

**GRADUATE & PROFESSIONAL LAW PROGRAMS  
SUPPLEMENT TO  
THE MANUAL OF  
POLICIES AND PROCEDURES  
OF THE  
CAPITAL UNIVERSITY LAW SCHOOL**

**2020 - 2021**

## PROFESSIONAL LAW PROGRAMS – CERTIFICATES

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### PROFESSIONAL LAW PROGRAMS POLICIES

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#### GRADUATE AND PROFESSIONAL LAW PROGRAMS PARALEGAL PROGRAM, LEGAL NURSE CONSULTANT PROGRAM, AND LIFE CARE PLANNER PROGRAM

Welcome to the Graduate & Professional Law Programs (“*GradLaw Programs*”) at Capital University Law School (“*Law School*”). This policy manual is a supplement to the Manual of Policies and Procedures of the Capital University Law School (“*Policy Manual*”). The Policy Manual can be found on the Law School website at <http://law.capital.edu/Manual>. The Policy Manual and the GradLaw Manual (collectively, “*Manual*”) are the official compilation of policies and procedures for graduate law degree and certificate program students at the Law School. It is applicable to all graduate law students (individually “*GradLaw student*”) in the following degree programs: (1) Master of Laws (LL.M.), (2) Master of Taxation (MT), and (3) Master of Legal Studies (MLS) and the following certificate programs (1) Paralegal and (2) Life Care Planner as well as any additional programming or courses offered through the GradLaw Programs. To the extent of a conflict between the Policy Manual and the GradLaw Manual, the terms set forth in the GradLaw Manual shall control.

The Assistant Dean of Graduate & Professional Law Programs is Lisa M. Diem (“*Assistant Dean*”). The Assistant Dean is responsible for overseeing all aspects of the Graduate & Professional Law Programs, including academic advising, admissions, course scheduling, and curriculum development.

The Assistant Dean’s contact information is as follows:

Lisa M. Diem  
Assistant Dean  
Graduate & Professional Law Programs  
Capital University Law School  
303 East Broad Street, Room 370  
Columbus, Ohio 43215  
Phone 614.236.6444  
[ldiem@law.capital.edu](mailto:ldiem@law.capital.edu)

Each GradLaw Student will have a Law School e-mail address. Please check this account regularly as the Law School and your professors will use this e-mail address to communicate with you. You should contact the IT Help Desk at [helpdesk@capital.edu](mailto:helpdesk@capital.edu) if you have problems with your e-mail account. **YOU WILL BE HELD RESPONSIBLE FOR ALL INFORMATION SENT TO YOU AT YOUR CAPITAL E-MAIL ADDRESS.** GradLaw Students also will be assigned a mailbox in the Huntington Commons (People’s Court Café area) on the first floor.

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## *PARALEGAL PROGRAM POLICIES*

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### *GENERAL PROGRAM INFORMATION*

#### **Paralegal Program Goals and Objectives**

##### Paralegal Mission Statement:

The mission of the Paralegal Program is to provide a quality, post-baccalaureate education that will prepare students for careers in the legal profession, as paralegals and legal assistants, or in non-traditional roles that may utilize paralegal skills. The Paralegal Program will equip students with strong analytical, communication, organizational, and technology skills necessary to enter into and succeed in legal and business communities. The Paralegal Program will educate students about substantive areas of the law and how these areas intersect with ethical and practical considerations in a variety of law-related situations.

##### Paralegal Program Objectives:

We are committed to ensuring our students are prepared and equipped to meet the demands of the paralegal profession upon completion of this certificate program. The Paralegal Program at Capital University Law School expects the program staff and faculty to meet the following program objectives:

1. Teach students the fundamentals of foundational legal theories and principles in various areas of the law.
2. Require students to develop critical thinking and analytical skills necessary to adapt in a variety of legal environments and to generate, support and complete intended client outcomes.
3. Encourage collaboration between paralegal students and law students by providing academic and professional opportunities that foster joint efforts.
4. Introduce students to the ethical standards and obligations imposed on all legal professionals, with specific emphasis on the standards and obligations imposed on paralegals and legal assistants.
5. Familiarize students with information about the most current legal resources and law-related technology available to legal professionals.
6. Provide opportunities to students within and outside the classroom environment where they can apply practical, organizational, research, communication, and analytical skills in various areas of the law and legal scenarios.
7. Prepare students to professionally communicate with strong written and verbal skills necessary to effectively convey to or obtain information from a myriad of audiences including attorneys, clients, and courts.

8. Enhance professional development opportunities for students during the program through networking events, workshops, and individual career-planning sessions with the Office of Professional Development.

#### Paralegal Program Learning Outcomes:

Upon completion of the Paralegal Program, students will be able to:

1. Define legal terminology in numerous areas of the law.
2. Identify major legal systems and functions of the law in American society.
3. Discuss ethical rules and considerations applicable to the legal profession and non-attorney professionals.
4. Draft a variety of documents, including, without limitation, case briefs, pleadings, discovery requests, office memoranda, correspondence, and legal forms.
5. Analyze applicable case and statutory law as they relate to a variety of law-related topics and client scenarios.
6. Apply legal research skills to support case law and statutory analysis, legal document preparation, and fact gathering in a variety of law-related situations.
7. Demonstrate oral communication skills in a variety of professional settings.
8. Utilize law- and office-related technology resources in a variety of law office procedures, including, without limitation, file management, timekeeping, document management, document creation, trial preparation, eDiscovery, and social media.

#### **Unauthorized Practice of Law Statement**

Paralegals may not provide legal services directly to the public, except as permitted by law.

#### **Capital Email Accounts**

The program will communicate with students through email. You are responsible for information sent to your law.capital.edu account and should check it on a regular basis during each semester. You will also use the Capital username and password to access myCap and iLearn.

### **ADMISSIONS**

#### **Admission Prerequisites**

An applicant seeking admission into the Paralegal Program must satisfy the following prerequisites:

- A. The applicant must have earned a bachelor's degree from a regionally accredited U.S. college or university, or approved university outside the United States. If the applicant earns a degree from a university or college outside the United States, the applicant must submit a certified WES evaluation that the applicant's education meets the bachelor's degree requirement.

B. An international applicant must provide a TOEFL (minimum of 600 PBT/100 IBT) or IELTS (minimum of 7.0) score, if English is not the applicant's native language.

### **Application Requirements**

Applicants in the Paralegal Program must satisfy the following application requirements:

- A. Complete an online application;
- B. Answer objective, qualification, and career goal short essays (prompts included in the application);
- C. Submit a résumé;
- D. Submit official transcripts from all post-secondary institutions; and
- E. Provide two reference forms with letters of recommendation.

### **Official Transcripts**

Official transcripts must be sent directly to the Assistant Dean of Admission at [gradlaw@law.capital.edu](mailto:gradlaw@law.capital.edu) from the issuing institution, must bear an official stamp or seal of the issuing institution and must indicate the degree awarded, if any, by the issuing institution. Transcripts for Capital University Law School alumni and current students can come directly from the Office of Records and Registration to the Assistant Dean of Admission.

### **Admission Process**

- A. Admission decisions are made by the Assistant Dean on a rolling basis upon completion of an application file. New evening students are admitted into the fall and spring semesters. Summer Immersion students are admitted for the start of classes in May of each year.
- B. The admission decision is made based on a number of factors including, without limitation, the applicant's (1) undergraduate academic record; (2) work experience; (3) career goals; (4) post-baccalaureate records, and (5) other information the applicant deems necessary to support their application.
- C. Applicants accepted into the Paralegal program will receive an acceptance letter by email along with information about next steps, orientation, and the start of classes.

### **Conditional Admission**

If a Paralegal applicant has an undergraduate grade point average below 2.7, the Assistant Dean may conditionally admit the applicant into the program. The Assistant Dean may consider, among other things, the following factors:

- Explanation for grades earned in the undergraduate degree and how circumstances have changed;
- Work experience and length of time out of school; and
- References.

If the applicant is admitted on a conditional basis, they must receive a grade point average of 2.3 or higher in the first semester of the Paralegal Program. If the student receives a grade point average of less than 2.3 in the first semester of classes, the Assistant Dean may academically withdraw the student from the Paralegal Program.

### **Transfer of Credits**

A student in good standing who is or has attended a post-baccalaureate paralegal program at a regionally-accredited institution and that is approved by the American Bar Association may apply to transfer to Capital's paralegal program. Any transfer student must adhere to the admission requirements for all students.

The Paralegal Program will accept credit for courses in which the student has received a minimum grade of "C." The transferred credits shall be awarded as K credit and will not be computed into the student's cumulative grade point average. Transfer students must also provide a syllabus for those courses she or he seeks to transfer credit. The Assistant Dean will determine whether the course in question is comparable to the course offered in the Paralegal Program. The Assistant Dean may request additional documentation to make this determination. **A maximum of 9 credit hours from an ABA-approved program may be allowed as transfer credits into the Paralegal Program.**

## **PROGRAM REQUIREMENTS**

### **Certificate Requirements**

Paralegal students must successfully complete 27 credit hours of required coursework for the program within a period of 1.5 years from the date of matriculation. The Assistant Dean may extend the 1.5 year limit in extenuating circumstances.

### **Paralegal Courses**

The 27 hours of required consists of the following:

Introduction to Paralegal Studies/Ethics (3)  
 Foundations: Torts & Contracts (2)  
 Business Organizations (3)  
 Real Property (3)  
 Probate (3)  
 Civil Litigation (3)  
 Legal Research & Writing I (3)  
 eDiscovery/Legal Technology (3)  
 Professional Development Practicum (1)  
 Legal Research & Writing II (3)

The schedule of courses depends on the semester a student enters the program. Students take three classes each semester. Classes are held on Tuesdays and Thursdays from 6:00 pm to 9:00 pm, and Saturdays from 9:00 am to noon. When offered, electives are on Monday or Wednesday evenings.

Students in the Summer Immersion program complete all 27 required credit hours in a 14-week period.

### **Graduation Requirements**

#### **A. Graduation Eligibility**

To be eligible for graduation, students must be in academic good standing and pass each of the required courses to satisfy the graduation requirement even if the student's cumulative grade point average is 2.0 or better. A student receiving an "E" (failing grade) in any required course must repeat the course to graduate.

#### **B. Course Requirements**

A Paralegal student must successfully complete and received a grade of "D" or better (a "P" in the Professional Development Practicum) to earn credit in all required courses (27 credit hours) before receiving a professional certificate. A Paralegal student must pass each of the required courses to be eligible for graduation even if the student's cumulative GPA is 2.0 or better. A student receiving an "E" (failing grade) in any required course will need to repeat the course.

#### **C. Graduation Ceremony**

A student who does not successfully complete one or more of the required courses may participate in the graduation ceremony with a graduating cohort but will NOT receive a signed certificate until the students meets all graduation requirements. That student may return in a later semester to retake the failed course(s) and must provide email notice to the Assistant Dean indicating the intent to exercise this option. Upon satisfactory completion of the course(s), and provided the student has the required 2.0 GPA, the Dean of the Law School and the Assistant Dean will award the student a signed certificate.

If a student fails more than one course (after utilizing his or her re-take option), the Assistant Dean will meet with that student to determine whether the student may continue the program.

Unless otherwise excused by the Assistant Dean of Graduate & Professional Law Programs, each graduating student must participate in a mandatory pre-graduation Focus Group meeting.

### **Electives**

The Paralegal Program may offer one elective each semester depending on student demand. The program must have a minimum class size of 5 students to go forward with an elective. Credit hours earned for an elective do not count toward the 27 credit hour requirement.

### **Attendance**

Attendance is taken at all class sessions. In order to successfully complete a required course, the student may not have more than the following hours of absences per 14-week semester course:

3 credit hour class – 10.5 hours of absences

2 credit hour class – 7 hours of absences.

There is no distinction between excused and unexcused absences when making a determination of how many hours a student has missed a class. If a student misses more than the allowed class hours of absences, the Associate Dean may academically dismiss the student from that course. The student must repeat the course the next semester it is offered.

### **Withdrawal from Program or a Class**

#### **A. Program Withdrawal**

The Assistant Dean must approve a student's request to withdraw from the Paralegal Program. The request must be in writing (email is sufficient) to the Assistant Dean. The Assistant Dean will submit an "Assistant Dean's Action" form and provide it to the Office of Records and Registration. The Registrar will not process an official withdrawal for any student who is not current in his or her financial obligations to the University.

Upon official withdrawal (and if after the first class session), the Office of Records & Registration will note the grade of "W" on the student's transcript for classes in the semester of the student's withdrawal.

The Assistant Dean will administratively withdraw any student who stops attending classes without an approved leave of absence. The student will receive an "E" in all courses in which they are currently registered. An "E" constitutes failure of the course.

A student may request to withdraw from the Paralegal Program at any time following the procedures outlined in this section. The Assistant Dean will not approval any request to withdraw after the last day of classes.

#### **B. Course Withdrawal**

A student may request to withdraw from a course (other than complete withdrawal from the program) until two weeks before the end of classes. The Assistant Dean will not approve a course withdrawal request after 60% of the coursework is meant to be completed in the course.

The Assistant Dean may academically withdraw a student from any course where the student has missed more than 25% of class content/sessions for any reason (including for medical reasons). The student will receive a "W" on their transcript for the course. The student will need to retake the course(s) in its entirety the next time offered.

Students should always consult Financial Aid ([financialaid@law.capital.edu](mailto:financialaid@law.capital.edu)) for questions about the impact of program or course withdrawal on financial aid awards and limits.



## ACADEMICS

### Grading and Academic Good Standing

#### A. Paralegal Grading Scale

Paralegal students will receive grades based on the following scale:

A	= 93-100
A-	= 90-92.99
B+	= 87-89.99
B	= 83-86.99
B-	= 80-82.99
C+	= 77-79.99
C	= 73-76.99
C-	= 70-72.00
D	= 60-69.99
E	= 59.99 or below

#### B. Honors

Students receiving a 3.75 or higher will graduate with a “highest honors” designation. Students graduating with a 3.5 to 3.74 will graduate with an “honors” designation. This determination is made after a student completes the necessary credit hours to graduate.

#### C. Good Standing

A Paralegal student must maintain a minimum cumulative grade point average of 2.0 to be in academic good standing. Credit hours are earned only for courses in which the student receives a grade of “D” or higher.

#### D. Dismissal

A Paralegal student who has a cumulative grade point average below 2.0 in any semester, may be academically dismissed from the program.

#### E. Grading Generally

Letter grades are given in all courses and students are required to successfully complete a variety of assignments, projects, and exam(s) to achieve a passing grade. Each course syllabus will detail the requirements for that particular course. Attendance and participation usually contribute to a student’s grade, as well.

Students are evaluated through a variety of means including projects, assignments, papers, quizzes, individual presentations, class participation, iLearn discussions, and examinations. Faculty will provide students with the means of evaluating student performance at the beginning of class and on their course syllabus.

If grades are to be lowered for absences or lack of preparation (which some professors consider being a constructive absence), then the syllabus should specifically indicate the maximum number of permitted instances of class absence or lack of preparation, and the consequences of the student's failure to comply. The instructor should provide the students with his/her policy regarding assignments that are turned in late. Instructors also should indicate whether participation will be factored into the grade. *(Please see Attendance section of this policy.)*

The instructor of a regular class has the option to have a closed-book in-class exam, an open-book in-class exam, a closed book take-home exam, an open-book take-home exam, a paper, or any combination of these. Instructors of skills training or practicum courses may not give final examinations, but instead rely on a number of papers, projects and activities that are individually graded; all individual grades are then averaged on a basis determined by the instructor. The instructor is strongly encouraged to provide the students with a clear delineation of how assignments/examinations are weighted.

The Professional Development Practicum is a pass/fail course and requires students to complete 14 hours of practicum work and account for that time in a billing system provided by the Paralegal Programs. Failure to complete the required practicum components and hours will result in a "fail" and prevent a student from graduating.

**Please note: If a student has a question or concern regarding how they are to be evaluated in a class, it is the student's responsibility to seek clarification of the evaluation system prior to the end of the class.**

### **Administrative and Faculty Review of Unreasonable Grades**

#### A. Procedure

1. When a student believes that he or she has received a grade that no reasonable faculty member could justify under any reasonable standard, that student may, within 30 days of receipt of the grade, file a written notice (email is sufficient) to have the allegedly unreasonable grade reviewed. Students who are academically dismissed must file the written notice within ten days after the date of mailing of his or her formal notice of dismissal. If, through no fault of the student, the student is prevented from meeting the deadline, the deadline shall be extended for a period of ten days after the reason for the inability to meet the deadline no longer exists.
2. The written notice should be submitted to the Assistant Dean for review. If the petition concerns a grade given by the Assistant Dean, or in the presence of other extraordinary circumstances that would make it inappropriate for the Assistant Dean to make the "sufficient grounds" decision, the written notice should be submitted to the Associate Dean of the Law School. The person to whom the petition is properly submitted will determine, after investigation, whether the petition states sufficient grounds to believe that a grade change may be warranted and to convene the Faculty Grade Review Committee. A decision by the appropriate person that the petition does not set forth sufficient grounds to review the allegedly unreasonable grade is final and may not be appealed in any fashion. If the person to whom the petition is properly submitted determines that there are sufficient grounds to convene the Faculty Grade Review Committee, that committee will review the grade.

3. The Faculty Grade Review Committee shall be composed of three non-degree program instructors who shall be appointed on an as needed basis. The faculty member issuing the grade over which the petition was filed shall not sit on that Faculty Grade Review Committee.
- B. Standards: There are two principal grounds for review of a grade:
1. Mathematical or computational error. This is a rare basis since the faculty member already has the authority to change a grade based on mathematical or computational error. Mathematic or computational error does not include an allegation of an error in evaluation.
  2. Arbitrary grade. If in the reviewer's judgment there has been a grade assignment that a reasonable faculty member could not justify under ANY reasonable standard, the grade is deemed to be arbitrary. There is an extremely strong presumption of validity of the assigned grade, and a grade is not arbitrary merely because different persons might evaluate the work differently. "Arbitrary" does include allegations that the grade bears no demonstrable relation to the quality of the work, that the grade was computed in a manner substantially different from that announced in the syllabus or during class, or that the grade was maliciously motivated by impermissible or illegal factors such as racism or sexism. In the case of a finding of departure from the manner of computation described in the syllabus, the normal disposition is to return the matter to the professor for grading in accordance with the standard promulgated.

Review of grades does not mean re-grading. Grades will not be reviewed merely because a student believes that his or her work should have been given a higher grade than it in fact was given. No two professors ever grade exactly alike, and differences in grading styles and results are not per se arbitrary.

There is no right of appeal from the decision of the Faculty Grade Review Committee.

### **Retaking an Examination/Major Project/Major Assignment**

If a student fails a **final exam**, the Assistant Dean of Graduate & Professional Law Programs may allow the student to retake the final exam. A student is permitted to retake only one failed final exam during the course of study in his/her program (Paralegal – 3 semesters, Summer Immersion – 14 weeks, LNC – 10 months, and LCP – 6 months). ***This policy applies only to final exams and does not apply to midterm exams.***

If the course does not use a final exam but has a major project and/or assignment, only one of these may be retaken if a student received a failing grade. The student must contact the Assistant Dean to schedule the make-up final exam/project/assignment. The make-up must be completed within two weeks of the original test date. The final exam/project/assignment re-take cannot interfere with a scheduled class or other scheduled exam.

***The grade on the second final examination/major project/assignment replaces the grade on the first final examination/major project/assignment. In courses utilizing exams, this rule only applies to final***

examination, and does not apply to papers, quizzes, mid-term exams or other projects.

### **Make-Up Examinations**

A student must receive permission from the Assistant Dean to make up a final exam/project or assignment. Instructors may not make other arrangements directly with the student. The Assistant Dean will coordinate with the student and instructor to determine a rescheduled date for the make-up exam/project/assignment.

***Note that this applies to exams/major project/major assignment only – this does not apply to in-class quizzes or in-class projects/assignments. Any student who misses an in-class quiz or assignment must appeal to the Assistant Dean who has the discretion to permit the make-up of such in-class quiz/assignment when extraordinary circumstances are involved. In class quizzes/assignments/group projects are exactly as stated IN- CLASS and may not be made up by the student missing the class session.*** Absent extraordinary circumstances, students must take the rescheduled exam within two weeks of the original exam date.

Absent extraordinary circumstances, a student should contact the Assistant Dean prior to the date of an examination to schedule the make-up examination.

### **Retaking a Course**

Students may retake only one required course or elective course that they have failed (received an “E”) during their program. Students must take and complete such course within one year of the date they were originally scheduled to graduate. The old grade and new grade will be averaged to calculate the new cumulative grade point average. Students must pay the tuition rate in effect at the time the student retakes any failed course.

If a student’s final cumulative grade point average is below a 2.0, and this status is not remedied by retaking a failed course, it is within the sole discretion of the Assistant Dean of Graduate & Professional Law Programs, in extreme circumstances of medical or hardship issues, within reason, to permit the student to take a course(s) in an attempt to obtain a 2.0 GPA for graduation. All such efforts must be completed within one year from the time of the student’s original graduation date. The Assistant Dean of Graduate & Professional Law Programs will consider such factors as: extenuating personal circumstances and whether those circumstances have changed; the distance between the current grade point average and a 2.0 grade point average; a review of the student’s work product; and input from adjunct faculty.

**IT SHOULD BE NOTED THAT THIS OPTION IS AVAILABLE ONLY IN EXTRAORDINARY CIRCUMSTANCES as it is generally enforced that students may not arbitrarily retake courses in an effort to obtain a 2.0 grade point average. Students in jeopardy of not maintaining a 2.0 grade point average during the program are notified and must meet with the Assistant Dean of Graduate & Professional Law Programs to address this issue.** There is no right of appeal from the Assistant Dean of Graduate & Professional Law Programs’ decision not to exercise this option.

## DISMISSAL AND READMISSION

### Readmission Policy

Readmission: A conditionally-admitted student must achieve a 2.3 grade point average or better upon completion of 9 credit hours (first semester) to continue to register for classes in the Paralegal Programs. All students must achieve a 2.0 grade point average or better to continue to register for classes in the Paralegal Programs. Any student whose grade point average is below that which is needed to continue in the Paralegal Programs will be administratively withdrawn from the program and will need to petition for permission to continue his or her studies. This petition will be reviewed by the Assistant Dean and/or the Dean of the Law School and a decision rendered. Any student below a 2.0 grade point average after attempting 2 semesters who is permitted to continue his or her studies is on probation and is not in good academic standing.

A. Petition for Readmission:

1. When a student is dismissed for failing to attain or to maintain the required 2.0 cumulative grade point average, he or she may file a petition for readmission.
2. The petitioner must convince the Honor Code Committee of the Advisory Board, the voting membership of which is comprised of two (2) Board members, and one (1) faculty member who does not sit on the Board (the Assistant Dean of Graduate & Professional Law Programs sits *ex officio* on the Committee), that the grades received by the dismissed student are not an adequate measure of the student's learning or performance. In particular, the petitioner must prove that:
  - a. the academic deficiency was the result of causes other than an inability to study in a graduate level program;
  - b. such causes were sufficiently substantial to cause poor academic performance;
  - c. such causes were beyond the petitioner's control, or were justifiable;
  - d. the causes for the academic deficiency have been fully or substantially resolved, and no longer exist; and
  - e. given one more semester in the Paralegal Programs, there is a reasonable possibility that the student will be able to attain the required cumulative grade point average.

3. Procedure for Petitions for Readmission

When a student is dismissed, the student is sent a letter that officially notifies the student of his or her dismissal. The letter of dismissal will advise the dismissed student of the privilege to file a petition for readmission within a certain number of calendar days. The Honor Code Committee of the Advisory Board then meets to discuss the petition for readmission. Petitioners do not appear nor do they have representatives appear on their behalf; other subjects of petition may include a request for extension of the time limitation within which the student must complete his or her degree. The Honor Code Committee of the Advisory Board, in its deliberation, considers whether the student has a realistic chance of achieving academic success upon readmission.

Factors to consider include, but are not limited to, the following:

- i. the grade point average at the time the student petitions, including the level of performance a student must maintain to raise the grade point average to 2.0;
- ii. reasons given in the student's petition for poor performance and other matters presented in the student's petition;
- iii. the student's credentials, both current and those upon initial enrollment;
- iv. comments and recommendations from members of the Honor Code Committee of the Advisory Board or other faculty members; and
- v. the student's level of motivation.

The Assistant Dean will promptly notify the petitioner in writing of the final decision of the Honor Code Committee of the Advisory Board.

B. Appeal Process for Readmission

Academic decisions made by the Honor Code Committee of the Advisory Board are final, except that the decision may be appealed, in writing, to the Law School Dean within 14 days of the notice of the decision being transmitted to the student. The review of the decision by the Dean is a limited appeal. The Dean will review the decision only to determine whether the Honor Code Committee violated its own procedures or another Law School or University policy and the student was prejudiced by such violation. If the Dean finds that the decision of the Honor Code Committee violated its own procedures or another Law School or University policy and finds that the student was prejudiced by such violation, the Dean may, at the Dean's discretion, remand the decision to the Honor Code Committee for action consistent with the Dean's determination, reverse or modify the decision, or make the appropriate referral of the matter to another appropriate Law School or University office. The Dean may confine the review to written materials submitted by the student and written materials submitted by the Honor Code Committee.

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## *LEGAL NURSE CONSULTANT PROGRAM POLICIES*

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### *GENERAL LEGAL NURSE CONSULTANT PROGRAM INFORMATION*

#### **LNC Program Goals and Objectives**

##### LNC Program Mission:

The mission of the Legal Nurse Consultant (“LNC”) Program is to prepare our students to use their medical expertise as part of a legal team in medical-related litigation cases. The LNC Program will educate students about the fundamentals of litigation, legal research and writing, and substantive areas of the law that relate to medical cases. The LNC Program also will enable students to evaluate, analyze, and render informed opinions about the delivery of health care, and outcomes of that delivery, within the legal structure.

##### LNC Program Objectives:

We are committed to preparing and equipping our students to meet the demands of the legal nurse consultant profession upon completion of this certificate program. The Legal Nurse Consultant Program at Capital University Law School places high expectations on students and faculty to meet the following objectives:

1. Teach students the fundamentals of foundational legal theories and principles in various medical-related areas of the law.
2. Require students to develop critical thinking and analytical skills necessary to adapt in a variety of medical-legal environments and to generate, support, and complete intended client outcomes.
3. Introduce students to the ethical standards and obligations imposed on all legal professionals, with specific emphasis on the standards and obligations imposed on the legal nurse consultant.
4. Familiarize students with information about the most current legal resources and law-related technology available to legal professionals.
5. Provide students with information about the legal nurse consultant profession and the role of LNCs in today’s complex litigation structure.
6. Prepare students to professionally communicate with strong written and verbal skills necessary to effectively convey to or obtain information from a myriad of audiences including attorneys, clients, and courts.
7. Familiarize students with the tools and knowledge necessary to create and sustain an effective legal nurse consulting business.

### LNC Program Student Learning Outcomes:

Upon completion of the LNC Program, students will be able to:

1. Define legal terminology in numerous areas of the law.
2. Identify major legal systems and functions of the law in American society.
3. Discuss ethical rules and considerations applicable to the legal profession and non-attorney professionals as these rules relate to medical cases.
4. Draft a variety of documents, including, without limitation, case briefs, pleadings, discovery requests, office memoranda, correspondence, medical records summaries, and legal forms.
5. Analyze applicable law as it relates to a variety of medical-related legal topics and client scenarios.
6. Apply legal research skills to support case law and statutory analysis, legal document preparation, and fact gathering in a variety of medical-related legal situations.
7. Demonstrate oral communication skills in a variety of professional settings.
8. Utilize technology resources for, among other things, medical research, compilation of medical data, and expert reports.
9. Analyze medical records in preparation for litigation.

#### **Unauthorized Practice of Law Statement**

Legal nurse consultants may not provide legal services directly to the public, except as permitted by law.

#### **Capital Email Accounts**

The program will communicate with students through email. You are responsible for information sent to your law.capital.edu account and should check it on a regular basis during each semester. You will also use the Capital username and password to access myCap and iLearn.

### **ADMISSIONS**

#### **Admission Prerequisites**

An applicant seeking admission into the Legal Nurse Consultant (LNC) Program must satisfy the following prerequisites:

- A. The applicant must have earned a bachelor's degree from a regionally accredited U.S. college or university, or approved university outside the United States. If the applicant earns a degree from a university or college outside the United States, the applicant must submit a certified WES evaluation that the applicant's education meets the bachelor's degree requirement.



B. An international applicant must provide a TOEFL (minimum of 600 PBT/100 IBT) or IELTS (minimum of 7.0) score, if English is not the applicant's native language.

### **Application Requirements**

Applicants in the Paralegal Program must satisfy the following application requirements:

- A. Complete an online application;
  - B. Answer objective, qualification, and career goal short essays (included in the application);
  - C. Submit a résumé;
  - D. Submit official transcripts from all post-secondary institutions; and
  - E. Provide two reference forms with letters of recommendation.
- F. Applicants for the LNC program must also provide (1) a valid RN license and (2) a statement that the applicant has a minimum of 5,000 hours of clinical experience. Students may also enter the program through the Bachelor of Science in Nursing (BSN) Completion program at Capital University's School of Nursing, and may use the LNC program as a minor while finishing their bachelor's degree. The Assistant Dean will also consider applicants with extensive clinical experience (at least 15 years) and at least 60 hours of college credit for a very limited number of program seats without admission into the BSN Completion program.

### **Official Transcripts**

Official transcripts must be sent directly to the Assistant Dean of Admission at [gradlaw@law.capital.edu](mailto:gradlaw@law.capital.edu) from the issuing institution, must bear an official stamp or seal of the issuing institution and must indicate the degree awarded, if any, by the issuing institution. Transcripts for Capital University Law School alumni and current students can come directly from the Office of Records and Registration to the Assistant Dean of Admission.

### **Admission Process**

- A. Admission decisions are made by the Assistant Dean on a rolling basis upon completion of an application file. New evening students are admitted into the spring semesters.
- B. The admission decision is made based on a number of factors including, without limitation, the applicant's (1) undergraduate academic record; (2) work experience; (3) career goals; (4) post-baccalaureate records, and (5) other information the applicant deems necessary to support their application.
- C. Applicants accepted into the LNC program will receive an acceptance letter by email along with information about next steps, orientation, and the start of classes.

## Conditional Admission

If a LNC applicant has an undergraduate grade point average below 2.7, the Assistant Dean may conditionally admit the applicant into the program. The Assistant Dean may consider, among other things, the following factors:

- Explanation for grades earned in the undergraduate degree and how circumstances have changed;
- Work experience and length of time out of school; and
- References.

If the applicant is admitted on a conditional basis, she or he must receive a grade point average of 2.3 or higher in the first semester of the Paralegal program. If the student receives a grade point average of less than 2.3 in the first semester of classes, the Assistant Dean may academically withdraw the student from the Paralegal program.

## Transfer of Credits

A student in good standing who is or has attended a post-baccalaureate paralegal program at a regionally-accredited institution and that is approved by the American Bar Association may apply to transfer to Capital's LNC program. Any transfer student must adhere to the admission requirements for all students.

The LNC Program will accept credit for courses in which the student has received a minimum grade of "C." The transferred credits shall be awarded as K credit and will not be computed into the student's cumulative grade point average. Transfer students must also provide a syllabus for those courses she or he seeks to transfer credit. The Assistant Dean will determine whether the course in question is comparable to the course offered in the LNC Program. The Assistant Dean may request additional documentation to make this determination. **A maximum of 6 credit hours from an ABA-approved program may be allowed as transfer credits into the LNC Program.**

## *PROGRAM REQUIREMENTS*

### Certificate Requirements

LNC students must successfully complete 20 credit hours of required coursework for the program within a period of 1.5 years from the date of matriculation. The Assistant Dean may extend the 1.5 year limit in extenuating circumstances.

Students in the LNC Program must complete 10 one-month modules. Each module includes a monthly onsite weekend of classroom instruction (20 classroom hours) and distance learning (8 hours of synchronous and asynchronous learning) for the remainder of the monthly module. Modules are offered the second weekend of the month, beginning in January and ending in October. The onsite weekend classroom instruction occurs on Friday evenings from 6:00 to 10:00 p.m., and Saturday and Sunday from 9:00 a.m. until 6:00 p.m. Students are required to complete 20 semester credit hours (10 semester modules plus a 2-hour orientation) to graduate, and may take additional elective courses at the one-half the current credit hour rate. In order to successfully complete a semester module, the student must have completed all assignments, quizzes, exams, projects, discussion sessions, and have attend the 20 live

hours with no more than a 25% excused absence rate (5 hours) per module. If a student fails to attend 75% (15 hours) of a module the Assistant Dean of Graduate & Professional Law Programs may academically withdraw the student from the module. The student would need to repeat that module next time it is offered. A detailed schedule of the weekend onsite classes and conference calls will be distributed at orientation.

## **Graduation Requirements**

### **A. Graduation Eligibility**

To be eligible for graduation, students must be in academic good standing and pass each of the required courses to satisfy the graduation requirement even if the student's cumulative grade point average is 2.0 or better. A student receiving an "E" (failing grade) in any required course must repeat the course to graduate.

### **B. Course Requirements**

A LNC student must successfully complete and received a grade of "D" or better to earn credit in all required courses (20 credit hours) before receiving a professional certificate. A LNC student must pass each of the required courses to be eligible for graduation even if the student's cumulative GPA is 2.0 or better. A student receiving an "E" (failing grade) in any required course will need to repeat the course.

### **C. Graduation Ceremony**

A student who does not successfully complete one or more of the required courses may participate in the graduation ceremony with a graduating cohort but will NOT receive a signed certificate until the students meets all graduation requirements. That student may return in a later semester to retake the failed course(s) and must provide email notice to the Assistant Dean indicating the intent to exercise this option. Upon satisfactory completion of the course(s), and provided the student has the required 2.0 GPA, the Dean of the Law School and the Assistant Dean will award the student a signed certificate.

If a student fails more than one course (after utilizing his or her re-take option), the Assistant Dean will meet with that student to determine whether the student may continue the program.

Unless otherwise excused by the Assistant Dean of Graduate & Professional Law Programs, each graduating student must participate in a mandatory pre-graduation Focus Group.

## **Electives**

The LNC Program does not offer any electives.

## **Attendance**

In order to successfully complete a monthly module, the student may not miss more than 5 hours (per module) of each module's 20 hours of on-site instruction. Any student failing to attend 75% (15 hours) of a monthly module may be academically withdrawn and have to repeat that module. In addition, a student must also complete all online assignments, class telephone conference calls, and discussion board sessions. Students will receive a detailed schedule of on-site instruction dates and conference call dates

at orientation.

There is no distinction between excused and unexcused absences when making a determination of how many hours a student has missed a class. If a student misses more than the allowed class hours of absences, the Associate Dean may academically dismiss the student from that course. The student must repeat the course the next semester it is offered.

### **Withdrawal from Program or a Class**

#### **A. Program Withdrawal**

The Assistant Dean must approve a student's request to withdraw from the LNC Program. The request must be in writing (email is sufficient) to the Assistant Dean. The Assistant Dean will submit an "Assistant Dean's Action" form and provide it to the Office of Records and Registration. The Registrar will not process an official withdrawal for any student who is not current in his or her financial obligations to the University.

Upon official withdrawal (and if after the first class session), the Office of Records & Registration will note the grade of "W" on the student's transcript for classes in the semester of the student's withdrawal.

The Assistant Dean will administratively withdraw any student who stops attending classes without an approved leave of absence. The student will receive an "E" in all courses in which they are currently registered. An "E" constitutes failure of the course.

A student may request to withdraw from the LNC Program at any time following the procedures outlined in this section. The Assistant Dean will not approval any request to withdraw after the last day of classes.

#### **B. Course Withdrawal**

A student may request to withdraw from a course (other than complete withdrawal from the program) until two weeks before the end of classes. The Assistant Dean will not approve a course withdrawal request after 60% of the coursework is meant to be completed in the course.

The Assistant Dean may academically withdraw a student from any course where the student has missed more than 25% of class content/sessions for any reason (including for medical reasons). The student will receive a "W" on their transcript for the course. The student will need to retake the course(s) in its entirety the next time offered.

Students should always consult Financial Aid ([financialaid@law.capital.edu](mailto:financialaid@law.capital.edu)) for questions about the impact of program or course withdrawal on financial aid awards and limits.

## ACADEMICS

### Grading and Academic Good Standing

#### A. LNC Grading Scale

LNC students will receive grades based on the following scale:

A	= 93-100
A-	= 90-92.99
B+	= 87-89.99
B	= 83-86.99
B-	= 80-82.99
C+	= 77-79.99
C	= 73-76.99
C-	= 70-72.00
D	= 60-69.99
E	= 59.99 or below

#### B. Honors

Students receiving a 3.75 or higher will graduate with a “highest honors” designation. Students graduating with a 3.5 to 3.74 will graduate with an “honors” designation. This determination is made after a student completes the necessary credit hours to graduate.

#### C. Good Standing

A LNC student must maintain a minimum cumulative grade point average of 2.0 to be in academic good standing. Credit hours are earned only for courses in which the student receives a grade of “D” or higher.

#### D. Dismissal

A LNC student who has a cumulative grade point average below 2.0 in any semester, may be academically dismissed from the program.

#### E. Grading Generally

Letter grades are given in all courses and students are required to successfully complete a variety of assignments, projects, and exam(s) to achieve a passing grade. Each course syllabus will detail the requirements for that particular course. Attendance and participation usually contribute to a student’s grade, as well.

Students are evaluated through a variety of means including projects, assignments, papers, quizzes, individual presentations, class participation, iLearn discussions, and examinations. Faculty will provide students with the means of evaluating student performance at the beginning of class and on their course syllabus.

If grades are to be lowered for absences or lack of preparation (which some professors consider being a constructive absence), then the syllabus should specifically indicate the maximum number of permitted instances of class absence or lack of preparation, and the consequences of the student's failure to comply. The instructor should provide the students with his/her policy regarding assignments that are turned in late. Instructors also should indicate whether participation will be factored into the grade. *(Please see Attendance section of this policy.)*

The instructor of a regular class has the option to have a closed-book in-class exam, an open-book in-class exam, a closed book take-home exam, an open-book take-home exam, a paper, or any combination of these. Instructors of skills training or practicum courses may not give final examinations, but instead rely on a number of papers, projects and activities that are individually graded; all individual grades are then averaged on a basis determined by the instructor. The instructor is strongly encouraged to provide the students with a clear delineation of how assignments/examinations are weighted.

**Please note: if a student has a question or concern regarding how they are to be evaluated in a class, it is the student's responsibility to seek clarification of the evaluation system prior to the end of the class.**

#### **Administrative and Faculty Review of Unreasonable Grades**

##### **A. Procedure**

1. When a student believes that he or she has received a grade that no reasonable faculty member could justify under any reasonable standard, that student may, within 30 days of receipt of the grade, file a written notice (email is sufficient) to have the allegedly unreasonable grade reviewed. Students who are academically dismissed must file the written notice within ten days after the date of mailing of his or her formal notice of dismissal. If, through no fault of the student, the student is prevented from meeting the deadline, the deadline shall be extended for a period of ten days after the reason for the inability to meet the deadline no longer exists.
2. The written notice should be submitted to the Assistant Dean for review. If the petition concerns a grade given by the Assistant Dean, or in the presence of other extraordinary circumstances that would make it inappropriate for the Assistant Dean to make the "sufficient grounds" decision, the written notice should be submitted to the Associate Dean of the Law School. The person to whom the petition is properly submitted will determine, after investigation, whether the petition states sufficient grounds to believe that a grade change may be warranted and to convene the Faculty Grade Review Committee. A decision by the appropriate person that the petition does not set forth sufficient grounds to review the allegedly unreasonable grade is final and may not be appealed in any fashion. If the person to whom the petition is properly submitted determines that there are sufficient grounds to convene the Faculty Grade Review Committee, that committee will review the grade.
3. The Faculty Grade Review Committee shall be composed of three non-degree program instructors who shall be appointed on an as needed basis. The faculty member issuing the grade over which the petition was filed shall not sit on that Faculty Grade Review Committee.

B. Standards: There are two principal grounds for review of a grade:

1. Mathematical or computational error. This is a rare basis since the faculty member already has the authority to change a grade based on mathematical or computational error. Mathematic or computational error does not include an allegation of an error in evaluation.
2. Arbitrary grade. If in the reviewer's judgment there has been a grade assignment that a reasonable faculty member could not justify under ANY reasonable standard, the grade is deemed to be arbitrary. There is an extremely strong presumption of validity of the assigned grade, and a grade is not arbitrary merely because different persons might evaluate the work differently. "Arbitrary" does include allegations that the grade bears no demonstrable relation to the quality of the work, that the grade was computed in a manner substantially different from that announced in the syllabus or during class, or that the grade was maliciously motivated by impermissible or illegal factors such as racism or sexism. In the case of a finding of departure from the manner of computation described in the syllabus, the normal disposition is to return the matter to the professor for grading in accordance with the standard promulgated.

Review of grades does not mean re-grading. Grades will not be reviewed merely because a student believes that his or her work should have been given a higher grade than it in fact was given. No two professors ever grade exactly alike, and differences in grading styles and results are not per se arbitrary.

There is no right of appeal from the decision of the Faculty Grade Review Committee.

### **Retaking an Examination/Major Project/Major Assignment**

If a student fails a **final exam**, the Assistant Dean of Graduate & Professional Law Programs may allow the student to retake the final exam. A student is permitted to retake only one failed final exam during the course of study in his/her program (Paralegal – 3 semesters, Summer Immersion – 14 weeks, LNC – 10 months, and LCP – 6 months). ***This policy applies only to final exams and does not apply to midterm exams.***

If the course does not use a final exam but has a major project and/or assignment, only one of these may be retaken if a student received a failing grade. The student must contact the Assistant Dean to schedule the make-up final exam/project/assignment. The make-up must be completed within two weeks of the original test date. The final exam/project/assignment re-take cannot interfere with a scheduled class or other scheduled exam.

***The grade on the second final examination/major project/assignment replaces the grade on the first final examination/major project/assignment. In courses utilizing exams, this rule only applies to final examination, and does not apply to papers, quizzes, mid-term exams or other projects.***

### **Make-Up Examinations**

A student must receive permission from the Assistant Dean to make up a final exam/project or

assignment. Instructors may not make other arrangements directly with the student. The Assistant Dean will coordinate with the student and instructor to determine a rescheduled date for the make-up exam/project/assignment.

***Note that this applies to exams/major project/major assignment only – this does not apply to in-class quizzes or in-class projects/assignments. Any student who misses an in-class quiz or assignment must appeal to the Assistant Dean who has the discretion to permit the make-up of such in-class quiz/assignment when extraordinary circumstances are involved. In class quizzes/assignments/group projects are exactly as stated IN- CLASS and may not be made up by the student missing the class session.*** Absent extraordinary circumstances, students must take the rescheduled exam within two weeks of the original exam date.

Absent extraordinary circumstances, a student should contact the Assistant Dean prior to the date of an examination to schedule the make-up examination.

### **Retaking a Course**

Students may **retake only one required course or elective course that they have failed (received an “E”) during their program.** Students must take and complete such course within one year of the date they were originally scheduled to graduate. The old grade and new grade will be averaged to calculate the new cumulative grade point average. Students must pay the tuition rate in effect at the time the student retakes any failed course.

If a student’s final cumulative grade point average is below a 2.0, and this status is not remedied by retaking a failed course, it is within the sole discretion of the Assistant Dean of Graduate & Professional Law Programs, in extreme circumstances of medical or hardship issues, within reason, to permit the student to take a course(s) in an attempt to obtain a 2.0 GPA for graduation. All such efforts must be completed within one year from the time of the student’s original graduation date. The Assistant Dean of Graduate & Professional Law Programs will consider such factors as: extenuating personal circumstances and whether those circumstances have changed; the distance between the current grade point average and a 2.0 grade point average; a review of the student’s work product; and input from adjunct faculty.

**IT SHOULD BE NOTED THAT THIS OPTION IS AVAILABLE ONLY IN EXTRAORDINARY CIRCUMSTANCES as it is generally enforced that students may not arbitrarily retake courses in an effort to obtain a 2.0 grade point average. Students in jeopardy of not maintaining a 2.0 grade point average during the program are notified and must meet with the Assistant Dean of Graduate & Professional Law Programs to address this issue.** There is no right of appeal from the Assistant Dean of Graduate & Professional Law Programs’ decision not to exercise this option.

## **DISMISSAL AND READMISSION**

### **Readmission Policy**

Readmission: A conditionally-admitted student must achieve a 2.3 grade point average or better upon completion of 6 credit hours (first semester) to continue to register for classes in the LNC Program. All students must achieve a 2.0 grade point average or better to continue to register for classes in the Paralegal Programs. Any student whose grade point average is below that which is needed to continue in



the LNC Program will be administratively withdrawn from the program and will need to petition for permission to continue his or her studies. This petition will be reviewed by the Assistant Dean and/or the Dean of the Law School and a decision rendered. Any student below a 2.0 grade point average after attempting 2 semesters who is permitted to continue his or her studies is on probation and is not in good academic standing.

A. Petition for Readmission:

1. When a student is dismissed for failing to attain or to maintain the required 2.0 cumulative grade point average, he or she may file a petition for readmission.
2. The petitioner must convince the Honor Code Committee of the Advisory Board, the voting membership of which is comprised of two (2) Board members, and one (1) faculty member who does not sit on the Board (the Assistant Dean of Graduate & Professional Law Programs sits *ex officio* on the Committee), that the grades received by the dismissed student are not an adequate measure of the student's learning or performance. In particular, the petitioner must prove that:
  - a. the academic deficiency was the result of causes other than an inability to study in a graduate level program;
  - b. such causes were sufficiently substantial to cause poor academic performance;
  - c. such causes were beyond the petitioner's control, or were justifiable;
  - d. the causes for the academic deficiency have been fully or substantially resolved, and no longer exist; and
  - e. given one more semester in the Paralegal Programs, there is a reasonable possibility that the student will be able to attain the required cumulative grade point average.

3. Procedure for Petitions for Readmission

When a student is dismissed, the student is sent a letter that officially notifies the student of his or her dismissal. The letter of dismissal will advise the dismissed student of the privilege to file a petition for readmission within a certain number of calendar days. The Honor Code Committee of the Advisory Board then meets to discuss the petition for readmission. Petitioners do not appear nor do they have representatives appear on their behalf; other subjects of petition may include a request for extension of the time limitation within which the student must complete his or her degree. The Honor Code Committee of the Advisory Board, in its deliberation, considers whether the student has a realistic chance of achieving academic success upon readmission. Factors to consider include, but are not limited to, the following:

- i. the grade point average at the time the student petitions, including the level of performance a student must maintain to raise the grade point average to 2.0;
- ii. reasons given in the student's petition for poor performance and other matters presented in the student's petition;

- iii. the student's credentials, both current and those upon initial enrollment;
- iv. comments and recommendations from members of the Honor Code Committee of the Advisory Board or other faculty members; and
- v. the student's level of motivation.

The Assistant Dean will promptly notify the petitioner in writing of the final decision of the Honor Code Committee of the Advisory Board.

B. Appeal Process for Readmission

Academic decisions made by the Honor Code Committee of the Advisory Board are final, except that the decision may be appealed, in writing, to the Law School Dean within 14 days of the notice of the decision being transmitted to the student. The review of the decision by the Dean is a limited appeal. The Dean will review the decision only to determine whether the Honor Code Committee violated its own procedures or another Law School or University policy and the student was prejudiced by such violation. If the Dean finds that the decision of the Honor Code Committee violated its own procedures or another Law School or University policy and finds that the student was prejudiced by such violation, the Dean may, at the Dean's discretion, remand the decision to the Honor Code Committee for action consistent with the Dean's determination, reverse or modify the decision, or make the appropriate referral of the matter to another appropriate Law School or University office. The Dean may confine the review to written materials submitted by the student and written materials submitted by the Honor Code Committee.

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## *LIFE CARE PLANNER PROGRAM POLICIES*

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### **GENERAL LIFE CARE PLANNER PROGRAM INFORMATION**

The Life Care Planner Program at Capital University Law School provides more than 200 hours of education training and exceeds the 120 hours of training required to qualify as a candidate for the ICHCC's certification exam. The program offers a combination of synchronous and asynchronous learning methods. To receive a professional certificate, LCP students must complete 16 credits hours (graduate level) by successfully completing 8 one-month modules. The program begins a new cohort on February 1 of each year.

#### **Capital Email Accounts**

The program will communicate with students through email. You are responsible for information sent to your law.capital.edu account and should check it on a regular basis during each semester. You will also use the Capital username and password to access myCap and iLearn.

### **ADMISSIONS**

#### **Admission Prerequisites**

An applicant seeking admission into the Life Care Planner (LCP) Program must satisfy the following prerequisites:

- A. The applicant must have earned a bachelor's degree from a regionally accredited U.S. college or university, or approved university outside the United States. If the applicant earns a degree from a university or college outside the United States, the applicant must submit a certified WES evaluation that the applicant's education meets the bachelor's degree requirement.
- B. An international applicant must provide a TOEFL (minimum of 600 PBT/100 IBT) or IELTS (minimum of 7.0) score, if English is not the applicant's native language.

#### **Application Requirements**

Applicants in the LCP Program must satisfy the following application requirements:

- A. Complete an online application;
- B. Answer objective, qualification, and career goal short essays (included in the application);
- C. Submit a résumé;
- D. Submit official transcripts from all post-secondary institutions; and
- E. Provide two reference forms with letters of recommendation.

F. Admission Requirements for Registered Nurses:

1. Bachelor's degree from an accredited four-year institution;
2. Valid R.N. license; and
3. 5000 hours of clinical experience, preferably in a relevant area.

Admission Requirements for non-R.N. Rehabilitation or Other Related Professionals:

1. Bachelor's degree in their field from an accredited four-year institution;
2. Rehabilitation certification such as CRC, CDMS, COHN, CPRN, ABVE, LPT, OTL, LPC, etc., or appropriate licensure or certification in a related field (e.g., social work, physical therapy, etc.); and
3. A minimum of 3 – 5 years of rehabilitation work experience.

### **Official Transcripts**

Official transcripts must be sent directly to the Assistant Dean of Admission at [gradlaw@law.capital.edu](mailto:gradlaw@law.capital.edu) from the issuing institution, must bear an official stamp or seal of the issuing institution and must indicate the degree awarded, if any, by the issuing institution. Transcripts for Capital University Law School alumni and current students can come directly from the Office of Records and Registration to the Assistant Dean of Admission.

### **Admission Process**

- A. Admission decisions are made by the Assistant Dean on a rolling basis upon completion of an application file. New evening students are admitted into the spring semesters.
- B. The admission decision is made based on a number of factors including, without limitation, the applicant's (1) undergraduate academic record; (2) work experience; (3) career goals; (4) post-baccalaureate records, and (5) other information the applicant deems necessary to support their application.
- C. Applicants accepted into the LCP program will receive an acceptance letter by email along with information about next steps, orientation, and the start of classes.

## **PROGRAM REQUIREMENTS**

### **Certificate Requirements**

LCP students must successfully complete 16 credit hours of required coursework for the program within a period of 1.5 years from the date of matriculation. The Assistant Dean may extend the 1.5 year limit in extenuating circumstances.

Students in the LCP Program must complete 8 one-month modules. Modules 1 – 7 include a combination of synchronous and asynchronous learning. Module 8 consists of online learning and an onsite component at the Law School in Columbus, Ohio. Students must participate in a minimum of 6 conference

calls schedule in each monthly module (except the onsite module).

## **Graduation Requirements**

### **A. Graduation Eligibility**

To be eligible for graduation, students must be in academic good standing and pass each of the required courses to satisfy the graduation requirement even if the student's cumulative grade point average is 2.0 or better. A student receiving an "E" (failing grade) in any required course must repeat the course to graduate.

### **B. Course Requirements**

A LCP student must successfully complete and received a grade of "D" or better to earn credit in all required courses (20 credit hours) before receiving a professional certificate. A LCP student must pass each of the required courses to be eligible for graduation even if the student's cumulative GPA is 2.0 or better. A student receiving an "E" (failing grade) in any required course will need to repeat the course.

### **C. Graduation Ceremony**

A student who does not successfully complete one or more of the required courses may participate in the graduation ceremony with a graduating cohort but will NOT receive a signed certificate until the students meets all graduation requirements. That student may return in a later cohort to retake the failed course(s) and must provide email notice to the Assistant Dean indicating the intent to exercise this option. Upon satisfactory completion of the course(s), and provided the student has the required 2.0 GPA, the Dean of the Law School and the Assistant Dean will award the student a signed certificate.

If a student fails more than one course (after utilizing his or her re-take option), the Assistant Dean will meet with that student to determine whether the student may continue the program.

Unless otherwise excused by the Assistant Dean of Graduate & Professional Law Programs, each graduating student must participate in a mandatory pre-graduation Focus Group.

## **Electives**

The LCP Program does not offer any electives.

## **Attendance**

In order to successfully complete a monthly module, the student may not miss more than 2 conferences in each module. Any student failing to attend 6 of 8 conferences in any monthly module may be academically withdrawn and have to repeat that module. In addition, a student must also complete all online assignments, class conference calls, and discussion board sessions. Students will receive a detailed schedule of conference call dates and the onsite schedule at orientation.

There is no distinction between excused and unexcused absences when making a determination of how many hours a student has missed a class. If a student misses more than the allowed class hours of

absences, the Associate Dean may academically dismiss the student from that course. The student must repeat the course the next cohort it is offered.

### **Withdrawal from Program or a Class**

#### **A. Program Withdrawal**

The Assistant Dean must approve a student's request to withdraw from the LCP Program. The request must be in writing (email is sufficient) to the Assistant Dean. The Assistant Dean will submit an "Assistant Dean's Action" form and provide it to the Office of Records and Registration. The Registrar will not process an official withdrawal for any student who is not current in his or her financial obligations to the University.

Upon official withdrawal (and if after the first class session), the Office of Records & Registration will note the grade of "W" on the student's transcript for classes in the semester of the student's withdrawal.

The Assistant Dean will administratively withdraw any student who stops attending classes without an approved leave of absence. The student will receive an "E" in all courses in which they are currently registered. An "E" constitutes failure of the course.

A student may request to withdraw from the LCP Program at any time following the procedures outlined in this section. The Assistant Dean will not approval any request to withdraw after the last day of classes.

#### **B. Course Withdrawal**

A student may request to withdraw from a course (other than complete withdrawal from the program) until two weeks before the end of classes. The Assistant Dean will not approve a course withdrawal request after 60% of the coursework is meant to be completed in the course.

The Assistant Dean may academically withdraw a student from any course where the student has missed more than 25% of class content/sessions for any reason (including for medical reasons). The student will receive a "W" on their transcript for the course. The student will need to retake the course(s) in its entirety the next time offered.

## **ACADEMICS**

### **Grading and Academic Good Standing**

#### **A. LCP Grading Scale**

LCP students will receive grades based on the following scale:

A	= 93-100
A-	= 90-92.99
B+	= 87-89.99
B	= 83-86.99

B-	= 80-82.99
C+	= 77-79.99
C	= 73-76.99
C-	= 70-72.00
D	= 60-69.99
E	= 59.99 or below

#### B. Honors

Students receiving a 3.75 or higher will graduate with a “highest honors” designation. Students graduating with a 3.5 to 3.74 will graduate with an “honors” designation. This determination is made after a student completes the necessary credit hours to graduate.

#### C. Good Standing

A LCP student must maintain a minimum cumulative grade point average of 2.0 to be in academic good standing. Credit hours are earned only for courses in which the student receives a grade of “D” or higher.

#### D. Dismissal

A LCP student who has a cumulative grade point average below 2.0 in any semester, may be academically dismissed from the program.

#### E. Grading Generally

Letter grades are given in all courses and students are required to successfully complete a variety of assignments, projects, and exam(s) to achieve a passing grade. Each course syllabus will detail the requirements for that particular course. Attendance and participation usually contribute to a student’s grade, as well.

Students are evaluated through a variety of means including projects, assignments, papers, quizzes, individual presentations, class participation, iLearn discussions, and examinations. Faculty will provide students with the means of evaluating student performance at the beginning of class and on their course syllabus.

If grades are to be lowered for absences or lack of preparation (which some professors consider being a constructive absence), then the syllabus should specifically indicate the maximum number of permitted instances of class absence or lack of preparation, and the consequences of the student’s failure to comply. The instructor should provide the students with his/her policy regarding assignments that are turned in late. Instructors also should indicate whether participation will be factored into the grade. *(Please see Attendance section of this policy.)*

The instructor of a regular class has the option to have a closed-book in-class exam, an open-book in-class exam, a closed book take-home exam, an open-book take-home exam, a paper, or any combination of these. Instructors of skills training or practicum courses may not give final examinations, but instead rely on a number of papers, projects and activities that are individually graded; all individual grades are then

averaged on a basis determined by the instructor. The instructor is strongly encouraged to provide the students with a clear delineation of how assignments/examinations are weighted.

**Please note: if a student has a question or concern regarding how they are to be evaluated in a class, it is the student's responsibility to seek clarification of the evaluation system prior to the end of the class.**

### **Administrative and Faculty Review of Unreasonable Grades**

#### B. Procedure

1. When a student believes that he or she has received a grade that no reasonable faculty member could justify under any reasonable standard, that student may, within 30 days of receipt of the grade, file a written notice (email is sufficient) to have the allegedly unreasonable grade reviewed. Students who are academically dismissed must file the written notice within ten days after the date of mailing of his or her formal notice of dismissal. If, through no fault of the student, the student is prevented from meeting the deadline, the deadline shall be extended for a period of ten days after the reason for the inability to meet the deadline no longer exists.
2. The written notice should be submitted to the Assistant Dean for review. If the petition concerns a grade given by the Assistant Dean, or in the presence of other extraordinary circumstances that would make it inappropriate for the Assistant Dean to make the "sufficient grounds" decision, the written notice should be submitted to the Associate Dean of the Law School. The person to whom the petition is properly submitted will determine, after investigation, whether the petition states sufficient grounds to believe that a grade change may be warranted and to convene the Faculty Grade Review Committee. A decision by the appropriate person that the petition does not set forth sufficient grounds to review the allegedly unreasonable grade is final and may not be appealed in any fashion. If the person to whom the petition is properly submitted determines that there are sufficient grounds to convene the Faculty Grade Review Committee, that committee will review the grade.
3. The Faculty Grade Review Committee shall be composed of three non-degree program instructors who shall be appointed on an as needed basis. The faculty member issuing the grade over which the petition was filed shall not sit on that Faculty Grade Review Committee.

#### B. Standards: There are two principal grounds for review of a grade:

1. Mathematical or computational error. This is a rare basis since the faculty member already has the authority to change a grade based on mathematical or computational error. Mathematic or computational error does not include an allegation of an error in evaluation.
2. Arbitrary grade. If in the reviewer's judgment there has been a grade assignment that a reasonable faculty member could not justify under ANY reasonable standard, the grade is deemed to be arbitrary. There is an extremely strong presumption of validity of the



assigned grade, and a grade is not arbitrary merely because different persons might evaluate the work differently. "Arbitrary" does include allegations that the grade bears no demonstrable relation to the quality of the work, that the grade was computed in a manner substantially different from that announced in the syllabus or during class, or that the grade was maliciously motivated by impermissible or illegal factors such as racism or sexism. In the case of a finding of departure from the manner of computation described in the syllabus, the normal disposition is to return the matter to the professor for grading in accordance with the standard promulgated.

Review of grades does not mean re-grading. Grades will not be reviewed merely because a student believes that his or her work should have been given a higher grade than it in fact was given. No two professors ever grade exactly alike, and differences in grading styles and results are not per se arbitrary.

There is no right of appeal from the decision of the Faculty Grade Review Committee.

### **Retaking an Examination/Major Project/Major Assignment**

If a student fails a **final exam**, the Assistant Dean of Graduate & Professional Law Programs may allow the student to retake the final exam. A student is permitted to retake only one failed final exam during the course of study in his/her program (Paralegal – 3 semesters, Summer Immersion – 14 weeks, LNC – 10 months, and LCP – 6 months). ***This policy applies only to final exams and does not apply to midterm exams.***

If the course does not use a final exam but has a major project and/or assignment, only one of these may be retaken if a student received a failing grade. The student must contact the Assistant Dean to schedule the make-up final exam/project/assignment. The make-up must be completed within two weeks of the original test date. The final exam/project/assignment re-take cannot interfere with a scheduled class or other scheduled exam.

***The grade on the second final examination/major project/assignment replaces the grade on the first final examination/major project/assignment. In courses utilizing exams, this rule only applies to final examination, and does not apply to papers, quizzes, mid-term exams or other projects.***

### **Make-Up Examinations**

A student must receive permission from the Assistant Dean to make up a final exam/project or assignment. Instructors may not make other arrangements directly with the student. The Assistant Dean will coordinate with the student and instructor to determine a rescheduled date for the make-up exam/project/assignment.

***Note that this applies to exams/major project/major assignment only – this does not apply to in-class quizzes or in-class projects/assignments. Any student who misses an in-class quiz or assignment must appeal to the Assistant Dean who has the discretion to permit the make-up of such in-class quiz/assignment when extraordinary circumstances are involved. In class quizzes/assignments/group projects are exactly as stated IN- CLASS and may not be made up by the student missing the class session.*** Absent extraordinary circumstances, students must take the rescheduled exam within two weeks of the original exam date.

Absent extraordinary circumstances, a student should contact the Assistant Dean prior to the date of an examination to schedule the make-up examination.

### **Retaking a Course**

Students may **retake only one required course or elective course that they have failed (received an “E”) during their program.** Students must take and complete such course within one year of the date they were originally scheduled to graduate. The old grade and new grade will be averaged to calculate the new cumulative grade point average. Students must pay the tuition rate in effect at the time the student retakes any failed course.

If a student’s final cumulative grade point average is below a 2.0, and this status is not remedied by retaking a failed course, it is within the sole discretion of the Assistant Dean of Graduate & Professional Law Programs, in extreme circumstances of medical or hardship issues, within reason, to permit the student to take a course(s) in an attempt to obtain a 2.0 GPA for graduation. All such efforts must be completed within one year from the time of the student’s original graduation date. The Assistant Dean of Graduate & Professional Law Programs will consider such factors as: extenuating personal circumstances and whether those circumstances have changed; the distance between the current grade point average and a 2.0 grade point average; a review of the student’s work product; and input from adjunct faculty.

**IT SHOULD BE NOTED THAT THIS OPTION IS AVAILABLE ONLY IN EXTRAORDINARY CIRCUMSTANCES as it is generally enforced that students may not arbitrarily retake courses in an effort to obtain a 2.0 grade point average. Students in jeopardy of not maintaining a 2.0 grade point average during the program are notified and must meet with the Assistant Dean of Graduate & Professional Law Programs to address this issue.** There is no right of appeal from the Assistant Dean of Graduate & Professional Law Programs’ decision not to exercise this option.

### ***DISMISSAL AND READMISSION***

#### **Readmission Policy**

Readmission: A conditionally-admitted student must achieve a 2.3 grade point average or better upon completion of 6 credit hours (first semester) to continue to register for classes in the LNC Program. All students must achieve a 2.0 grade point average or better to continue to register for classes in the Paralegal Programs. Any student whose grade point average is below that which is needed to continue in the LNC Program will be administratively withdrawn from the program and will need to petition for permission to continue his or her studies. This petition will be reviewed by the Assistant Dean and/or the Dean of the Law School and a decision rendered. Any student below a 2.0 grade point average after attempting 2 semesters who is permitted to continue his or her studies is on probation and is not in good academic standing.

A. Petition for Readmission:

1. When a student is dismissed for failing to attain or to maintain the required 2.0 cumulative grade point average, he or she may file a petition for readmission.
2. The petitioner must convince the Honor Code Committee of the Advisory Board, the voting

membership of which is comprised of two (2) Board members, and one (1) faculty member who does not sit on the Board (the Assistant Dean of Graduate & Professional Law Programs sits *ex officio* on the Committee), that the grades received by the dismissed student are not an adequate measure of the student's learning or performance. In particular, the petitioner must prove that:

- a. the academic deficiency was the result of causes other than an inability to study in a graduate level program;
- b. such causes were sufficiently substantial to cause poor academic performance;
- c. such causes were beyond the petitioner's control, or were justifiable;
- d. the causes for the academic deficiency have been fully or substantially resolved, and no longer exist; and
- e. given one more semester in the Paralegal Programs, there is a reasonable possibility that the student will be able to attain the required cumulative grade point average.

3. Procedure for Petitions for Readmission

When a student is dismissed, the student is sent a letter that officially notifies the student of his or her dismissal. The letter of dismissal will advise the dismissed student of the privilege to file a petition for readmission within a certain number of calendar days. The Honor Code Committee of the Advisory Board then meets to discuss the petition for readmission. Petitioners do not appear nor do they have representatives appear on their behalf; other subjects of petition may include a request for extension of the time limitation within which the student must complete his or her degree. The Honor Code Committee of the Advisory Board, in its deliberation, considers whether the student has a realistic chance of achieving academic success upon readmission. Factors to consider include, but are not limited to, the following:

- i. the grade point average at the time the student petitions, including the level of performance a student must maintain to raise the grade point average to 2.0;
- ii. reasons given in the student's petition for poor performance and other matters presented in the student's petition;
- iii. the student's credentials, both current and those upon initial enrollment;
- iv. comments and recommendations from members of the Honor Code Committee of the Advisory Board or other faculty members; and
- v. the student's level of motivation.

The Assistant Dean will promptly notify the petitioner in writing of the final decision of the Honor Code Committee of the Advisory Board.

B. Appeal Process for Readmission

Academic decisions made by the Honor Code Committee of the Advisory Board are final, except that the decision may be appealed, in writing, to the Law School Dean within 14 days of the notice of the decision being transmitted to the student. The review of the decision by the Dean is a limited appeal. The Dean will review the decision only to determine whether the Honor Code Committee violated its own procedures or another Law School or University policy and the student was prejudiced by such violation. If the Dean finds that the decision of the Honor Code Committee violated its own procedures or another Law School or University policy and finds that the student was prejudiced by such violation, the Dean may, at the Dean's discretion, remand the decision to the Honor Code Committee for action consistent with the Dean's determination, reverse or modify the decision, or make the appropriate referral of the matter to another appropriate Law School or University office. The Dean may confine the review to written materials submitted by the student and written materials submitted by the Honor Code Committee.

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## APPENDIX I

### HONOR CODE POLICY FOR PARALEGAL, LNC, LCP, CEO PROGRAMS

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**Capital University Law School Academic Honor Code (revised for Paralegal/LNC/LCP programs) is applicable to all Professional Law Program students. Acceptance into the programs and attendance at courses is acknowledgement that the student will adhere to the Policy and Procedure Manual, including the Honor Code. This Honor Code should be read in its entirety and its provisions taken seriously. The Honor Code applies to you. Penalties for violation of the Honor Code can be severe, up to and including expulsion. Students are advised to pay particular attention to the Section on Students' Rights and Responsibilities. It is incumbent upon the student to seek clarification from the Professor and/or the Assistant Dean of Graduate & Professional Law Programs regarding any issues in the Policy Manual and/or The Honor Code. All students are expected to know the Honor Code and are bound by it.**

#### **6.2.1 Preamble**

**6.2.1.01** We, the faculty and students of Capital University Law School Paralegal Programs, in recognition of our obligations as members of a profession that is responsible for the administration of justice in our society, affirm our belief in the following precepts:

- A. It is essential to the welfare of the legal profession and people whom it serves that the integrity of all of its members be beyond reproach at all times;
- B. There is, beyond purely professional considerations, an overriding moral obligation to conduct the learning process in an ethical fashion;
- C. The success or failure of an Honor Code is dependent on the willingness of those governed by it to enforce it. If the Honor Code is to be effective, each student must make a personal commitment to comply individually with its provisions and must accept the responsibility of assuring compliance by other students. A student's sense of justice and integrity should obligate him or her to report violations of the Honor Code in order to preserve the academic integrity of the Paralegal Programs. Therefore, it is the student's responsibility to seek clarification from the Professor and/or the Assistant Dean of Graduate & Professional Law Programs on any issues regarding the Honor Code.

Relying upon the above precepts, we hereby adopt the following rules and procedures as the Academic Honor Code of the Graduate Paralegal Programs, including all Paralegal students, LNC students, LCP students, and CEO students.

#### **6.2.2.01 The Honor Code**

- A. The Honor Code shall serve as the basis for determining whether an Honor Code violation has occurred and shall govern alleged violations of the Honor Code. The Honor Code applies to all students enrolled at Capital University Law School, all Graduate Law programs, all CEO students, and those students enrolled in certificate programs. The

certificate programs, paralegal, life care planner and legal nurse consultant, have modified the processes and procedures utilized when an alleged Honor Code violation occurs so that they are more appropriate for these programs; these procedures are contained in the Paralegal Programs Policy & Procedures Manual, as Appendix I and II.

- B. The failure to correct an inaccurate application to the Law School and/or the Paralegal Programs may constitute an Honor Code violation once the student has been admitted.
- C. The failure to adhere to professional conduct, provide respect for peers, administrators, and faculty, or acts of incivility in the classroom or in the Law School, may constitute an Honor Code violation once the student has been admitted.

#### **6.2.2.02**      **Withdrawal/Dismissal**

- A. The withdrawal of a student from the Law School and/or certificate programs, or the dismissal of the student for reasons of academic deficiency or for other reasons, does not prevent Honor Code proceedings from continuing.
- B. A student who has withdrawn or has been dismissed with Honor Code proceedings pending is entitled to have the allegations or charges adjudicated. Upon request, the Honor Code Violation Hearing Committee must adjudicate the allegations or charges or dismiss the case.

#### **6.2.2.03**      **Scope**

- A. This Honor Code does not limit the power of the University, the Law School, the Faculty, the Assistant Dean of Graduate & Professional Law Programs, or the Dean or his delegate to take action that any of them has the power or the duty to take. Specifically, this includes but is not limited to:
  - 1. Sanctions imposed on students who are determined to have violated the the University, the Law School, or Paralegal Programs rules, regulations, and policies.
  - 2. Acts of disrespect, common courtesy, incivility, or unprofessionalism to peers, faculty, administrators, staff, or visitors of the Law School building.

#### **6.2.3**      **The Honor Code Committee & The Honor Code Violation Hearing Committee**

**6.2.3.01**      The Honor Code Committee for the certificate programs is a sub-committee of the Paralegal Programs Advisory Board. The Chair of the Advisory Board appoints the members of the sub-committee (Honor Code Committee) for a term certain. When an Honor Code Violation Hearing Committee is needed, the Chair of the Advisory Board may appoint any 2 non-faculty members of the sub-committee to serve on that committee along with the additional required Honor Code Violation Hearing Committee members (see Appendix II, section 6.2.2, The Honor Code Violation Hearing Committee.).

**6.2.3.02** If a member of the Honor Code Violation Hearing Committee is unable to serve, the replacement may be selected by the Chair of the Advisory Board or the Assistant Dean of Graduate & Professional Law Programs. A faculty member may not serve on the Committee if the alleged Honor Code violation occurred in or is related to a class he or she teaches.

**6.2.3.03** The Honor Code Violation Hearing Committee shall select a Chairperson. The Assistant Dean of Graduate & Professional Law Programs shall serve as the point of contact for submission of documents during the Honor Code Violation Committee Hearing process, and shall serve as Investigator in the alleged Honor Code violation matter. However, the Assistant Dean of Graduate & Professional Law Programs shall serve only as an *ex-officio member* of the Honor Code Violation Hearing Committee.

#### **6.2.4**      **Student Rights and Responsibilities**

**6.2.4.01** Any student alleged to have violated the Honor Code has the right to a clear, concise statement in writing of the charges, which includes the specific provisions and section numbers of the Honor Code that are alleged to have been violated. This written statement shall be provided by the Assistant Dean of Graduate & Professional Law Programs, and shall be dated and signed by the person(s) who are alleged to have violated the Honor Code.

**6.2.4.03** In the event of a hearing before the Honor Code Violation Hearing Committee, the accused student has the right to:

- A clear, concise written statement of the alleged violation which includes the specific provisions and section numbers of the Honor Code that are alleged to have been violated;
- Adequate notice to prepare any defense for the Honor Code Violation Hearing that the student wishes to offer;
- A personal appearance before the Honor Code Violation Hearing Committee;
- Present oral, documentary or other evidence to the Honor Code Violation Hearing Committee during the actual hearing;
- Make an opening and closing statement to the Honor Code Violation Hearing Committee during the actual hearing;
- Hear the testimony of any other participant in the hearing process;
- Seek the assistance of the Honor Code Violation Hearing Committee in requesting the presence of a witness or the production of documents or other evidence at the actual hearing;
- A presumption of the accused student's innocence until a majority of the Honor Code Violation Hearing Committee is convinced by clear and convincing evidence that the student engaged in the alleged misconduct in violating the Honor Code: and
- A copy of the committee's decision in writing, timely upon rendition.

**6.2.4.04** The student may waive any right conferred by giving notice of such waiver in writing to the committee. The student will waive the rights in 6.2.4.03 if the student fails to

appear at the hearing without good cause after being duly notified.

## **6.2.5 Violations**

### **6.2.5.01 Cheating on Exams**

- A. No student shall give or receive aid (even if unsolicited) during any examination; even if the exam is provided as a “take home exam”
- B. No student shall attempt to give or receive aid (even if unsolicited) during any examination, even if the exam is provided as a “take home exam”
- C. Definition:
  - 1. "Aid" means information from any source or help of any nature not specifically permitted by the instructor.
  - 2. "Give or receive" means voluntary transmission or receipt of aid (even if unsolicited) in any manner, and includes (but is not limited to) receipt or aid from persons, notes, books, objects, or email messages and/or text messages even if these messages were unsolicited by the receiver.

### **6.2.5.02 Improper Cooperation on Outside Work (Assignments)**

- A. No student shall seek to, or offer to, work with another student or with any individual in the preparation of outside work assigned, unless cooperation on that specific assignment/work has been expressly permitted by the instructor. It is incumbent on the student to clarify any issues regarding cooperation on outside work with the instructor or the Assistant Dean of Graduate & Professional Law Programs.
- B. No student assigned outside work shall solicit or receive unsolicited cooperation or assistance in the preparation of said work from persons, sources, or objects (including but not limited to computers), where such cooperation or assistance on the specific assignment has been expressly forbidden by the instructor.

### **6.2.5.03 Plagiarism**

- A. No student shall submit any of the following for credit:
  - 1. work in which a significant portion was prepared by another person, including that of another student;
  - 2. work copied, in whole or in part, whether word for word or in substance, from the work of another person, including that of another student, without clearly identifying it as the work of another with appropriate quotation marks and footnotes or with an appropriate written explanation and attribution.



- B. A student may not offer for credit any work the student has previously or contemporaneously prepared for compensation, offered for credit, or prepared for any other purpose unless the student secures the instructor's written permission in advance of submission.

**6.2.5.04 Fraudulent or Deceitful Conduct**

No student shall engage in an act, practice or course of conduct, which acts as a fraud or deceit or attempted fraud or deceit on the Law School or any of its faculty members or students.

**6.2.5.05 Misappropriation or Destruction of Property**

- A. No student shall misappropriate or destroy, or attempt to misappropriate or destroy, the property of the school, the property of another student, or the property of a faculty or staff member.
- B. "Misappropriate" includes the intentional and unauthorized use, taking, keeping, or concealing of property for any period of time. This offense does not include unintentional failure to return properly checked out library materials within the authorized time period.

**6.2.5.06 Improper Knowledge of Contents of Examination**

- A. No student shall voluntarily acquire any knowledge of the content of a forthcoming examination without authorization from the instructor.
- B. No student who has voluntarily or involuntarily acquired knowledge of the contents of any forthcoming examination without authorization from the instructor shall fail to report this fact to the instructor immediately.
- C. No student who has taken an examination, and who knows that one or more other students are to take the same examination at a later time, shall disclose the contents of said examination, until after all students in the course have taken the examination.

**6.2.5.07 Non-Disclosure**

No student shall fail to report any violation of the Honor Code, which he or she knows, or reasonably believes, or may even suspect has occurred. A report to the Assistant Dean of Graduate & Professional Law Programs shall be sufficient compliance with this subsection.

**6.2.5.08 Duty of Confidentiality**

- A. No prior student member of the Honor Code Violation Hearing Committee or any individual who makes a report to the Assistant Dean of Graduate & Professional Law Programs or

to the Honor Code Violation Hearing Committee, or who is called upon to give information to or testify before the Honor Code Violation Hearing shall divulge any information as to any proceedings of either; except as expressly authorized in the Honor Code. Proceedings of the Honor Code Violation Hearing Committee are confidential unless specified otherwise. This duty of confidentiality applies to all stages of the proceedings.

**6.2.5.09 Perjury**

- A. No student shall intentionally give false information in any investigation or hearing under the Honor Code.
- B. No student shall make a report to Assistant Dean of Graduate & Professional Law Programs unless the student reasonably believes or suspects a violation of the Honor Code may have occurred. A student should confer with the Assistant Dean of Graduate & Professional Law Programs when he/she suspects a violation may have occurred as a means of clarifying their suspicions.

**6.2.5.10 Unauthorized Alterations**

No student shall make any changes, without authorization from the instructor, in any writing submitted for a grade prior to or after the student has turned in the writing.

**6.2.5.11 Noncompliance with Examination Time Limits**

No student, without authorization from the instructor or proctor, shall continue to write on an in-class examination after the instructor or proctor has indicated that the time for completion has expired.

**6.2.5.12 Request to Provide Information**

No student shall fail to respond to a request from the Assistant Dean of Graduate & Professional Law Programs or from the Honor Code Violation Hearing Committee or its Chairpersons to provide information relevant to Honor Code proceedings.

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*APPENDIX II  
HONOR CODE – 6.2.6*

*PROCEDURE IN CASE OF ALLEGED VIOLATION*

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**The Honor Code is set forth as Appendix I in the Policy Manual. The following is the process to follow in the event that there is an alleged violation of the Honor Code.**

**The Honor Code**

The Honor Code shall serve as the basis for determining whether an Honor Code violation has occurred and shall govern alleged violations of the Honor Code. The Honor Code applies to all students enrolled at Capital University Law School, all graduate programs, and those students enrolled in certificate programs. Honor code proceedings are neither criminal nor quasi-criminal in nature. The Honor Code Violation Hearing Committee is not bound by rules of evidence or procedure except as provided in the Honor Code. The goal of the proceedings is to arrive at the truth through a fair and prompt resolution of reported violations.

**The Honor Code Committee & The Honor Code Violation Hearing Committee**

Two members of the Advisory Board Honor Code Committee and the Chairperson of the Advisory Board shall serve on the Honor Code Violation Hearing Committee for the certificate programs. The Honor Code Violation Hearing Committee shall be composed of the Assistant Dean of Graduate & Professional Law Programs (an ex-officio members), the Advisory Board Chairperson, two (2) non-faculty Advisory Board members, one (1) program faculty member who does not sit on the Advisory Board, and one graduated student representative (this graduate shall be from the program involved in the specific Honor Code Issue (i.e., Paralegal graduate, LNC graduate, or LCP graduate).

The Assistant Dean of Graduate & Professional Law Programs serves *ex officio* and is not a voting member of the Honor Code Violation Hearing Committee, although the director does have the ability to vote for the purpose of breaking a tie vote of the Honor Code Violation Hearing Committee. The Honor Code Violation Hearing Committee shall select a Chairperson.

A faculty member may not serve on the Committee if the alleged Honor Code violation occurred in or is related to a class he or she teaches.

**The Assistant Dean of Graduate & Professional Law Programs shall serve as the point of contact for submission of documents during the Honor Code process, and shall serve as Investigator in the matter. As Investigator, the Assistant Dean of Graduate & Professional Law Programs may consult with the person providing the written and signed allegation, the alleged violator(s), any faculty member or administrator in whose course or activity a violation may have occurred, and any other person who might have relevant information to provide.**

The Investigator/Assistant Dean of Graduate & Professional Law Programs shall promptly write a concise summary of the statement of the charges and investigation and deliver this to the student, along with a copy of the Honor Code and Procedure.

## **Student Rights and Responsibilities**

- A. An accused student has the right to a clear, concise statement in writing of the charges.
- B. In the event of a hearing, the student has the right to:
  - Adequate notice to prepare any defense for the Honor Code Violation Hearing which the student wishes to offer;
  - A personal appearance before the Honor Code Violation Hearing Committee;
  - Present oral, documentary or other evidence to the Honor Code Violation Hearing Committee;
  - Make an opening and closing statement to the Honor Code Violation Hearing Committee;
  - Seek the assistance of the Assistant Dean of Graduate & Professional Law Programs and/or the Honor Code Violation Hearing Committee in requesting the presence of a witness or the production of documents or other evidence;
  - A presumption of the student's innocence until a majority of the Honor Code Violation Hearing Committee is convinced by clear and convincing evidence the student engaged in the alleged misconduct; and
  - A timely copy of the Committee's decision in writing.

## **Procedure in Case of Alleged Violation**

Honor Code Violation Hearing Committee proceedings are neither criminal nor quasi-criminal in nature. The Honor Code Violation Hearing Committee is not bound by rules of evidence or procedure except as provided in this Honor Code. The goal of the proceedings is to arrive at the truth through a fair and prompt resolution of reported violations.

### **A. Initial Report**

A student, faculty member, administrator, or other person who has reason to believe that an honor code violation has occurred, reports such to the Assistant Dean of Graduate & Professional Law Programs. The initial report must be submitted as a written and signed report to the Assistant Dean of Graduate & Professional Law Programs. **Reports cannot be made anonymously.**

### **B. Initial Review**

1. The Assistant Dean of Graduate & Professional Law Programs shall review the matter and conduct a preliminary investigation. The Assistant Dean of Graduate & Professional Law Programs may consult with the alleged violator, any faculty member or administrator in whose course or activity a violation may have occurred, and any other person who might have relevant information to provide.
2. After the preliminary inquiry, the Assistant Dean of Graduate & Professional Law Programs will render a decision as to whether it is more likely than not that a violation occurred. If not, the matter is terminated. If so, the matter will proceed to a hearing.

### **C. Process**

If the latter is the case, the Assistant Dean of Graduate & Professional Law Programs shall promptly write a concise summary of the statement of the charges, including specific references to the applicable section of the Honor Code. This summary document will be promptly delivered to the student, along with a copy of the Honor Code. A hearing shall promptly be scheduled, and notification of the Honor Code Violation Hearing location, date and time will be sent to the alleged violator.

The student may submit a statement of position as to the alleged charges, signed by the student, to the Honor Code Violation Hearing Committee within 14 calendar days of receipt of the notification of the scheduled hearing. The statement will become part of the record. The statement of position should include:

1. All tangible and documentary evidence;
2. Names of all witnesses, the substance of their testimony or their substantially verbatim statements; and
3. Any other relevant evidence or statements the student wishes the Honor Code Committee to consider.

### **D. Hearing**

1. The Honor Code Violation Hearing Committee may consult with the alleged violator(s), the investigators, the faculty member or administrator in whose class or activity the alleged violation occurred, and any other person who might have relevant information to provide.
2. The decision of the Honor Code Violation Hearing Committee is based on the rules of the Law School, the Paralegal Programs, the Policy Manual, the Honor Code and the evidence adduced at the hearing.
3. The Assistant Dean of Graduate & Professional Law Programs must make every reasonable effort to secure the presence at the hearing of any witness whose attendance is desired by the Honor Code Violation Hearing Committee conducting the hearing, or by the accused student.

### **E. Sanctions**

1. If a majority of the Honor Code Violation Hearing Committee conducting the hearing determines by clear and convincing evidence that a violation has occurred, and that the accused student committed the violation, then the Honor Code Violation Hearing Committee decides upon the appropriate sanctions to be imposed by the Program.
  - a. On occasion, the consequences imposed on an accused student may be limited to the context of the course or activity in which the violation occurred.
  - b. On other occasions, there may be other or additional consequences such as a requirement to make restitution, reprimand, and disciplinary probation for a fixed

or indefinite period of time, suspension for a fixed or indefinite period of time, or expulsion.

- c. If a student is found to have violated the Honor Code, the Honor Code Violation Hearing Committee may recommend that this fact and the sanction imposed be entered or not be entered on the student's official transcript.

**F. Written Report of Hearing**

1. After a hearing, the Honor Code Violation Hearing Committee conducting the hearing writes a report that states the decision, the reasons for the decision, and the sanctions to be imposed, if any. The report, together with any records of hearing, is given to the Assistant Dean of Graduate & Professional Law Programs. All documents relating to the hearing, as well as the decision and the sanctions, are kept confidential, unless the Assistant Dean of Graduate & Professional Law Programs decides that the decision of the Committee, and any accompanying sanctions, are to be noted on the student's transcript.
2. The Assistant Dean of Graduate & Professional Law Programs shall prepare and deliver a letter containing the findings of and any sanctions by the Honor Code Violation Hearing Committee to the student. Should such sanctions include notation on the student's official transcript, the director has to direct the Office of Records & Registration to make such notation.

**G. Loss of Privileges**

1. Students who are found to have violated the Honor Code and who have received a sanction of probation, suspension, or expulsion, are not permitted to receive financial aid from Capital University, and are not permitted to engage in extracurricular activities during the period of the probation.

**H. Appeals**

1. The Appeals Committee shall be composed of three members of the Advisory Board who are not members of the Honor Code Committee. The Appeals Committee members shall be appointed by the Chair of the Advisory Board or the Assistant Dean of Graduate & Professional Law Programs for a term certain. The Appeals Committee may elect to hear testimony from the Honor Code Violation Hearing Committee.
2. The student shall have one appeal as of right from any decision of the Honor Code Violation Hearing Committee to the Appeals Committee. The Appeals Committee shall make any decision by a majority vote.

**I. Grounds for Appeal**

The grounds for appeal are:

1. The failure to substantially comply with procedural provisions of the Honor Code, thereby resulting in prejudicial error; or
2. A clearly erroneous interpretation of the code, thereby resulting in prejudicial error; or
3. A recommended penalty that is too severe in light of the circumstances; or
4. The Honor Code Violation Hearing Committee's findings of fact are clearly erroneous.

**J. Procedure for Appeals and New Hearing**

1. The student shall file a timely notice of appeal (7 calendar days from the date of the original decision), and within a short time thereafter (14 calendar days) shall file a memorandum setting forth all of his or her arguments.
2. The Appeals Committee may meet as soon as possible to determine whether to grant or deny the appeal. At this meeting, the Appeals Committee shall review the record and report of the Honor Code Violation Hearing Committee hearing and the student's memorandum. The Appeals Committee shall invite the student and the members of the Honor Code Violation Hearing Committee to appear before the Appeals Committee to give further explanation of their positions and respond to questions of the Appeals Committee members. The Appeals Committee shall determine the procedures to be used at the hearing including, for example, time limitations and the receipt of responsive memoranda.
2. If the Appeals Committee sustains the appeal, it shall memorialize the reasons for doing so. The Appeals Committee shall then either make a final decision or remand the case to the Honor Code Committee for further proceedings that are consistent with the decision of the Appeals Committee, which may include a new hearing. Upon remand, the Honor Code Committee shall meet and comply with the instructions of the Appeals Committee.

**K. Other Post-Hearing Procedures**

1. After all appeals to the Appeals Committee are final, the Appeals Committee shall transmit all records to the Assistant Dean of Graduate & Professional Law Programs. The student may request that the Dean of the Law School or his/her delegate review the Appeals Committee decision. The only basis for this discretionary review is the failure to substantially comply with the procedural provisions of the Honor Code, resulting in prejudicial error.
2. The student shall file a timely notice of request for the Dean's Review (7 calendar days from the date of the Appeals Committee decision), and within a short time thereafter (14 calendar days) shall file a memorandum setting forth all of his or her arguments based upon the failure to substantially comply with the procedural provisions of the Honor Code, resulting in prejudicial error.
3. The decision of the Dean and/or his delegate is final. If this decision has not been rendered within 30 calendar days of receipt of the student's memorandum, it results in an affirmation of the Honor Code Violation Hearing Committee's decision.

**Please review this Policy Manual in its entirety, as accepting admission into a program, a course or a module, and then attending a class session, you are hereby acknowledging that you will adhere to the Paralegal Programs Policy and Procedure Manual, including the Honor Code.**

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**LAW SCHOOL POLICIES and OTHER INFORMATION APPLICABLE TO PROFESSIONAL LAW PROGRAMS**

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The Manual of Policies and Procedures of Capital University Law School is the official compilation of governing policies and procedures for the Graduate & Professional Law Programs unless otherwise stated in a specific program’s policies.

**Financial Regulations**

The Professional Law Programs follow Chapter 5 – Financial Regulations - of the Law School’s Manual of Policies & Procedures located at <https://law.capital.edu/Manual/>.

The Paralegal Program and the LNC Program qualify for financial aid through Federal Stafford Loans (subsidized and unsubsidized). **Financial aid is NOT available to students in the LCP Program.** The loan eligibility is based on the information provided by the FAFSA (Free Application for Federal Student Aid) that a student may complete on-line. Please contact [financialaid@law.capital.edu](mailto:financialaid@law.capital.edu) if you have financial aid questions.

**VA Benefits**

Eligibility for VA benefits also may be discussed with the Law School’s financial aid office. Questions regarding FAFSA and VA loans should be directed to the Financial Aid office at [financialaid@law.capital.edu](mailto:financialaid@law.capital.edu).

**Tuition Refund Schedule**

Section 5.5 of the Law School’s Manual of Policies & Procedures sets forth the refund schedule for a student who officially withdraws from a Professional Law Program or from a course or courses. See <https://law.capital.edu/Manual/>.

The amount of the refund due is calculated based upon the withdrawal date as follows for Fall and Spring semesters:

Weeks 1 and 2	100%
Weeks 3 and 4	75%
Weeks 5 and 6	50%
Withdrawal after 6 <sup>th</sup> week	0%

For Summer Session:

Week 1	100%
Week 2	75%
Week 3	50%



Week 4

0%

### **Disability Services and Requests for Accommodations**

The Professional Law Programs follow Chapter 6 – Student Affairs – of the Law School’s Manual of Policies and Procedures at <https://law.capital.edu/Manual/>. See 6.5 Guidelines for Student Requests for Accommodations and Exception to Academic Procedures Based on Physical or Mental Disability.

See also <https://www.capital.edu/about-capital/disability-services/>

### **Non-Discrimination Policy**

The Professional Law Programs follow the Capital University’s Student Handbook at [https://www.capital.edu/uploadedfiles/content/audience\\_navigation/current\\_student/studenthandbookk20969.pdf](https://www.capital.edu/uploadedfiles/content/audience_navigation/current_student/studenthandbookk20969.pdf) (See Page 65 of Capital University’s Student Handbook)

See also Chapter 6 – Student Affairs – of the Law School Manual of Policies and Procedures at <https://law.capital.edu/Manual/>.

See Section 6.9 Policy on Sex or Gender-Based Harassment, Discrimination, and Sexual Misconduct; Section 6.7 on A Procedure to Ensure Compliance with Non-Discrimination Policies; and Section 6.6 Student Complaint and Appeal Procedures.

### **Student Records**

The Professional Law Programs follow Chapter 6 – Student Affairs – of the Law School’s Manual of Policies and Procedures at <https://law.capital.edu/Manual/>. See Section 6.10 Student Records.

### **Human Dignity**

The Professional Law Programs follow Chapter 6 – Students Affairs – of the Law School’s Manual of Policies and Procedures at <https://law.capital.edu/Manual/>. See also University Policies at <https://www.capital.edu/human-resources/policies-and-handbooks/>.

### **Right to Know**

The Professional Law Programs follow Chapter 6 – Student Affairs – of the Law School’s Manual of Policies and Procedures at <https://law.capital.edu/Manual/>. See Section 6.11 Student Right to Know and Campus Security Act.

### **Policies of Capital University Applicable to Faculty, Staff, and Students in All Divisions of the University**

Section 6.8 in the Law School Manual of Policies and Procedures states as follows:

All policies of Capital University are applicable to all faculty, staff, and students. All handbooks and policies are made available via the Human Resources Office and may be found online at <http://www.capital.edu/Policies-and-Handbooks/>.

Any questions regarding handbooks and policies should be directed to the following individuals:  
Dean, Associate Dean, or Assistant Deans  
Direct Supervisors  
Director of Human Resources

See Chapter 6 of the Law School's Manual of Policies and Procedures at <https://law.capital.edu/Manual/>.

### **Building & Parking Regulations**

The Professional Law Programs follow Chapter 7 – Building & Parking Regulations – of the Law School's Manual of Policies and Procedures at <https://law.capital.edu/Manual/>.

### **Health and Wellness**

See <https://www.capital.edu/health/> for health and wellness services available to Professional Law Programs students.

***Please review this Graduate & Professional Law Programs Supplemental Policy Manual in its entirety. By accepting admission into a program, a course or a module, and attending a class session you are hereby acknowledging that you will adhere to these policies including the Honor Code. If you have any questions, please contact Lisa M. Diem, Assistant Dean of Graduate & Professional Law Programs at [ldiem@law.capital.edu](mailto:ldiem@law.capital.edu).***