

STANDARDS OF CONDUCT AND HONOR CODE

Standards of Conduct

As a community of future leaders and a part of Trinity International University, Trinity Law School seeks to maintain high standards of integrity in all areas of life, including academic work, ministry, and community relationships. Given these objectives, students are expected to maintain appropriate personal standards and use wise judgment in matters pertaining to personal conduct. Any set of community standards may contain elements with which some of its members disagree.

Scripture explicitly teaches respect for governmental authority. Students are therefore expected to uphold the laws of the local community, the state, and the nation except on those occasions where obedience to civil authority would require behavior directly in conflict with other scriptural principles.

In a Christian academic community, academic dishonesty, including cheating, plagiarism, and misappropriation of library materials, is regarded as a serious violation.

Students are required to refrain from the possession or use of harmful substances such as non-prescribed stimulants and depressants, hallucinogenic, and illegal drugs.

Gambling, although not specifically forbidden by Scripture, is a questionable practice and therefore is not allowed on campus.

Trinity Law School is an alcohol-free and tobacco-free campus. Trinity Law School students, regardless of age, are not permitted, under any circumstances, to purchase, possess, consume, or distribute alcoholic beverages or tobacco products of any kind on-campus. Nonalcoholic beer and other drinks containing a percentage of alcohol are also prohibited on campus. Individuals may be subject to having their breath smelled and/or tested by a Breathalyzer exam given by a staff member.

Any student who is involved in the purchase of alcohol for a minor is subject to immediate dismissal. Trinity Law School reserves the right to report instances of alcohol possession or use by a minor to the proper authorities.

Trinity Law School is a drug-free campus. Possession, purchase, distribution or consumption of any illegal drug is not permitted. Students suspected of the above will be asked to undergo drug testing available at a local Medical Center or on campus. Any student refusing to submit to these tests will be held in violation of Trinity Law School expectations. Any student who is involved in the purchase, possession, consumption or distribution of illegal drugs is subject to immediate dismissal from Trinity Law School. Trinity Law School reserves the right to report instances of illicit drug use and alcohol possession or use to the proper authorities.

Trinity Law School values a community environment that is free from all forms of discrimination and harassment. Therefore, discrimination and harassment of any type toward any individual (including domestic relationships) will not be tolerated by the institution. This includes any form of verbal, physical, written (including electronic transmission) abuse, threats, or stalking. This also may include a persistent pattern of behavior directed at another individual that distresses, frightens, or is in some manner inappropriate or threatening. Examples of this include but are not limited to hate speech, abuse because of one's race, gender

(sexual harassment, including unwanted advances), sexual orientation, nationality, religion or disability. In the event of threats or the potential of stalking, Trinity Law School reserves the right to contact law enforcement agencies. A formal complaint procedure has been established to respond to allegations of discrimination and harassment and is available to all students. Those found in violation will be subject to disciplinary action.

In order to facilitate orderly community life, students are expected to abide by other procedural rules and regulations as announced.

Violations of the Standards of Conduct also include aiding or abetting any violation or attempting to commit an act or omission in violation of the Standards of Conduct. Violations of the Standards of Conduct are subject to discipline, including dismissal from Trinity Law School.

Honor Code

Law school is designed to teach law students how to think, organize, communicate, and behave as competent, responsible, professional, and ethical attorneys. As such, it is necessary for all students to do their own work so that they develop these skills. The process can be lengthy, difficult, and even painful. Nonetheless, the experience is necessary to developing the critical skills of attorneys.

For this reason, plagiarism and cheating in any form, and any other attempt to gain an unfair advantage, will not be tolerated. These practices not only evidence a lack of responsibility as well as professional and ethical integrity, they also serve to stunt the development of student skills and wrongfully penalize students who refrain from those practices.

Students must recognize and acknowledge that plagiarism, cheating, and taking unfair advantage are violations of the Honor Code. Students who are suspected to be using models, examples, another person's work, or other unauthorized sources without properly cited or prior professorial permission to complete their assignments or exams may be referred to the Disciplinary Committee. Upon review, if the Disciplinary Committee finds that a student has engaged in any of these activities, sanctions up to and including expulsion from Trinity Law School may be imposed.

Students must therefore do their own work and be careful not to engage in any activity that may give rise to allegations against them. Students are charged with the responsibility of reading, understanding, and adhering to the Honor Code.

Along with being ethical in their academic pursuits, students are charged to behave professionally at all times, including with fellow students, staff, faculty, or administration members. They must treat all those with whom they interact with respect and courtesy. Finally, they must refrain from any sort of activity that could disrupt their classes, cause the unnecessary expenditure of school resources, or bring disrepute of any kind upon themselves or the law school.

Each member of Trinity Law School is responsible for maintaining their integrity and the integrity of the law school community in all academic matters. It shall be considered a violation of the Trinity Law School Honor Code to commit any of the offenses listed below.

Unprofessional Conduct

Unprofessional conduct includes:

- Any act which is a *malum in se* crime in the jurisdiction in which the law school is located;
- Conviction of any *malum in se* crime in any jurisdiction;
- Acts or omissions evidencing significant moral turpitude;

- Fraud, deceit, dishonesty or failure to disclose information when there is a legal duty to disclose.

Plagiarism

Plagiarism is using someone else's work (including words, line of thought, or organizational structure) and making it appear to be one's own. This occurs when sources are not cited properly or when permission is not obtained from original authors to use their work. Not properly crediting a source is an act of academic dishonesty, fraud, and intellectual property theft.

Another person's "work" can take many forms: printed or electronic copies of computer programs, musical compositions, drawings, paintings, oral presentations, papers, essays, articles or chapters, statistical data, tables or figures, etc. In short, if any information that can be considered the intellectual property of another is used without acknowledging the original source properly, this is plagiarism.

Cheating

Cheating is a form of deception. Cheating has many expressions: copying even a single word from someone else's test paper; unauthorized use of previous examinations, books or materials on a test; having another person take an examination for a student; submission of someone else's work to fulfill a course requirement; or unauthorized use of a part or the whole of a work completed for one course in another course. Cheating includes reporting material as read that a student has not read.

Cheating includes:

- Having someone else do research or other work on a student assignment.
- Downloading a paper off the internet or buying one from another source and then simply rewriting the text while incorporating some or all of the research.
- Hiring a researcher to do research in preparation for a research paper.
- Having another person review a take-home examination or examination answer (or an examination answer written in class);
- Violating any of the regulations for the administration for taking of exams set forth in this Catalog.

In all classes aside from Legal Research and Writing, having another person proofread a research paper for spelling or grammatical mistakes does not constitute cheating if the student makes the changes and corrections. The essential difference is that cheating involves having others do work the student is assigned to do or provide information or assistance that replaces work the student is required to do as the basis for the grading in a course, according to the type of assignment or work involved.

Violation of the collaboration guidelines outlined in the Legal Research and Writing syllabi will constitute cheating.

Defamation and Invasion of Privacy

The elements of defamation or an invasion of privacy violation include all of the following:

1. Publication by any means, including, but not limited to, oral and written forms, of representations of fact concerning a professor, student, staff member, university or law school employee or any other member of the law school community or a person with ties to the law school community, such as a spouse of a student, staff or faculty member or other protected person;

2. The information communicated is false or an invasion of the subject's reasonable expectation of privacy;
3. The disseminator of the allegations has no reasonable basis to believe that the allegations are true or that the matter is not within the subject's reasonable expectation of privacy;
4. The information is likely, in the mind of a reasonable person, to cause damage to the reputation of the subject person; and
5. The subject of the information is offended or otherwise distressed by the dissemination of the information.

Harassment

Harassment includes sexual harassment, assault, intentional infliction of emotional distress and stalking, as defined either by the laws of the United States, the state of California or the common law. Harassment also includes any actions, verbal attacks or personal demeanor directed at another person which is inconsistent with the ethical practice of law, any reprisal or intimidation or attempt to commit any reprisal or intimidation against any person for making an accusation of an Honor Code violation. Or for reporting concerns or suspicions of possible or suspected violations of the Honor Code.

Lying

Lying includes making any materially false statement or representation to a Trinity Law School or Trinity International University official, staff person or faculty member concerning any of the following:

- Any matter relevant to the law school or university education of any person;
- Any matter relevant to the right to practice law or the future licensing to practice law of any person;
- Class attendance;
- Honor Code violations or accusations, including proceedings relevant to the investigation or adjudication of accusations of Honor Code violations.

For example, falsely charging another person with a violation of the Honor Code constitutes lying. Providing false information on an application for law school, or an application for full- or part-time employment at the law school, or an application to take the bar examination all constitute lying.

Disruptions of the Operations or Activities of Trinity Law School

Disruption includes, but is not limited to, the following:

- Inappropriate noise at any location on the Trinity Law School campus;
- Acts or expressions of attitudes of insubordination toward Trinity Law School staff or faculty members;
- Insolence or disrespectful language or behavior toward Trinity Law School staff or faculty members;
- Insolence or disrespectful language or behavior toward another student, whether during class, anywhere on campus, or in the presence of other students, staff or faculty members;
- Repeated or chronic failure to prepare for class;
- Deliberately or recklessly preventing others from attending class;
- Vandalism against school property or the property of Trinity Law School staff or faculty members, or students;
- Actions which have or threaten to have a significant negative impact on the education of students and the work of Trinity Law School.

Violations of Examination Policies

Violations of examination rules include violations of instructions concerning the administration of examinations or tests, or rules of conduct during examinations or tests given before an examination begins.

Unfair Competition and Violation of Library Rules

Unfair competition refers to any practice designed to undermine the education or work of students or the faculty to gain personal advantage, or otherwise, including, but not limited to, destruction or hiding of library materials, the property of students or faculty, or disruption of electrical, computer or other technical or support services. Material violation of the rules and procedures of the Trinity Law School Library constitutes a violation of this section.

Failure to Perform the Responsibilities of a Student in the Law Program

Failure to perform the responsibilities of a student in the law school refers to any material failure to comply with the duties, responsibilities, policies, rules, regulations and procedures of the law school, including, but not limited to, those stated in the Catalog. The most basic responsibility of a student in the law school is to actively engage in discussion. Preparedness for class extends beyond merely reading the material assigned for the class session. Students must have a sufficient depth of understanding to support statements made in class and to engage in meaningful dialog with the professor. Students who are repeatedly unprepared for class will be reported to the Dean for sanctions which may include suspension or expulsion.

Penalties for Violations of the Honor Code

A violation of the Honor Code may result in any of the following penalties:

- Reprimand, either written or oral;
- Change of grades of courses, examinations or other work;
- Receiving no credit on an examination;
- Denial of course credit;
- Suspension from the law school;
- Dismissal from the law school;
- Notation of offense and/or penalty on transcript;
- Any other reasonable sanction deemed appropriate by the responsible authority.

Disciplinary Procedures

In compliance with the California State Bar Guidelines for Accredited Law School Rules at 4.160(a)(9) titled, "Student Discipline", the following procedures have been adopted by the Law Faculty Senate and shall be used for all matters involving student discipline at Trinity Law School. These rules shall govern whether for alleged violations of the Honor Code, or any other alleged offense for which discipline of any sort may be warranted or imposed.

1. Report of Alleged Honor Code Violations or Other Alleged Offenses to the Registrar
 - a. Report(s) of alleged honor code violations or other alleged offenses may be made by a student, a faculty member, a staff member, an administration member, from other person(s) having an affiliation with Trinity Law School, or from the general public, and shall be made to the Registrar.
 - b. The identity of the person making the report shall be recorded by the Registrar. However, their identity shall be kept confidential and may only be known to the Registrar, the Disciplinary Committee, and the Dean during the reporting and investigation phase of these proceedings.
 - c. The exact nature of the alleged Honor Code violation or other alleged offense must be set forth in writing by the complaining

person(s). The report shall include the name of the person(s) allegedly violating the honor code or committing another offense (the "Involved Student") together with the date(s), time(s), location(s), and person(s) involved or witnessing or having information relating to the alleged violation(s). The complaint shall also set forth the particular alleged violation together with such other and further information as is necessary to a thorough understanding of the allegations being made.

- d. Within a reasonable time after such a report is made, the Registrar shall inform the Involved Student that the complaint has been received, that the complaint will be investigated, and that the Involved Student will be kept informed of the progress of that investigation. During the reporting and investigation phases of these procedures, all information relative to the alleged complaint shall be communicated to the Involved Student with the exception of the identity of the complaining party(ies). The Registrar shall notify the Involved Student by any means including, but not necessarily limited to, telephone, fax transmission, voice mail, email, US Mail, or otherwise. The Registrar shall keep records of all such notices given including the date and time the notice was provided, the person(s) with whom the Registrar communicated, and the means of communication used.
- e. Where not otherwise stated, the term "reasonable" shall be solely interpreted and applied by the Registrar whether stated and used in this section or elsewhere in these rules.

2. Investigation by Registrar

- a. The Registrar shall have discretion as to:
- i. How to investigate including, but not limited to:
 1. With whom to communicate.
 2. Whether to communicate with person(s) having knowledge of the allegations simultaneously or individually.
 3. The method of the communications.
 4. Whether to obtaining documents, if applicable.
 - ii. How to proceed.
 1. The Registrar may determine that the matter is minor, in which case:
 - a. The Registrar may issue a verbal warning; provided, however, that the Registrar must refer the matter to the Disciplinary Committee if he or she intends to place any written warning or reprimand in the Involved Student's file.
 - b. The Registrar may, but shall not be obligated to, assist in efforts to achieve reconciliation among the parties.
 - c. The Registrar may decide to take no action.
 - d. The Registrar may determine that a significant violation or offense has occurred, in which case the Registrar will refer the matter to the Chairperson of the Disciplinary Committee.
- b. During the investigation, any and all students involved or with whom the Registrar chooses to have communications of whatever nature shall cooperate fully with the Registrar and the investigation.
- c. The investigation shall be a neutral, fact-finding mission.
- d. There is no time limit imposed upon the investigation but the Registrar shall act with all due speed.

- e. At the close of the investigation, the Registrar shall report their decision (to take no action, to handle in an internal fashion within the Registrar's Office if minor and if not involving any sanction of any kind, or to refer to Disciplinary Committee) to the Chairperson of the Disciplinary Committee. The Involved Student shall be advised by the Registrar of the date the investigation report is supplied to the Chairperson of the Disciplinary Committee. Notice by the Registrar to the Involved Student shall be provided by any convenient means which may include, but is not necessarily limited to, telephone, fax transmission, voice mail, email, US Mail, or otherwise. The Chairperson shall then, within a reasonable period of time, advise all members of the Disciplinary Committee of the findings, recommendations, and/or action(s) taken, if any, by the Registrar.

3. Review by Disciplinary Committee

- a. The Chairperson of the Disciplinary Committee shall set a reasonable time within which any member of the Disciplinary Committee may choose to review the matter. If no member of the Disciplinary Committee chooses to review the matter, the decision(s) and/or action(s) of the Registrar shall be considered final. If, however, the Registrar recommends any form of sanction against the Involved Student, then the Chairperson of the Disciplinary Committee shall schedule the date, time, and location of the Review. Therefore, the Disciplinary Committee may take the following actions upon receiving a report from the Registrar.
- i. Choose to close the matter and take no action.
 - ii. Choose to investigate further.
 - iii. Choose to conduct a review of the matter.
- b. Upon choosing to review a matter, the Disciplinary Committee may, after deliberation, refer the matter back to the Registrar for further investigation. Following any further investigation and following its review, the Disciplinary Committee shall reach a tentative decision. During the time that a decision is tentative, no sanction shall be imposed upon the Involved Student. The Disciplinary Committee does, however, reserve to itself the right and power to consider all circumstances and to issue temporary findings and orders as may be necessary to safeguard students, staff, faculty or administration, or others, their property, or interests, or to preserve order, decorum or provide for the general welfare of the institution.
- i. That decision will be to either take no action, or impose a sanction.
 1. If no action is taken, the matter shall be closed.
 - a. The Registrar shall communicate to the Involved Student that the Disciplinary Committee has chosen to take no action and that the matter is closed to the Involved Student.
 - b. The Involved Student shall have no right of appeal or to request any further findings or clarifications from the members of the Disciplinary Committee or the Registrar if the matter is closed without any action being taken.
 2. If a sanction is tentatively ordered, the Registrar will provide notice to the Involved Student of the tentative sanction within a reasonable period of time following the Disciplinary Committee reaching its tentative decision. Notice by the Registrar to the Involved Student shall be provided by any convenient means which may include, but is not necessarily limited to, telephone, fax transmission, voice mail, email, US Mail, or otherwise. This notice shall include the following:
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- a. The name(s) of the complaining party(ies).
- b. The exact allegation(s) against the Involved Student.
- c. The fact that the matter has been investigated.
- d. All materials developed in the course of the investigation.
- e. The fact that a tentative decision has been reached.
- f. The sanction to be imposed, if any, under the tentative decision together with any temporary findings or orders, if any, in keeping with 3(b), above.
- g. That the Involved Student will have 20 days to request a hearing before the Disciplinary Committee or, that if no such request is made, that the tentative decision shall become the final decision.
- h. That the request for hearing must be made by the Involved Student in writing to the Registrar's Office.
- i. That if the Involved Student does not request a hearing within 20 days of the date of the decision of the Disciplinary Committee, the decision of the Disciplinary Committee shall be come final and any right of appeal shall be deemed waived.

4. Hearing by the Disciplinary Committee

- a. Following review by the Disciplinary Committee and their decision, and after the Involved Student requests a hearing, the Disciplinary Committee shall conduct a hearing on a date, at a time, and at a location to be determined by the Disciplinary Committee.
- b. The date, time and location for the hearing shall be at the discretion of the Disciplinary Committee, but shall be set with a goal being to permit the Involved Student adequate time for investigation and preparation.
- c. At the hearing:
 - i. The Involved Student may produce documents, including Declarations under oath and advance arguments, but may not provide live testimony whether from the accusing party(ies), Trinity Law School faculty, staff, or administration, or third parties.
 - ii. The Involved Student shall have 30 minutes maximum to present their case.
 - iii. The Involved Student may seek legal counsel at their own cost but may not be represented by counsel at the hearing, nor may counsel be present.
 - iv. The hearing may not be recorded whether by audiotape, videotape, stenographer, shorthand reporter, or otherwise. The Disciplinary Committee may elect to provide a person to take notes and/or minutes.
 - v. The Disciplinary Committee shall not be bound to follow ordinary rules of evidence or procedure.
 - vi. The Disciplinary Committee may re-open for further investigation after the hearing.
 - vii. All matters shall be submitted and no final decisions will be announced prior to deliberation.
 - viii. The Disciplinary Committee shall deliberate privately.
 - ix. Said deliberations shall be based upon the standard of proof of a preponderance of the evidence.
 - x. Said deliberations shall be concluded by a decision reached by a simple majority vote.
- d. The Disciplinary Committee shall, through the Registrar's Office, notify the Involved Student of its decision within a reasonable

period of time following the hearing. The Registrar shall notify the Involved Student by any convenient means which may include, but is not necessarily limited to, telephone, fax transmission, voice mail, email, US Mail, or otherwise. The final decision may be to adopt the tentative decision as the final decision, to modify the tentative decision, or to recommend no further action be taken, thus vacating the tentative decision. Said notice shall set forth a date and that date shall act as the date of the Disciplinary Committee for the purposes of (5), below.

5. Appeal by the Involved Student, if any, shall be to the Dean of the Law School.

- a. The Involved Student shall communicate their request for an appeal to the Dean through the Registrar's office. The request must be communicated by the Involved Student to the Registrar not later than 20 days following the communication of the final decision of the Disciplinary Committee by the Registrar to the Involved Student. See, 4(d), above. Failure to timely communicate the request for the appeal shall be deemed a waiver of the appeal.
- b. The Dean shall have the right to conduct the appeal in any manner that the Dean believes to preserve the best interests of justice.
- c. The Dean shall conduct the appeal within a reasonable period of time.
- d. The Involved Student shall appear at the appeal proceeding. The Involved Student may seek legal counsel at their own cost but may not be represented by counsel at the hearing of the appeal, nor may counsel be present at the appeal hearing. The appeal hearing may not be recorded whether by audiotape, videotape, stenographer, shorthand reporter, or otherwise. The Dean may elect to provide a person to take notes and/or minutes.
- e. The Involved Student shall have 30 minutes maximum to present their case on appeal.
- f. The Involved Student may produce documents, including Declarations under oath and advance arguments, but may not provide live testimony whether from the accusing party(ies), Trinity Law School faculty, staff, administration, or third parties.
- g. All matters shall be submitted and no decision will be announced prior to deliberation. The deliberation of the Dean shall be private.
- h. The Dean shall, within 20 days of the appeal hearing, inform the Involved Student of their ruling through the Registrar's Office. The ruling may be in the form of an affirmation, a reversal and remand, a reversal, a modification, a vacating of findings and ruling, or in any form of ruling deemed to be appropriate in the discretion of the Dean.
- i. The ruling of the Dean on the appeal shall be final.