

# Article 2. Violations of the Obligation

## 2.01

Unless otherwise specified, violations shall consist of conduct that is performed intentionally, knowingly or recklessly. Knowledge that an act constitutes a violation of the SCC, however, is not a necessary element of a violation. The following misconduct on the part of a law student is a violation of his/her obligation under this SCC and shall be a cause for disciplinary action against the law student. Pursuant to this SCC, no student shall:

### 2.01.1 General Misconduct

- a. Violate any rule, regulation, or policy of the School of Law duly promulgated by the Dean, an Associate Dean, an Assistant Dean, or faculty of the School of Law.
- b. Violate any duly promulgated rule, regulation, or policy of the University.
- c. Disrupt the activities or functions of the College of Law or University, or any class, library, academic, or co-curricular activity.
- d. Steal the property of another with or without intent or by fraud. Such property includes, but is not limited to, briefs, books, notes, tapes, hard drives, data, software, memory devices, phones, passwords, log-in information, or outlines belonging to a faculty member or student.
- e. Threaten, assault, harass, or misrepresent facts about any student, faculty, staff member or employee of the University or the School of Law with the intention of inflicting harm on that person.
- f. Any complaints involving sexual harassment should be brought pursuant to the University Sexual Harassment policy and Title IX policy. Harassment or discrimination against members of our law school community or the general community outside of this school, based on a person's race, gender, color, national or ethnic origin, age, religion, disability, military service, sexual orientation, or political affiliation is unacceptable, and is actionable under the SCC and the University Sexual Harassment and Title IX policies.
- g. Destroy, deface, erase, alter, hide, limit access to, possess, access, enter or use, without authority, the property of Lincoln Memorial University or the property of others located on campus or related to a College of Law or University activity.
- h. Violate Lincoln Memorial University's anti-discrimination policy. Harassment or discrimination against members of our law school community or the general community outside of this school, based on a person's race, gender, color, national or ethnic origin, age, religion, disability, military service, sexual orientation, or political affiliation is unacceptable.
- i. Conduct oneself in an unprofessional manner during any event sanctioned, held, conducted, or permitted by the University or the School of Law.
- j. Assist another student in violating the SCC or attempting to enlist the assistance of any person with the purpose of violating the SCC. For purposes of this rule, "assistance" shall include any action taken in preparation of a violation, any action in furtherance of a violation, or any action that furthers, enhances, protects, or secrets the violation after the fact.
- k. Fail to timely comply with a sanction imposed by the SC Committee pursuant to this SCC, or fail to abide by the requirements necessary for the satisfactory and timely completion of any plea arrangement entered between the student and the SC Committee, the Dean, or the Assistant Dean for Student Affairs pursuant to this SCC.

- l. Fail to report conduct, including one's own conduct, prohibited by the SCC. All such reports shall be made to the Assistant Dean of Student and Career Services or the Chair of the SC Committee promptly upon witnessing or obtaining knowledge of conduct that violates the SCC.
- m. Impugn or malign the honesty or integrity of any student, faculty member, staff member, or employee of the University or the School of Law to any person orally or in any written or electronic medium. Reports of such activity should be made to the Assistant Dean of Student and Career Services or the Chair of the SC Committee, who shall review the allegations and determine whether a formal written complaint should be filed pursuant to Article 4 of the SCC.
- n. Fail to notify the School of Law of the student's own citation, arrest or indictment for any charge or allegation, a finding of contempt against the student by a court or other judicial body, or any other order or judgment by a court or other judicial body that places restrictions on the student's freedom of movement, including, but not limited to, an injunction, restraining order, or protective order entered against the student. Such notification shall be made to the Assistant Dean of Student and Career Services or the Chair of the SC Committee within one week of the citation, arrest, indictment, or court order.
- o. Commit a criminal, quasi-criminal, unethical, immoral, or fraudulent act that reflects adversely on the student's honesty, trustworthiness, or moral and ethical fitness to be a lawyer or a law student, engage in conduct that adversely reflects on that student's fitness to study or practice law, including but not limited to violations of federal or state criminal law, or the commission of quasi-criminal, unethical, immoral or fraudulent acts which reflect on the student's honesty, trustworthiness, or moral and ethical fitness to be a lawyer or law student, which, if done by a lawyer, would violate the state codes of professional responsibility. These acts shall be considered a violation of this code regardless of whether such conduct is actually prosecuted in the courts. p. Refuse to participate in a preliminary investigation brought pursuant to Article 5 of the SCC or testify at a hearing proceeding under Article 6 of the SCC, as to the facts within the student's knowledge, unless the student himself/herself is the accused student.
- p. Fail to disclose to the Assistant Dean for Student Services any character and fitness issue including any charge, arrest, or conviction that arises after they have submitted an admissions application to the College of Law, or the failure to amend, after matriculation and through the course of law study, any changes in their character and fitness or factual irregularities or discrepancies in the student's admissions application, to the College of Law Assistant Dean for Student and Career Services. Disclosure must be made immediately.
- q. Post any picture, video or audio recording intended for internal use of any faculty member or student at the school of law online on any website, including any social media website, without that person's express permission. This is to include any video capture, class, lecture, MediaSite recording, continuing legal education seminar, private picture or recording from on campus events or classes of any kind.
- r. Violate Lincoln Memorial University's weapons free campus policy and alcohol, tobacco and substance policy as set out in the LMU Student Handbook.
- s. Act dishonestly in any academic pursuit

**2..01.2 Specific Examples of Misconduct – This SCC contemplates non-academic conduct only, this list is illustrative, not definite**

- a. Misconduct of a non-academic nature either on campus or off that is illegal or could impugn the character of the School of Law, its students or faculty, staff or administration (whether the police are notified or file a report is irrelevant to the violation of this SCC).
- b. Failure to report known misconduct of a non-academic nature either on campus or off that raises a substantial question as to that student's character, honesty, trustworthiness, or fitness as a law student in other respects. Students are encouraged to consult the Assistant Dean of Student and Career Services if they are unsure whether they are required to report another student's conduct.
- c. Actions or behavior that results in an arrest, citation, or police or other security being present.
- d. DUI, DWI, Public Intoxication.
- e. Incidents involving alleged Assault, Battery, Domestic Violence, Terroristic Threat, Stalking, Intentional Infliction of Emotional Distress.