through the room request form on the website. All requests must include the specific reason for the request and all contact information for the student making the request.

#### **5. Lockers and Carrels.**

The Law School does not have a library carrel or a locker for each student. Therefore, priority is given to second- and third-year students. Although carrels are assigned, anyone may study at a carrel when it is unoccupied. Lockers will be assigned on a first-come, first-served basis, at a time and place to be announced during the first week of school. Students assigned lockers must use the combination lock provided when the locker is assigned. The lock must be returned when the student leaves school.

#### **6. Lost and Found.**

Personnel in the main office, Room 115, are the people to see first about items that have been lost or found in the Law School. The library circulation desk also maintains a lost and found.

The Department of Police and Safety is the University repository and reporting agency for lost and found items. The Department will catalog and store these items. Lost items should be reported to the department of Police and Safety as soon as possible, at 780-5211.

#### **7. Mailing and Mail Room Services.**

Mail is picked up from the Main Office, Room 115, each day. Inter-campus mail and US Mail may be dropped in the respective bins for pick up.

#### **8. Mailboxes.**

Faculty, staff, student organization, and writing instructor mailboxes are located in the Main Office, Room 115.

Student mailboxes are located in the basement of the Law School, and are arranged alphabetically by class.

#### **9. Messages.**

Any person who needs to reach a student at the Law School between the hours of 8:00 a.m. and 4:30 p.m. may call (207) 780-4355.

#### **10. Smoking Regulations.**

Smoking is prohibited in all University buildings at all times. Smoking is permitted outdoors, fifty feet from University buildings, in designated areas only.

**11. Campus Telephones.**

Campus telephones located outside the Student Bar Association office in the basement and in the first floor stairwell may be used by students for local calls. Dial 9 for access outside the campus.

**12. Textbooks and Supplies.**

The University Bookstore is located in the Woodbury Campus Center. Textbooks and school supplies are available for sale at the bookstore. Maine School of Law imprinted clothing and gifts may be purchased at the Bookstore or mail-ordered by calling (207) 780-4070. Orders can also be placed online by visiting <http://usm.maine.edu/books/>. The Bookstore's Law Resource section is stocked with a large assortment of supplemental reading materials. Special orders are welcomed at no additional cost.



# *Appendix I*

## **Conduct Codes and Policies**



## **Law Student Conduct Code Procedures**

These procedures are adopted by the Faculty of the University of Maine School of Law with the approval of the President of the University of Southern Maine to carry out the provisions of the University of Maine System Student Conduct Code in cases involving students of the School of Law. Adoption is pursuant to Article V of the Code which provides that:

Each of the University institutions may adopt procedures for carrying out the provisions of this Code within the guidelines set forth by the Code as described below and consistent with the Code. University institutions having a professional code of ethics may adopt additional procedural provisions to be applicable to their own students.

These procedures, together with the provisions of Article V of the Code, which they supplement, shall be the exclusive mode of proceeding in all cases involving students of the School of Law.

### ***1. Conduct Officer***

The Vice Dean shall be the Conduct Officer for the School of Law. The powers and duties of the Conduct Officer shall be only those expressly provided in these procedures. All other powers and duties given to a Conduct Officer under the University of Maine Student Conduct Code shall be exercised by a Hearing Officer appointed as hereinafter provided.

In the event that the Conduct Officer is a complaining party or witness, the Dean shall designate another member of the Faculty of the School of Law to serve as Conduct Officer for the purposes of that case.

### ***2. Conduct Committee***

a. The Conduct Committee shall consist of one member of the Faculty of the School of Law designated by the President, four members of the faculty of the School of Law appointed annually in September by the Dean, and two students at the School of Law elected annually in September by the student body.

b. The Dean shall designate one of the Faculty members of the Committee as its Chairperson annually in September. At its initial meeting the Committee shall elect one of its Faculty members to serve as Vice Chairperson. If both the Chairperson and Vice Chairperson are unable to act, the Dean shall appoint an acting Chairperson for the necessary period.

c. Challenges for cause permitted by section V.D.2.b. of the University of Maine Student Conduct Code shall be submitted to the Chairperson of the Committee as provided in that section. If the Chairperson is challenged, the challenge shall be submitted to the Vice Chairperson. If both the Chairperson and Vice Chairperson are challenged, the challenges shall be submitted to the acting Chairperson.

d. If by reason of challenges or other disability, fewer than three Faculty members and one student member are eligible or available to hear a case, the Chairperson, Vice Chairperson, or Acting Chairperson, as appropriate, shall appoint whatever number of temporary Faculty or student members may be necessary to make up the minimum number.

### **3. *Proceedings***

a. Complaint. An alleged violation of the University of Maine Student Conduct Code shall be reported forthwith to the Conduct Officer. The report shall be in the form of a written complaint stating:

The name of the accused student or students

ii. The Code section alleged to have been violated

ii The material facts and circumstances, including the names of other parties and witnesses.

b. Preliminary Investigation. Upon receipt of a complaint, the Conduct Officer shall conduct a preliminary investigation to determine in his or her discretion whether further proceedings are warranted. In the course of the preliminary investigation, the Conduct Officer may call in the parties and witnesses and shall maintain confidentiality. At any time prior to appointment of a Hearing Officer, the Conduct Officer may suspend a student as provided in section V.B.4 of the University of Maine Student Conduct Code. Such suspension may be terminated or extended by the Hearing Officer subject to the provisions of that section.

c. Disposition without Further Proceedings. If the Conduct Officer determines that no further proceedings are warranted, he or she shall terminate the investigation. No record of the matter shall be maintained in the file of the individual student, and the facts of the complaint and investigation shall not be revealed to any person.

d. Disposition by Agreement. By agreement of the accused student or students and the complaining party or parties, the Conduct Officer may at any time prior to hearing dispose of the matter without further proceedings by imposing upon the accused student or students any sanction within the power of a Conduct Officer to impose under the provisions of the University of Maine Student Conduct Code.

e. Appointment of Hearing Officer. If the Conduct Officer determines that further proceedings are warranted, he or she shall appoint a Hearing Officer. The Hearing Officer shall be a member of the Faculty of the School of Law who is not a member of the Conduct Committee.

f. Powers and Duties of Hearing Officer. The Hearing Officer shall have and shall exercise all powers and duties given to a Conduct Officer by the University of Maine System Student Conduct Code, except those expressly given to the Conduct Officer by these Procedures.

Further Proceedings. Further proceedings shall be as provided in the University of Maine System Student Conduct Code.

# UNIVERSITY OF MAINE SYSTEM STUDENT CONDUCT CODE<sup>a</sup>

## Policy Statement

It is the purpose of the University of Maine System Student Conduct Code to promote the pursuit of activities that contribute to the intellectual, ethical, and physical development of the individuals under the auspices of the University of Maine System (hereinafter referred to as "University") and the individual campuses. It is also the purpose of this Code to ensure the safety of persons engaging in those pursuits; to protect the free and peaceful expression of ideas; and to assure the integrity of various academic processes.

It is expected that students will conduct their affairs with proper regard for the rights of others and of the University. All members of the University community share a responsibility for maintaining an environment where actions are guided by mutual respect, integrity, and reason.

All members of the University are governed by University policies, local ordinances, and state and federal laws. For specific governing documents, students and/or campus organizations may refer to the University Policies and Procedures manual; campus student handbooks; campus residence hall agreement and manual; and related notices and publications. Individuals in violation of state and federal law are subject to prosecution by appropriate state and federal authorities regardless of whether the activity occurs on or off the campus. In addition, the student may be subject to disciplinary action by the University pursuant to this Code. **THE SEVERITY OF THE IMPOSED SANCTIONS WILL BE APPROPRIATE TO THE VIOLATION.**

In seeking to encourage responsible attitudes, the University places much reliance upon personal example, counseling and admonition. In certain circumstances where these preferred means fail, it must rely upon the rules and procedures described in this Code. **IN THE ENFORCEMENT OF THIS CODE, THE UNIVERSITY FUNCTIONS IN AN ADMINISTRATIVE MANNER. THE UNIVERSITY'S ADMINISTRATIVE PROCESS AFFORDS FUNDAMENTAL FAIRNESS, BUT DOES NOT FOLLOW THE TRADITIONAL COMMON LAW ADVERSARIAL METHOD OF A COURT OF LAW.**

## I. Jurisdiction

**A.** The University of Maine System Student Conduct Code (hereinafter referred to as "Code") shall apply to the following:

- 1.** Any person(s) registered or enrolled in any course or program offered by the University or any person admitted to the University who is on the University real property or University-related real property for any purpose related to registration or enrollment at the time of the alleged offense. A person is deemed to be enrolled in any such course or program until such time as he or she has officially graduated from the University or has been suspended or dismissed or has not been enrolled in any course or program within the University for one

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<sup>a</sup> Please note that students are governed by the most recent University of Maine System Conduct Code. Please visit the University of Maine System website to view the most recent version of the code.

calendar year. Students taking distance courses provided by or presented at a University shall be deemed enrolled for the purposes of this Code.

2. Any recognized student organization or any group of students not currently recognized but under probation or suspension.

**B.** The Code may be applied only in cases of conduct:

1. occurring on any campus of the University, on any other University real property, or on University-related real property, or
2. involving University personal property or University-related personal property, or
3. at activities pursued under the auspices of the University, or
4. in which the University can demonstrate a clear and distinct interest as an academic institution regardless of where the conduct occurs and which seriously threatens (a) any educational process or legitimate function of the University or (b) the health or safety of any member of the academic community.

## **II. Definitions**

**A.** University Real Property: Land, buildings, fixtures, improvements, and any interests therein, owned or held by the University in any manner, including but not limited to, owned, rented, licensed, chartered, or otherwise engaged.

**B.** University Personal Property: All property, other than real property, and any interests therein owned or held by the University in any manner, including, but not limited to, rented, licensed, chartered, or otherwise engaged. The University's computer network and all its component parts, which are not real property, shall be considered University personal property for the purpose of this Code.

**C.** University-Related Real Property: Land, buildings, fixtures, improvements, and any interests therein, held by University employees and/or campus organizations as a direct result of and in connection with their service to the University.

**D.** University-Related Personal Property: All property, other than real property, and any interests therein held by University employees and/or campus organizations as a direct result of and in connection with their service to the University. University-related personal property shall also include any document or record issued or purporting to be issued by the University.

**E.** Activities pursued under the auspices of the University: Any activities specifically sponsored or participated in by the campus or by any campus organization. Such activities do not include informal off-campus gatherings of students.

**F.** Employee of the University: Employees, including faculty, staff, students, board of trustees, volunteers, and agents of the University, herein referred to as "Employee".

**G.** Conduct Officer: Person(s) or designee(s) responsible for adjudicating alleged violations of the Code, herein referred to as "Officer".

**H.** Student Conduct Code Committee: Committee or designee(s) responsible for deciding original cases referred directly by the Officer and/or reviewing the decisions made by the Officer, herein referred to as "Committee".

**I.** Respondent: The student or organization who has been charged with allegedly violating provisions of the Code.

- J. Advisor:** The person who advises or supports any party involved in the process. Examples of advisors include, but are not limited to, family members, friends, University staff or faculty, or legal counsel.
- K. Complainant:** The person (employee, student, guest, or other person) who files a report that alleges a violation of the Code has occurred.
- L. Student Conduct Code:** This entire document.
- M. Sexual Orientation:** A person's actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression.
- N. Sexual Offenses:** Forcible rape, forcible sodomy, sexual assault with an object, forcible fondling, incest, and statutory rape.
- O. Sexual Misconduct:** Includes, but not limited to, prostituting another student, non-consensual video-taping of sexual activity, presentation or unauthorized viewing of a non-consensual videotaping of sexual activity, letting others watch you have sex without the knowledge or consent of your sexual partner, peeping tommery, and/or knowingly transmitting an STD or HIV to another person.

### **III. Violations**

Those activities which directly and significantly interfere with the University's (1) primary educational responsibility of ensuring the opportunity of all members of the community to attain their educational objectives, or (2) subsidiary responsibilities of protecting the health and safety of persons in the campus community, maintaining and protecting property, keeping records, providing living accommodations and other services, and sponsoring non-classroom activities such as lectures, concerts, athletic events, and social functions.

Upon satisfactory proof that a student organization has violated a University policy, or procedure, the organization may be subject to disciplinary action.

The violations listed below are considered in the context of the student's responsibility as a member of the academic community; other actions which may be considered as violations may be defined by other documents, as, for example, residence hall contracts. Disciplinary action taken under this Code is independent of the awarding of grades (an academic matter), and provisions of this Code cannot be used for changing awarded grades.

The Residence Hall contract between the student and the University may specify certain other conditions, which impose additional responsibilities and obligations on the residence hall student. The following violations indicate categories of conduct or activity which will violate the Code.

Those listed have been delineated in such a way as to give reasonable warning to students that such conduct or attempted conduct is forbidden. These definitions of violations should not be rigidly construed.

- 1. Plagiarism--the submission of another's work as one's own, without adequate attribution.**

2. Cheating--the act or attempted act of deception by which a student seeks to misrepresent that he/she has mastered information on an academic exercise that he/she has not mastered.
3. Fabrication--the use of invented information or the falsification of research or other findings in an academic exercise.
4. Knowingly supplying false information to employees in pursuit of their official duties, to a Committee in the course of a disciplinary proceeding, or knowingly causing false information to be thus supplied.
5. Violation of a campus-specific or system-wide regulation, policy, standard of conduct, or code of ethics applicable to the activity in which the student is engaged, and which has been adopted, published or otherwise made known to students participating in such activity.
6. Unauthorized representation of the University, or an employee of the University.
7. Tampering with, destroying or falsifying official records.
8. Failing to identify properly one's self to an employee of the University in pursuit of his/her official duties
9. Direct interference with or failure to comply with an employee of the University in the performance of his/her official duties.
10. Physical assault.
11. Harassment or intimidation of another person.
12. Stalking.
13. To give or cause to be given false reports of fire or other dangerous conditions.
14. Unauthorized use or possession of explosive components, chemicals, etc., such as fireworks, explosives, gas or compressed air.
15. Tampering with, disabling, or causing malfunction of fire and safety equipment or alarm systems.
16. Violation of regulations concerning possession or misuse of firearms or other dangerous weapons, as defined by policies established for each campus.
17. Lewd or indecent behavior.
18. Disturbance resulting in substantial disruption of authorized activities.
19. Violations of University or State alcoholic beverage regulations or laws.
20. Possession, use, or sale of illegal drugs, drug paraphernalia or the misuse of legal prescription drug.
21. Violation of University health or safety regulations.
22. Creation of a fire hazard or other dangerous condition.
23. Restriction of normal traffic flow into or out of University facilities.
24. Hazing--any action taken or situation created recklessly or intentionally by an organization or with the knowledge or consent of any organization--to produce mental or physical discomfort, embarrassment, harassment, ridicule to any member or prospective member, or violation of law.
25. Intentionally or recklessly placing a person or persons in reasonable fear of imminent physical harm.
26. Harassment or discrimination based on race, color, religion, sex, sexual orientation, including transgender status or gender expression, national origin or citizenship status, age, disability, or veterans status.
27. Sexual harassment.
28. Sexual misconduct.
29. Sexual offenses.

30. Conviction of any crime that threatens: (a) any educational process or legitimate function of the University, or (b) the health or safety of any member of the academic community.
31. Conduct which threatens or endangers the health or safety of any individual.
32. Violation of motor vehicle policies established for each campus.
33. Invasion of privacy.
34. The theft, unauthorized acquisition, removal, or use of property.
35. Intentional or reckless misuse, destruction, or defacement of University property as defined above or the property of other people while located on University property.
36. Misuse of the University computer network or computers including, but not limited to, theft of computer files or data, e-mail, or other electronically stored information, probing or hacking into other computers or computer systems, spamming, sending out computer viruses, or uploading or downloading copyrighted material for personal use or distribution without authorization.
37. Trespassing or unauthorized presence on any University held or related property, including residence halls.
38. Significant interference with the normal residential life of others.
39. Violation of Residence Hall Contracts, except when the Residence Hall Contract specifically provides for an alternate procedure or remedy for the violation concerned.
40. Failure to comply with or attempts to circumvent a sanction(s) imposed by the Officer, Committee, President or designee.
41. Interference with a complainant, witness, investigation or the carrying out of procedures defined in this Code.
42. Knowingly assisting in the violation of any of the provisions of this Code.
43. Continued infractions of the Code.
44. Violating local, state, or federal laws otherwise not covered under this Code.

#### **IV. Sanctions**

If a Respondent admits to a violation of this Code to the Officer or the Committee or upon determination by the Officer or Committee that the Respondent has committed a violation of the Code, one or more of the following sanctions may be imposed by the campus where the Respondent is currently enrolled or attending, in accordance with the provisions of this Code (see Section V.):

- A. Disciplinary Dismissal - permanent separation (subject to the right of review after five years) from the University.
- B. Disciplinary Suspension - separation from the University for a stated period of time and/or until a stated condition(s) is met.
- C. Disciplinary Probation - a period of time when a Respondent is under closer scrutiny of the University. It may include the loss of one or more privileges.
- D. Official Warning - official acknowledgment of a violation and the expectation that it will not be repeated.
- E. Deferred Sanction - a specific period of time during which a Respondent's continued enrollment or housing contract at the University is clearly in jeopardy. Any further violation of

the Code during that time will minimally result in the imposition of the deferred sanction and any additional sanctions deemed necessary.

**F.** Restitution - up to the replacement value of the items damaged, stolen, removed or used without authority and damages incurred.

**G.** Removal from University Housing - removal from a particular hall or all housing.

**H.** Loss of Visitation Privileges - this loss of visitation may be to any designated area(s) of campus.

**I.** Loss of Contact with a Specific Person(s) - with this sanction, the person may not initiate direct or indirect contact with a specified person(s).

**J.** Fine - Payment of Money. Respondents who are unable to pay may discuss alternate payment arrangements with the Officer.

**K.** Community service related to violation.

**L.** Assigned Educational Projects - this may include research projects, reflective essays, counseling assessments, sanction seminars or other related assignments intended to promote learning.

**M.** Such other action as the Committee or Officer may reasonably deem appropriate (e.g., suspension of organization's official campus recognition or suspension from extracurricular activity).

The institution may impose a harsher sanction on the Respondent when the Officer or Committee determines that the Respondent intentionally selected the person or organization against whom the violation was committed, or selected the property damaged or stolen, because of the race, religion, color, sex, sexual orientation, including transgender status or gender expression, national origin or citizenship status, age, disability or veteran status of that person, the persons in the organization or the owner of the property.

Respondents who are suspended will not be permitted to attend any of the University institutions during the sanction period. After the sanction period has been completed and all requirements of the suspension have been met, the Respondent is eligible for readmission to any University institution. For a Respondent preparing to transfer to a non-University institution, who has been suspended for a crime of violence or a sex offense, a letter will be attached to his/her transcript explaining that he/she has been suspended. If the Respondent is transferring to a non-University institution after the sanction has been completed; the letter will not be attached to the transcript.

Respondents who are dismissed will not be permitted to attend any of the University institutions. After five (5) years from the date of the dismissal, the Respondent may submit a written request to be readmitted to attend one of the University institutions. For a Respondent preparing to transfer to a non-University institution, who has been dismissed for a crime of violence or a sex offense, a letter will be attached to his/her transcript explaining that he/she has been dismissed. After five (5) years from the date of the dismissal, the Respondent may submit a written request to have the letter attached for transfer applications to non-University institutions removed from his/her transcript. Requests for readmission or removal of the letter attached for transfer applications must be submitted to the Officer of the institution from which the Respondent was dismissed. The Officer will convene the institutional committee designated by the President to review such requests pursuant to the campus written procedures.

## **V. Procedures**

Each of the University institutions may adopt procedures for carrying out the provisions of this Code within the guidelines set forth by the Code as described below and consistent with the Code. University institutions having a professional code of ethics may adopt additional procedural provisions to be applicable to their own students. When a Respondent is alleged to have violated this Code on a System campus other than that in which he/she is enrolled, the case will be referred to the Respondent's home institution for disposition. Each campus President shall designate a campus official(s) to perform the functions of the Officer(s) and shall establish a Committee. The Officer shall not be a member of the Committee.

ADMINISTRATION AND INTERPRETATION OF THE STUDENT CONDUCT CODE SHALL BE SOLELY WITHIN THE JURISDICTION OF THE OFFICER, COMMITTEE AND THE PRESIDENT OR HIS/HER DESIGNEE ON EACH CAMPUS, SUCH INTERPRETATION BEING PURSUANT TO THE PROCEDURES OF THIS CODE.

### **A. Responsibilities of Officer**

1. The Officer may initiate and supervise investigations of possible violations of this Code which are brought to his/her attention by employees, students, or members of the general public.
2. Upon concluding the investigation, the Officer shall notify the Respondent in writing of the charge(s), the complaint(s), the date(s) of alleged occurrence(s), the Code section(s) which is (are) alleged to have been violated, the maximum possible sanction which may be imposed, date of hearing, and the Respondent's rights of review.
  - a. This notice shall indicate if the hearing is to be before the Officer or Committee.
  - b. This notice may be delivered personally, mailed to the Respondent to his/her last known address, or be delivered through the use of the student's University e-mail account.
  - c. If the hearing is to be before the Committee, this notice will afford the Respondent the opportunity to meet with the Officer prior to the hearing of the alleged violation(s).

### **B. Administrative Hearing Before Officer**

1. If the Respondent is not present at the time appointed for the hearing, the Officer may first attempt to determine the reason for the Respondent's absence. The Officer may proceed in a normal manner without the Respondent's attendance or reschedule the hearing to a later date. The Officer may not consider the absence of the Respondent as relevant to whether the Respondent committed the alleged violation of the Code.
2. During the meeting or hearing with the Respondent, no party present shall be accompanied by legal counsel, except when the Respondent also faces criminal charges for the same incident. All parties may be accompanied by an advisor or support person, for example, his/her parent(s), legal guardian(s), or member of the University community.
3. During the hearing, the Officer may hear and consider any relevant information. Efforts will be made to obtain the most reliable information available. The Officer may not consider:

**a.** Information obtained directly or indirectly through a search of a Respondent's person, effects, or room without his/her consent, unless obtained pursuant to a warrant or other legal search. Nothing in this section shall be deemed to prohibit routine inspection or maintenance of a Respondent's room; and nothing in this section shall be deemed to prohibit forcible entry of any place or constraint of any person in order to prevent harm or damage to person or property when made with reasonable belief that such damage or harm is occurring, has just occurred, or is about to occur.

**b.** The Respondent's refusal to consent to a search or to give information concerning the alleged facts. If the Officer is aware that a criminal prosecution relating to the same violation(s) is being conducted, or such action appears likely to be made, independent of the hearing, the Officer will notify the Respondent in advance of the right to remain silent, and the Officer shall draw no inference from the Respondent's refusal to give information.

**4.** The Officer shall then:

**a.** dismiss the case, or

**b.** impose appropriate sanctions. Sanctions shall become operative within seven calendar days after written notice thereof has been given to the Respondent. Sanctions may be stayed in the event the Respondent submits a request for review by the Committee in accordance with this Code (see Section C below), or

**c.** refer the matter to the Committee if the Officer is in doubt as to whether acts have been committed which constitute a violation of this code, or

**d.** refer the matter to the Committee if the Officer is in doubt of which, if any, sanction ought to be imposed, or

**e.** refer the matter to the Committee if there is a conflict of interest for the Officer, and

**f.** in the case of an alleged sexual offense or violent crime, inform the complainant of the outcome of the proceeding.

**5.** Notwithstanding the above, a Respondent may be suspended from the University or have privileges revoked pending the outcome of a disciplinary proceeding if, in the judgment of the Officer, the Respondent's continued presence or use of privileges at the University pending the outcome of the proceeding is likely to pose a substantial threat: to self or other people or groups of people and/or of causing significant property damage and/or of disruption of or interference with the normal operations of the University. The Officer will make a judgment on interim action based on the review of the alleged conduct. Ordinarily, the Officer will converse with the Respondent when interim action is considered. A Respondent sanctioned under this section may seek review of that decision by requesting the President or his/her designee to review the decision within 5 calendar days after the Respondent has received notice of the interim action. The Respondent may request that a formal Committee hearing be held as soon as practicable.

### **C. Right of Review Beyond Officer**

**1.** The Respondent may direct a request for review of the Officer's findings or actions to the Committee. The outcome of this review may result in higher, lower, the same, or no sanction at all being imposed.

2. Requests for review shall be written by the Respondent and shall state the issue(s) to be reviewed and provide a detailed rationale for the request. This written request for a review must be received by the Officer within seven calendar days after the Respondent has received notice of the findings. The Officer shall promptly forward the request for review to the Committee.

#### **D. Responsibilities of the Committee**

1. After notification from the Officer (or the President/designee in the event of procedural error referrals), the Chair of the Committee shall, as soon as practicable:

a. Notify, in writing, the Officer and the Respondent of a date, place, and time for hearing with the hearing normally to be held not earlier than five calendar days, nor later than 14 calendar days after issuance of notification by the Committee.

b. List in the notice to the Respondent the names of the Committee member(s) conducting the review and witnesses being invited by the Officer.

c. Make arrangements for the keeping of a recorded record of the proceedings. In cases of a review, the Respondent charged with the violation, his/her representative, and authorized University officials may have access to the record for purpose of review relating to a request for review but no copies shall be made except by the University. Such record shall be kept by the University campus for three years after all review rights have been exhausted at which time such record will be destroyed. Such records of hearings are deemed to be Student Education Records under the Family Educational Rights and Privacy Act of 1974 and may not be disclosed publicly except as provided in such Act. No recording in any form, other than the one made by the Committee, is permitted at the hearing.

2. Composition of Committee

a. The Committee shall consist of at least three, but no more than seven, members, at least one of whom shall be a student and one a Presidential designee. The number of Committee members, the composition of the Committee, and the method of selection shall be determined by each campus in a manner approved by the President or his/her designee. The President or his/her designee shall also appoint the Chair from among the Committee members.

b. The Respondent charged with the violation, the Officer, and the Complainant shall have the right to challenge for cause any member of the Committee by submitting to a designated official a written memorandum stating the grounds for this challenge at least two days prior to the scheduled meeting. Removal of members for cause shall be within the authority and at the discretion of the Chair of the Committee or another member of the Committee if the Chair is unable to exercise that function or is challenged for cause.

3. Hearing Preliminaries

a. At any proceeding before the Committee, the Officer, the Respondent, or any other party to the hearing may have the assistance of an advisor which may include legal counsel. Such assistance will be at the option of the Respondent. That is, if the Respondent chooses such assistance, the Officer or other party shall have the right to

similar assistance. In the case of an alleged sexual offense, however, the Complainant shall have the same opportunity as the Respondent to have the assistance of an advisor.

**b.** The hearing shall be closed. The Committee Chair may permit, in addition to the party's advisor, two support people for each the Respondent or Complainant to observe the proceedings. When the hearing is opened to any of the above mentioned people, the Committee Chair reserves the right to close the hearing or any portion thereof in order to protect any party participating.

**c.** If the Respondent or any other party is not present at the time appointed for the hearing, the Committee shall first attempt to determine the reason for that person's absence. The Committee may proceed in a normal manner without Respondent's attendance or any other party's attendance, may hear only a portion of the testimony and adjourn to a later date, or may continue the entire hearing to a later date. The Committee may not consider the absence of a party as relevant to whether the Respondent committed the alleged violation of the Code.

#### **4. Hearing Procedures**

**a.** Responsibility for recognizing and permitting persons to speak lies exclusively with the Chair.

**b.** Persons disruptive to any stage of the hearing may be evicted at the reasonable discretion of the Chair.

**c.** The Officer shall first present the results of the investigation and/or the charges against the Respondent.

**d.** The Officer and/or the Complainant may present oral testimony and/or written statements from any person(s) including the Respondent, and all relevant documents, records and exhibits.

**e.** The Respondent may then present written documentation or oral testimony from the Respondent him/herself and/or other witnesses, and all relevant documents, records and exhibits. The names of such witnesses and/or copies of written statements must be submitted to the Officer at least one working day prior to the hearing for inclusion in the materials presented to the Committee. At the discretion of the Chair, the Respondent may submit written documents, oral testimony of witnesses, and all relevant documents, records, and exhibits at the time of the hearing.

**f.** At any time during the proceedings, members of the Committee may question witnesses or parties to the proceeding; witnesses or parties may ask questions of other witnesses or parties only at the discretion of and through the Chair. Questioning by an advisor of either party is not permitted. The advisors may not speak at the hearing at such time as their advisee's presentation is made to the Committee. Advisors may not testify.

**g.** After the presentation of all the information to the Committee, each party, or their respective advisor, may present arguments to the Committee on the applicability of this Code or the interpretation of any sections herein.

**h.** At this time, the Officer or his/her advisor and the Respondent or his/her advisor may make recommendations to the Committee as to the appropriate sanctions should a violation(s) be found to have been committed.

**i.** During the hearing the Committee may consider any relevant information, shall not be bound by the strict rules of legal evidence, and may take into account any information

which is of value in determining the issues involved. Efforts will be made to obtain the most reliable information available.

**j.** After all parties have presented their respective information, the Committee shall go into closed session to determine whether the Respondent has committed the alleged violation and/or, if so, the sanction(s) to be imposed. Deliberations are not recorded. A Committee member should vote that the Respondent is In Violation of the Code only if convinced by a preponderance of the information presented that the Respondent has committed the act(s) as alleged. A simple majority vote of In Violation or Not in Violation of the Code by the Committee members present shall prevail. If the majority of the Committee votes for Not In Violation or there is a tie, the Respondent shall be found Not In Violation and the process shall end.

**k.** If a Respondent is found to be In Violation of the Code, the Committee will deliberate on sanctions. Deliberations are not recorded. A majority vote of the Committee members voting shall prevail.

**l.** After making its decision, the Committee shall inform the Respondent in writing of the disposition of the case as soon as practicable. Any disciplinary sanctions imposed by the Committee shall be operative immediately upon notification, unless otherwise specified, or unless the Respondent requests a review under Section V.E. below in which case sanctions will be stayed unless deemed necessary for the protection of other persons.

**m.** The notice to the Respondent of the finding of the Committee shall include:

- (1) The section(s) of this Code found to have been violated.
- (2) The disciplinary sanction imposed or other sanction to be taken.
- (3) The Respondent's right to request a review in the event the Committee approves a sanction of Suspension or Dismissal, the grounds under which the request for review may be made and a statement of the expiration date for the filing of that request for review.
- (4) Minority report and recommendations, if any.

**n.** In the case of an alleged sexual offense or violent crime, the Committee shall inform the Complainant of the outcome of the proceeding.

## **E. Right of Review Beyond Committee**

**1.** In the event the Committee approves a sanction of suspension or dismissal, or loss of recognition of campus organizations, the Respondent may request review by the President or his/her designee. Such request for review must be made within seven calendar days of notification of imposition of sanction. The request for review shall be in writing and limited to:

- a.** Review of the procedures followed. In the event of a significant procedural error, the President or his/her designee shall reverse and remand the case to the Committee for a new hearing as set forth in section V.D. above.
- b.** Appropriateness of the sanction. The President or his/her designee may not impose a more severe sanction. The decision of the President or his/her designee shall be final and shall be communicated to the Respondent in the same manner as set forth in Section V.A.(2)(b) above.
- c.** In the case of an alleged sexual offense or violent crime, the President or his/her designee shall inform the Complainant of the outcome of the proceeding.

2. If the Committee decided a case referred directly by the Officer, the President or his/her designee shall designate a new person/group to hear the first review. The respondent may direct a request for review of the committee's findings or actions to the person/group designated to hear the first review. The outcome of this review may result in higher, lower, the same, or no sanction at all being imposed. Requests for review will be in accordance with C.2. For these reviews the responsibilities of the person/group, are to review all documents submitted to the Committee, the recording of the Committee hearing, and the Committee's decision. The decision of the person/group may then be reviewed according to section E.1.

## **VI. Student Conduct Code Review Board**

There shall be established a board, known as the Student Conduct Code Review Board. It shall be composed of three persons from each institution of the University: the Officer, the Chair of the Campus Conduct Code Committee, and one student named by the President or his/her designee after seeking nominations from student representatives for this appointment. Also, one student who is a participant in a distance education program shall be appointed by the Vice Chancellor for Academic and Student Affairs or his/her designee. In addition, one representative each from the Board of Trustees and the Chancellor's Office shall serve on the Review Board.

The Chancellor's representative shall be responsible for calling the Review Board into session. This Review Board shall meet at least once every three years, but may meet more often if necessary under the following procedures:

- A. When requested by Officers representing at least two institutions of the University System.
- B. When requested by Student Government Officers representing at least two institutions of the University System.
- C. When requested by the Chancellor of the University System.

The Review Board shall:

- A. Consider all proposed amendments to this Code and act as an advisor to the Board of Trustees in matters pertaining to the Code.
- B. Send its recommendations on proposed amendments of the Code to the Presidents Council and Chancellor for transmission to the Board of Trustees.
- C. Review the relationship between violations and sanctions in order to encourage consistency throughout the University System.

## **VII. Amending the Student Conduct Code**

The Board of Trustees shall act upon proposed amendments to the Code after receiving recommendations of the Review Board, the Presidents Council of the University System, and the Chancellor. As provisions of this Code are subject to periodic review and change, the most recent and current copy of this Code may be obtained through the Student Affairs Office and/or the Office of the President on each campus.

Revised by the Conduct Code Review Board and accepted by the Board of Trustees, May 18, 2009

## **USM Alcohol and Substance Abuse Policy**

The University of Southern Maine views alcohol and substance abuse as a serious problem both nationally and on-campus and wishes to do everything possible to address it. In compliance with the Drug Free Schools and Communities Act and the Drug Free Workplace Act passed by Congress, the University electronically informs all students and employees of the University's substance abuse policy, sanctions for violation of the policy, state and federal alcohol and drug laws, offenses, and sanctions. Below is a summary of USM's alcohol and substance abuse policy.

The possession, use, or distribution of illegal drugs, as defined by federal, state, and local statutes, is prohibited at any time on University property. Students who possess, use, or distribute illegal drugs are liable for public law enforcement sanctions and University disciplinary action. Use of alcoholic beverages on University property shall be in compliance with state laws and campus regulations and procedures. Violation of such laws, regulations, and procedures may result in disciplinary action and, where applicable, criminal proceedings.

University Counseling Services and University Health Centers provide access to substance abuse services for students at USM. Through the assessment process, the student and counselor work together to determine the most appropriate level of care. Available services include individual substance abuse counseling, group therapy, and educational groups. The counselor and student may also decide together that referral to a support group or a more intensive level of treatment in the community would be the best option. For more information or to schedule an appointment, call University Counseling at 780-4050 or University Health at 780-4211.

## **USM Diversity Policy**

The University of Southern Maine recognizes the complexity of our identities and adopts the ideology that we embrace, include and accord all groups equitable political and social status. Therefore the University of Southern Maine is committed to:

- Providing equal access to education for all students.
- The active examination and exchange of diverse ideas and perspectives.
- Respecting, encouraging and fostering cultural and ethnic differences that lead to a dynamic sustainable academic society.
- Investigating and implementing strategies that create and sustain innovative and intercultural structures, policies and practices.
- Recruiting and retaining a diverse faculty, staff and student body.

Diversity is defined in terms of, but not limited to, class, race, ethnicity, gender, nationality, differing mental and physical abilities, political/ philosophical points-of-view, religion, and sexual orientation.

## USM Sexual Harassment Policy

Sexual harassment of either employees or students is a violation of federal and state laws. It is the policy of the University of Maine System that no member of the University System community may sexually harass another. In accordance with its policy of complying with non-discrimination laws, the University System will regard freedom from sexual harassment as an individual employee and student right which will be safeguarded as a matter of policy. Any employee or student will be subject to disciplinary action for violation of this policy.

In conformance with this policy, the University of Maine System will ensure fair and impartial investigations that will protect the rights of the person(s) filing sexual harassment complaints, the person(s) complained against, and the institution or unit. Retaliation against anyone who makes a complaint of sexual harassment or who is involved in a complaint process will not be tolerated.

Consenting relationships may constitute sexual harassment under this policy. When a professional power differential exists between members of the University of Maine System and a romantic or sexual relationship develops, there is a potential for abuse of that power, even in relationships of apparent mutual consent. Faculty and staff members are strongly advised not to engage in such relationships. Further, the University System prohibits the abuse of power in romantic or sexual relationships.

To assure that power is not abused and to maintain an environment free of sexual harassment, a faculty or staff member must eliminate any current or potential conflict of interest by removing himself or herself from decisions affecting the other person in the relationship. Decisions affecting the other person include grading, evaluating, supervising, or otherwise influencing that person's education, employment, housing, or participation in athletics or any other University System activity.

### Definitions:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
- submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
- such conduct has the purpose or effect of interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive employment, educational, or living environment.

Questions, concerns and complaints about discrimination or harassment in any area of the University or about the application of laws and regulations related to equal opportunity and affirmative action should be directed to: Office of Equal Opportunity, The University of Maine, Room 101, 5754 North Stevens Hall, Orono, ME 04469-5754; (207) 581-1226 (voice) 581-9484 (TDD).



*Appendix II*

**Bomb Threat Procedure  
and  
Fire Evacuation Plan**



### ***A. Bomb Threat Procedure***

This procedure provides the University community with guidelines for action and information regarding bomb threats.

#### **ANYONE RECEIVING A BOMB THREAT SHOULD:**

1. Try to determine from the caller and write down if possible:
  - a. The exact location of the device
  - b. The time of detonation
  - c. Any special instructions
2. Note time of call
3. Make note of the caller's
  - a. Gender and approximate age
  - b. Background noises
  - c. Speech patterns
4. Notify the Dean, Vice Dean, or Associate Dean, immediately or, if unavailable, notify Police and Safety immediately at 911.

### ***B. In Case of Fire***

#### **1. Fire Evacuation Plan - Weekdays**

- a. Call for help. As soon as the fire alarm sounds, a member of the Dean's office should call USM Police and Safety at 911; USM Police and Safety will automatically call the Portland Fire Department.
  - i. Member of the Dean's office means any one of the following people in the priority listed:
    1. Dean
    2. Vice Dean
    3. Associate Dean
    4. Assistant Dean
    5. Director of Career Services
    6. Director of Finance and Administration
    7. Law Librarian
  - ii. If a member of the Dean's office is not available, e.g., in the evening, anyone hearing the alarm should call Police and Safety, 911.

- b. If a fire/smoke is discovered but the alarm system has not been activated:
- i. A hand alarm should be pulled, and
  - ii. The person who pulled the alarm should:
    1. Call 911
    2. Notify a member of the Dean's office, if present, that Police and Safety have been called and where the smoke/fire was found.
- c. Evacuation procedure. Once the alarm sounds, every person in the building should immediately leave the building and:
- i. Close doors and windows to offices and rooms when leaving.
  - ii. Exit by means of stairs and do not use the elevators.
- d. Persons Responsible for Building Evacuation. A team of persons will be responsible for each floor of the building; those persons are listed in Section e below and will have the following responsibilities:
- i. Immediately check all areas of the floor assigned to be certain everyone has left the floor.
  - ii. Close all doors and windows.
  - iii. Leave the building as soon as possible by means of the stairs.
  - iv. Report to the member of the Dean's office at the front of the building that everyone on your floor has left the building.
  - v. Stand at a reasonable distance from the building until advised by Fire Department personnel, a member of the Dean's office, or Police and Safety personnel that the building is safe to re-enter.
- e. Persons Responsible:
- |              |   |
|--------------|---|
| Basement     | Assistant Dean for Admissions                         |
| First Floor  | Associate Dean for Student Services                   |
| Second Floor | Director of Career Services                           |
| Third Floor  | Circulation Librarian                                 |
| Fourth Floor | Library Director, Manager of Technology<br>Department |
| Fifth Floor  | Director of Finance and Administration                |
- f. Responsibility of the Dean's Office. A member of the Dean's office should be sure that:
- i. USM Police and Safety Department is called.
  - ii. Fire Department personnel are met at the building and

1. advised of the location of the fire/smoke by checking the indicator in the first floor lobby.
2. given keys to get into locked areas.
- iii. All persons have left the building and are at a safe distance from the building. The persons responsible pursuant to section e should report to a member of the Dean's office on the status of each floor.
- iv. When the danger has passed, that those who left the building are advised the building is safe to re-enter.
- v. All necessary information is given/received from Fire Department/Police and Safety personnel after the fire/smoke has been put out.

g. Insurance Coverage for Personal Property. The Chancellor's Office states:

To assure there are no misunderstandings, the University insures only University property. Individuals bringing personal property onto the campus for their own use or use by others must look to their own insurance for coverage and not the University's unless it is clear the loss was a direct result of negligence by the University.

## **2. Fire Evacuation Plan - Evenings and Weekends**

Since the student law librarian who is working at the law library circulation desk is the only person who always has access to a phone, the following procedure is effective immediately for evenings and weekends:

- a. Call for help. As soon as the fire alarm sounds, the student law librarian should:
  - i. verify that the alarm was not tripped by the unauthorized opening of an emergency exit.
  - ii. call USM Police and Safety at 911.
- b. Evacuation procedure. The student law librarian should quickly:
  - i. see that everyone leaves the 2nd and 3rd floor library areas;
  - ii. close all windows and doors;
  - iii. exit by the front stairs, if possible - do not use the elevators;
  - iv. the student law librarian should check with security upon exiting the building and check the indicator for the location of the fire, and
  - v. stand a reasonable distance away from the building until advised by Police and Safety or Fire Department personnel that the building is safe to re-enter.

The student law librarian is not responsible for evacuating any area besides the 2nd and 3rd floor library areas.

- c. If a fire/smoke is discovered but the alarm system has not been activated:
  - i. the person discovering the fire/smoke should pull a hand alarm and report this to the student law librarian;
  - ii. the student law librarian should call Police and Safety, 911; and,
  - iii. follow the evacuation plan as outlined in **b** above.
  
- d. Common sense. If at any time following the above procedure endangers your life, please get out of the building as quickly as you can.

For all other Emergency Procedures, please visit the University of Southern Maine's website.

# *Appendix III*

## **Joint Degrees Program Approved Courses**



## **Joint Degrees Program Approved Courses**

The following courses offered by the Edmund S. Muskie School of Public Service have been approved by the Curriculum Committee of the University of Maine School of Law for academic credit at the Law School:

### Required Courses for the Master of Public Policy and Management Degree:

- PPM601 Applied Statistics
- PPM602 Research Design for Public Policy and Management
- PPM610 Foundations of Public Policy and Management
- PPM611 Economics and Public Policy
- PPM615 Foundations for Public Service and Management
- PPM620 Introduction to Policy Analysis
- PPM630 Organizational Dynamics
- PPM640 Public Financing and Budgeting
- PPM641 Budgeting and Accounting for Public and Nonprofit Managers

### Required Courses for the Master of Science in Health Policy and Management Degree:

- AMS545 Applied Biostatistical Analysis
- HPM670 The American Healthcare System
- HPM671 Economic Issues in Health Care
- HPM672 The Politics of Health Policy
- HPM673 Fundamentals of Health Care Management
- HPM674 Community Health and Medical Care
- HPM675 Health Care Finance
- HPM676 Health Care Planning and Marketing

### Required Courses for the Master of Community Planning and Development Degree:

- CPD601 Planning Theory and History
- CPD602 Sustainable Communities
- CPD603 Planning Workshop
- CPD615 Citizen Involvement and Dispute Resolution in Planning
- CPD620 Spatial Analysis
- CPD652 Introduction to Community Development
- CPD660 Introduction to Community Planning
- CPD661 Land Use Control and Zoning
- CPD696 Field Experience
- CPD699 Studio/Capstone

For those students enrolled in the JD/MBA program, the first year would be devoted to the standard Law first-year curriculum. Thereafter 9 Law credits would be satisfied from the following list of Required MBA Core Courses (all 3-credit):

- MBA 611 Introduction to Organizational Change
- MBA 615 Ethical and Legal Issues in Business
- MBA 62X Finance Elective
- ACC 630 Management Accounting Systems
- MBA 64X Management Elective
- MBA 660 Managerial Marketing
- MBA 674 Topics in Information Systems Management
- MBA 675 Production/Operations Management
- MBA 698 MBA Practicum

The MBA faculty would accept 6 credits taken by the student in the Law Program, as designated by MBA faculty.

For those enrolled in the JD/MBA program with the University of Maine, the following required MBA courses may be applied to the JD degree without prior approval, and the following elective MBA courses may be applied to the JD degree only with advanced approval by the Law School's Curriculum Committee.

#### Required MBA Courses

- BUA 601: Statistical Analysis & Modeling for Org. Operations
- BUA 605: Marketing & MIS
- BUA 620: Law, Business & Society
- BUA 626: Management
- BUA 649: Managements Policy
- BUA 651: Financial Management

#### Elective MBA Courses

- BUA 630: Industrial Relations
- BUA 631: Collective Bargaining
- BUA 638: Model-Based Decision Making
- BUA 639: International Business
- BUA 641: Consulting
- BUA 652: Management of Financial Institutions
- BUA 653: Investment Management
- BUA 661: Knowledge Management
- BUA 695: Internship (if approved by advisor)
- BUA 698: Independent study (if approved by advisor)

The MBA program will accept 6 credits taken by the student in the JD program for successful completion Contracts I and Contracts II.

## *Appendix IV*

# **Special Academic Programs and Activities**



## **Special Academic Programs and Activities**

### **1. Cumberland Legal Aid Clinics.**

The Cumberland Legal Aid Clinic offers third-year students supervised experience in the practice of law. The program may be elected in either or both semesters of the third year providing that the prerequisite courses have been successfully completed. Space in the Clinics is limited based on the availability of faculty supervision. Selection will generally be by lottery, with preference given to students who have not previously enrolled in a Clinic. A student selected to participate in the program will be provisionally certified to practice law in Maine upon compliance with the rules set forth below. Students in the General Practice Clinic, the Juvenile Justice Clinic, and Prisoner Assistance Clinic work at the Law School's Cumberland Legal Aid Clinic, located at 59 Exeter Street.

The Cumberland Legal Aid Clinic also offers the opportunity for paid non-credit summer clinical experience to a selected number of students who have completed four semesters of law school and who otherwise comply with the certification rules listed below. These summer positions will be filled through the Career Services Office fall on-campus interview program.

### **2. The Intellectual Property Clinic.**

The Intellectual Property Clinic provides second- and third-year students with skills training in transactional and client counseling practice, as opposed to litigation, while working with those who create tomorrow's products or build new businesses. Under the supervision of intellectual property lawyers, Director of the Center for Law & Innovation, and Director of the Maine Patent Program, students work directly with independent inventors seeking patent advice, start-up businesses seeking trademark assistance, and universities engaged in technology transfer. Students review innovation disclosures for patentability and write opinion letters based on their results. They determine whether trademarks qualify for protection and are available for registration, and counsel clients on how to proceed. In the case of university clients, students may assist with writing a patent application, applying to register a trademark or copyright, or working on a licensing agreement. With appropriate qualifications, students may obtain certification from the United States Patent & Trademark Office to prosecute trademark and/or patent applications with the USPTO.

There are no pre-requisites to the course other than completion of the first year. We strongly suggest students complete Professional Responsibility and either (a) Introduction to Intellectual Property Law, or (b) courses in Patent Law, Trademark Law, or Copyright Law, prior to enrolling in Intellectual Property Clinic.

Students will be selected for participation by application. When the course is oversubscribed, preference will be given to third year law students and to students signing up for their second 3-credit semester.

### **3. Externships.**

The Externship program offers selected second- and third-year students the opportunity to gain legal experience in placements such as: Pine Tree Legal Assistance, Maine Attorney General's Office – Natural Resources Division, U.S. Attorney's Office in Portland, the Disability Rights Center, and University of Maine Counsel's Office. Students are selected for participation based on application materials (resume, transcript, and writing sample) and receive six credits for participation. Students may arrange for their own externship, provided that the placement meets established criteria. Interested students should contact the Externship Director or the Clinic and Externship Planning Committee.

In addition, the Externship Director teaches a regularly scheduled seminar in which externs discuss readings relating to professional responsibility as well as topics of interest such as professional development and career satisfaction. Externs also maintain a weekly journal.

### **4. Policy and Procedures Regarding the Certification of Law Students to Practice Before the State and Federal Courts in Maine.**

1. Law students may be certified to practice as student attorneys before state and/or federal courts in Maine in accordance with the following rules of court: Maine Rule of Civil Procedure 90; Maine Rule of Criminal Procedure 56 (State Courts and Probate Courts); Local Rule 83.4 of the United States District Court for the District of Maine; and Local Rule 2090 -1(a) of the United States Bankruptcy Court for the District of Maine (which incorporates by reference Local Rule 83.4 of the United States District Court for the District of Maine).

2. Each of these rules requires students seeking certification: (1) to have completed four or more semesters of law school; (2) to be of competent legal ability; (3) to be adequately trained to perform as a legal intern; (4) to have certified in writing that the student has read and is familiar with the procedural and ethical rules that apply to the court for which the student is seeking certification; and (5) to promise to neither ask for nor receive any compensation or remuneration of any kind for his/her services from the person on whose behalf service is rendered. The requirements for each court are essentially identical but worded slightly differently; the specific language of each rule will not be restated here.

3. The state and federal courts differ with respect to the context in which certified student attorneys may practice. Maine Supreme Judicial Court Administrative Order JB 05-7 (A. 11-09) lists the organizations and public agencies through which certified student attorneys are authorized to practice (the names of additional qualifying organizations are available from the Maine Supreme Judicial Court's clerk). Under the local rule of the federal district court, student attorneys may be authorized to represent indigent persons through a law school clinical (including externship) program or to appear on behalf of a local, state, or federal government with the written approval of the supervising government attorney.

4. Students of the University of Maine School of Law may seek certification to meet enrollment requirements in a faculty-approved course of the Law School including the General Practice Clinic, Prisoner Assistance Clinic, Juvenile Justice Clinic, some Externship placements, and some Judicial

Externship placements. The requirements to meet the definitions of “competent legal ability” and “adequately trained to perform as a legal intern” under the above-mentioned rules shall be determined by the faculty supervisor(s) for each such course, in consultation with specific externship placement supervisors where appropriate. Faculty members and administrators supervising clinical and externship courses are responsible for ensuring that these requirements have been satisfied by individual students seeking to enroll in clinical and externship courses by reviewing transcripts, consulting with the Law School’s Registrar, or through other means.

5. Students seeking certification must meet all of the requirements of the applicable rules for the court(s) (state and/or federal) in which they wish to be certified. For the student’s initial certification, the student must (1) sign a written certification that states that he or she has read and is familiar with the court rules specified in the student attorney certification rules (“student certification form”), and (2) must attend a swearing-in ceremony to take the student attorney’s oath before a qualified judge or justice in state or federal court. If a student has not read or is not familiar with any of the rules listed on the student certification form, he or she must review such rules prior to signing the student certification form. Copies of the applicable rules will be available on reserve in the Garbrecht Law Library and for download and viewing from the Garbrecht Law Library’s website.

6. In the case of externship placements, the determination of whether certification as a student attorney and any specific coursework will be required, and whether such certification will be in state court, federal court, or both, for a specific placement must be made and communicated to prospective students no later than the start of preregistration period for the semester during which the student seeks to enroll in an externship. Externship students applying for placements requiring certification shall complete the student certification form at the time that they apply for the placements.

7. Students enrolled in clinical courses shall complete such student certification forms no later than the first day of classes of the semester in which they are enrolled or as otherwise required by the faculty teaching such course(s).

8. It shall be the responsibility of the faculty member or administrator supervising such clinical courses and externships to ensure that such student certification forms are signed in accordance with the deadlines set herein.

9. Upon completion, all signed student certification forms should be provided to and retained by the Administrative Manager of the Cumberland Legal Aid Clinic (“CLAC”) or his or her designate (“Administrative Manager”).

10. No later than one week prior to the start of classes, the Administrative Manager shall provide to the Associate Dean for Student Services or his or her designate (“Associate Dean”) a list of all students seeking certification for the forthcoming semester, indicating whether such students are to be certified to practice before the state courts, federal courts, or both. The Associate Dean will promptly review such list to ensure that all students have completed at least four semesters of Law School (defined as having completed no fewer than 56 credit hours) and

are otherwise in good standing and of good character, with there being no reason to exclude the student from being certified to practice as a student attorney. The Associate Dean shall immediately inform the Administrative Manager that such review has been completed and identify any students who do not qualify for certification.

11. Upon receipt of such confirmation from the Associate Dean, the Administrative Manager shall draft a certification letter for the Dean's signature addressed to the clerks for the Supreme Judicial Court and United States District Court for the District of Maine indicating the names and organizations and agencies in which the students are seeking to work, and further stating that: (1) the students listed therein are persons of good character and competent legal ability suitable for the practice of law as student attorneys in accordance with the applicable student attorney certification rules; (2) that they have completed legal studies amounting to at least four semesters; (3) that they are adequately trained to perform as legal interns; and (4) that they have certified in writing that they have read and are familiar with the rules set forth in the applicable student attorney certification rules ("Dean's certification"). Such Dean's certification shall also expressly revoke all prior Dean's certifications. The Administrative Manager is responsible for arranging for delivery of such Dean's certification to the appropriate clerks of the courts.

12. Faculty members and administrators supervising clinical and externship courses are responsible for informing students of the date, time and location for the swearing-in ceremony before the Maine Supreme Judicial Court and the Federal District Court. Students need only attend one swearing-in ceremony (students being admitted to both courts will be sworn in in state court). A member of the faculty of the Law School shall appear with students and move their admission as student attorneys.

13. Students may also seek certification to satisfy requirements set by qualifying employers such the Law School's Cumberland Legal Aid Clinic, a county District Attorney Office, the Office of the Maine Attorney General, and the Office of the United States Attorney. It is the responsibility of the employer to determine whether it is a qualifying supervisor of student attorneys within the meaning of the applicable student attorney certification rules, to determine what requirements are necessary to satisfy rules requirements of "competent legal ability" and "adequately trained to perform as a legal intern," and to communicate those requirements to the prospective student-employee. The Administrative Manager will provide notice to all law students explaining the procedure for obtaining certification for employment and the deadline to sign the student certification forms. Such deadline will be at least one week prior to any scheduled swearing-in ceremony at the start of a semester or the summer break period. It is the responsibility of law students who are seeking such certification to contact the Administrative Manager to sign the student certification form by the stated deadline. One week prior to such swearing-in ceremony the Administrative Manager shall provide to the Associate Dean a list of all students seeking certification for the forthcoming semester. The Associate Dean will then review such list to ensure that all students have completed at least four semesters of Law School and are in good standing and of good character, with there being no reason to exclude the student from being certified to practice as a student attorney.

14. All student certification forms signed by students shall be retained by the Administrative Manager until at least such time as the student has graduated from Law School. Students who seek certification beyond the initial period of certification need not complete another student certification form. However, faculty members, externship supervisors, and employers must ensure that the names of any students seeking extended certification are provided to the Administrative Manager in time for the Administrative Manager to seek confirmation by the Associate Dean in accordance with paragraph 10 above.

15. As a public service, the Law School will facilitate the application for certification of law students who are not enrolled at Maine Law but who wish to obtain certification to practice in Maine courts as student attorneys to satisfy requirements set by qualifying employers. Such students must contact the Administrative Manager in advance of the swearing-in ceremony to request to be sponsored by the Maine Law faculty member, to provide a copy of a Dean's certification signed by the Dean (or other appropriate administrator) of that student's law school addressed to the clerks of the courts to which the student is applying for admission, and to complete the student certification form. The student is responsible for arranging for delivery of such Dean's certification to the appropriate clerks of the courts.

## **5. Exchange Programs.**

- a. International Exchange Programs.** A student who is in good academic standing and has completed the first year of law school is eligible to apply for study abroad for one semester at an institution with which the University of Maine School of Law has an exchange agreement. Currently these schools are: University of Buckingham, England; Dalhousie University Law School, Halifax, Nova Scotia; University of New Brunswick School of Law; National University of Ireland, Galway, Ireland; Université du Maine in LeMans, France; Cergy-Pontoise University in Paris; and the City University of Hong Kong.

The number of students who may participate in any exchange program, in any given semester, may be limited. For these international exchange programs, Maine Law students will take courses abroad and receive credit from the University of Maine School of Law. Students will pay tuition and fees to the University of Maine School of Law. Financial aid may be adjusted to cover any additional educational expenses. For information about semester abroad programs, please see the Associate Dean for Student Services.

- b. National Exchange Program.** A student who is in good academic standing and has completed the first year of law school is eligible to attend Howard University School of Law through an established Exchange Program. For information about this program, please see the Associate Dean. As with our International Exchange Programs, the number of students who may participate in this program is limited.

## **6. *Pro Bono* Legal Service and Community Service Program.**

The Faculty has adopted a voluntary student *pro bono* legal service standard under which every student is encouraged to provide a minimum of 80 hours of *pro bono* legal service or law-related community service (or a combination of the two) prior to the time of graduation.

“*Pro bono* legal service” is defined as work involving the provision of legal services that is performed without either financial compensation or academic credit. Examples include such work for legal services providers, individual lawyers providing *pro bono service*, social service agencies, low income organizations, civil rights organizations, environmental organizations, consumer organizations, and governmental agencies providing service to individual members of the public who are disadvantaged.

“Law-related community service” is defined as work that (i) benefits a community, its residents, or institutions, (ii) has a substantial legal or law-related component, and (iii) is performed without either financial compensation or academic credit. Examples include such work as participating in law-related education projects that educate and mentor local youth with the aim of expanding their knowledge of the law, the legal process, and the legal system, and broadening their career aspirations to include the possibility of law-related work; and assisting “English as a Second Language” programs with language instruction relating to the law and the legal system.

Partisan political activity is not included in the definition of “*pro bono* legal service” or “law-related community service.”

These guidelines and a list of organizations deemed to comply with the definitions of “*pro bono legal service*” and “law-related community service” are located in the Career Services Office. Additional organizations may be proposed to the *Pro Bono* Committee and, if approved, will become part of the Guidelines in the Career Services Office. Proposals shall be submitted to the Career Services Office and forwarded to the *Pro Bono* Committee for approval by a majority vote.

*Pro bono* and law-related community service hours shall be submitted to the Career Services Office. Every student will have her/his own time sheet kept in Career Services. It will be the student’s responsibility to update the sheet monthly. The Career Services Office, working under the authorization of the *Pro Bono* Committee, reserves the right to review all time sheets submitted.

Although *pro bono* and law-related community service work by first-year students, as well as by upper class students, will be credited in calculating the 80-hour voluntary standard, first-year students are cautioned not to attempt too much outside work of any kind, but to devote primary time and attention to their studies.

The Faculty has further authorized the *Pro Bono* Committee to adopt a plan to recognize those students who provide 80 hours of qualifying service prior to graduation. Satisfaction of the 80 hours will be determined by the Career Services Office and reviewed by the *Pro Bono* Committee.

## **7. Maine Law Review.**

There are two classes of membership on the Maine Law Review: Staff and Editorial Board. Students may qualify for membership on the staff either through class rank or writing competition. Staff members who have successfully discharged their duties by the end of the tenth week of the Spring Semester are eligible for membership on the Editorial Board for the next academic year.

Staff members shall earn one academic credit at the end of the Fall Semester and two academic credits during the Spring Semester immediately following their appointments. Members of the Editorial Board shall receive two academic credits in each semester of their third year.

Complete policies and procedures governing membership, selection, responsibilities, credits and sanctions, are contained in the Law Review Bylaws, as periodically updated by the Faculty.

## **8. Ocean & Coastal Law Journal.**

- a. Access to Membership.** The sole criterion for student membership will be a demonstrated capacity for legal scholarship in the ocean and coastal law field, as determined by first-year class rank or a casenote competition.
- b. Writing and Editing Requirements.** Student members will be required to prepare a piece of legal scholarship of publishable quality. Format of the piece is flexible; students will be encouraged to prepare comments, casenotes, extended book reviews, or reviews of recent developments in ocean and coastal law. Research and writing will be done under the faculty advisor's supervision with additional supervision by members of the student editorial board. The student writing project will be in addition to the tasks of soliciting, editing, spacing and otherwise preparing for publication manuscripts written by others.
- c. Academic Credit.** The faculty has approved the granting of Honors/Pass/Low Pass/Fail credit for student membership on the Ocean and Coastal Law Journal staff according to the following schedule:
  - 1 credit hour for the first semester
  - 2 credit hours for each additional semester

## **9. Moot Court.**

- a. Second-Year Program.** The second-year Moot Court Board is selected based on the briefs written as part of the First-Year Legal Writing Program and on an oral competition conducted during the fall of the second year. All second-year Moot Court participants will register for two credits of Moot Court I in the spring semester, for assistance in coaching oral arguments in the first-year legal writing course, and writing a brief on the first-year case.

- b. Third-Year Program.** Each member of the Moot Court Board must argue on a team (one of a number of faculty-approved inter-school competitions). Mandatory competitions each year are the National Moot Court Competition and the Trilateral Competition. Additional competition(s) will be as proposed by the Board and advisor, and approved by the Faculty. Third-year Moot Court members will register for three credits of Moot Court II in the semester in which they write their competition brief.

# *Appendix V*

## **Predictability of Course Offerings**



## Predictability of Course Offerings

<b>Courses Offered Every Year</b>		<b>HOURS</b>	<b>Typically Offered</b>
Administrative Law	Law 621	3	Spring
Bankruptcy	Law 625	3	Spring
Business Associations	Law 601	4	Fall
Constitutional Law II	Law 641	3	Fall, Spring
Criminal Procedure - Adjudication	Law 606	3	Fall
Criminal Procedure - Investigation	Law 693	3	Spring
Environmental Law	Law 637	3	Fall
Evidence	Law 644	3	Fall
+ Externship	Law 690	6	Fall, Spring
Family Law	Law 673	3	Spring
+ General Practice Clinic	Law 663	6	Fall, Spring
Group Study	Law 699	1, 2	Fall, Spring
Independent Study	Law 627	2	Fall, Spring
Independent Writing	Law 700	3	Fall, Spring
+ Intellectual Property Clinic	Law 723	6	Fall, Spring
* International Law	Law 647	3	Fall
Intellectual Property	Law 661	3	Fall
+ Juvenile Justice Clinic	Law 724	3	Fall, Spring
Law Review	Law 680	1, 2	Fall, Spring
Moot Court I	Law 639	2	Spring
+ Moot Court II	Law 640	3	Fall, Spring
Ocean and Coastal Law Journal	Law 696	1, 2	Fall, Spring
+ Prisoner Assistance Clinic	Law 712	3	Fall, Spring
Professional Responsibility	Law 632	3	Fall, Spring
Secured Transactions	Law 629	3	Fall
Taxation I	Law 649	4	Fall
Taxation II	Law 654	3	Spring
+ Trial Practice	Law 650	3	Fall, Spring
Trusts and Estates	Law 695	3	Spring
Upper Level Writing	Law 631	1	Fall, Spring
 <b>Courses Offered at Least Every Other Year</b>		 <b>HOURS</b>	 <b>Last Offered</b>
Admiralty	Law 624	3	F10,F08,F06,F04
Advanced Business Associations	Law 668	3	S10, S09, S08
Alternative Dispute Resolution	Law 684	3	F10,F09, F08, F07
Antitrust	Law 626	3	F09,F07,F05
+ Business Planning	Law 662	3	S11, S09, S08, S07
Coastal Zone Law Seminar	Law 687	2	S07,S05,S03
Conflict of Laws	Law 642	3	S11,S10,S09,S07
Copyright Law	Law 703	3	S11,S09, S07, S05
Employment Law	Law 653	3	F08,S04,S02
Estate and Gift Taxation	Law 678	3	F10,F09,F08,F07
+ Estate Planning	Law 643	3	S11,S10,S09,S08
Federal Courts	Law 645	3	S10,S09,S08

Insurance	Law 655	3	F10,F09,F08,F07
* Jurisprudence	Law 674	3	S10,S08,S06
Land Use	Law 635	3	S11,S10,F07,S06
Natural Resources	Law 633	3	S11,S10,S09,S08
Negotiable Instruments and Payment Systems	Law 630	3	S10,F08,S06
Patent Law	Law 698	3	S11,S08,S07,F04
Real Estate Transactions	Law 672	3	S11,S10,S09,S08
Remedies	Law 671	3	F10,F09,F08,F07
Trademarks & Unfair Competition	Law 716	3	S10,S08,S06

**Courses Offered Occasionally, On The Basis of  
Interest/Faculty Availability HOURS**

Accounting for Lawyers	Law 710	2	S09
+ Advanced Legal Writing	Law 686	3	S11,S10,S09,S08
+ Advanced Legal Research	Law 731	2,3	S09,S07,F07
* American Indian Law	Law 600	2	F09,S06,S05
Animal Law	Law 761	2	F10
Business Law Seminar	Law 669	2	F10,S90
* Canadian Legal System	Law 676	3	S11,S09,S07,S05
Commercial & Consumer Arbitration	Law 762	3	F10
Commercial Law Seminar	Law 634	2,3	S11,S10,S08,S07
* Comparative Law	Law 646	3	F10,F09,F08,S07
Constitutional Law Seminar	Law 636	2,3	S11,S06,F02,F98
Consumer Law Seminar	Law 609	2,3	S09,S99,S96
Criminal Law Seminar	Law 679	2	F10,F08,F06,F05
Disability Law Seminar	Law 745	2,3	S11,S09
* Economic Regulation of Business	Law 666	3	F10,S09,S06,S00
Education Law	Law 682	3	F03,F01,S00
Elder Law	Law 705	3	S03,F98
Environmental Law Seminar	Law 704	2	F09,F08
* European Union Law	Law 657	3	S10
Health Care Law	Law 618	3	F08,F06,F99
Immigration Law	Law 681	2,3	F09
Intellectual Property Law Seminar	Law 623	2,3	S10,F09,S08
International Law Seminar	Law 648	2	S11,S10,S09,S08
International Trade Law	Law 651	3	S11,F08,F06,S05
Internet Law	Law 664	3	S11,F09,S08,F05
Labor Law	Law 652	3	F09,S08,F08
Local Government	Law 616	3	F08,F05,F03
* Law and Literature	Law 701	3	F09,F08,F99
* Legal History	Law 628	3	F10,F09,F08,F06
Legislation	Law 615	3	F10,F09,S07,F05
+ Mediation Practicum	Law 665	3	S11,S10,S09,S08
Medical-Legal Process	Law 675	2,3	S10,S07,S05
+ Negotiation	Law 683	3	S05,F02,S01

* Oceans Law & Policy	Law 697	2	F10,F09,F08,F07
Partnership Taxation	Law 688	3	S10,S07,S05
Race, Gender, Sexual Orientation and the Law	Law 692	2,3	F09,F08,S07
Taxation Law Seminar	Law 670	2	S11,F09,S08,S06
* Topics in Law and Philosophy	Law 667	2	S09,S07,S05
Trial Competition Team	Law 691	3	S11,S10,S09,S08
Water Resources Seminar	Law 763	2	F10

\*These courses fulfill the "perspective" requirement

+These courses fulfill the "professional skills" requirement.



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**University of Maine School of Law  
The University of Maine System**

**ACKNOWLEDGMENT**

**I acknowledge that I have received a copy of the General Academic Requirements and Policies for J.D. Candidates Matriculating August 2011, which includes the Academic Integrity Policy.**

**DATE** \_\_\_\_\_

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

**SIGNATURE** \_\_\_\_\_

**Students who do not sign and file this acknowledgment with the Office of the Registrar are not eligible to register for courses for the 2012 spring semester or to sit for fall 2011 Law School exams.**



### **Non-Discrimination Policy**

The University of Southern Maine shall not discriminate on the grounds of race, color, religion, sex, sexual orientation, transgender status or gender expression, national origin or citizenship status, age, disability, or veterans status in employment, education, and all other areas of the University. The University provides reasonable accommodations to qualified individuals with disabilities upon request.

Questions and complaints about discrimination in any area of the University should be directed to the campus compliance officer, 7 College Avenue, (207) 780-5094/TTY (207) 780-5646. Inquiries or complaints about discrimination in employment or education may also be referred to the Maine Human Rights Commission. Inquiries or complaints about discrimination in employment may be referred to the U.S. Equal Employment Opportunity Commission. Inquiries about the University's compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin; Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability; Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex; and the Age Discrimination Act of 1975, which prohibits discrimination on the basis of age, may also be referred to the U.S. Department of Education, Office of Civil Rights (OCR), Boston, MA 02109-04557, telephone (617) 223-9662 (voice) or (617) 223-9695 TTY/TDD. Generally, an individual may also file a complaint with OCR within 180 days of alleged discrimination.

### **Campus Safety**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 requires universities to disclose three years of statistics regarding campus crime, including off campus buildings the University owns, and on public property adjacent to campus in Portland, Gorham, and Lewiston. The USM report (Safety and Security Information Report) also includes policies for campus security, such as those concerning alcohol and drug use, crime prevention, the reporting of crimes and sexual assaults, and other related matters. A copy may be obtained by accessing the following Web address: [www.usm.maine.edu/police/safetyreport.htm](http://www.usm.maine.edu/police/safetyreport.htm) or by calling the Office of Community Standards at (207) 780-5242 to request a paper copy.