

COASTAL LAW ACADEMIC HONOR CODE
Revised August, 2018

A. Introduction

Students at Florida Coastal School of Law (Coastal Law) must exhibit high standards of academic and professional responsibility in order to enter the legal profession. The principles of honesty and personal responsibility are essential for the proper practice of law. The law school believes that those who intend to enter this profession cannot wait for graduation but must now begin to live by these principles. The Academic Honor Code (Honor Code or Code) shall be interpreted in accordance with these underlying fundamental purposes.

This Honor Code details prohibited conduct, outlines the jurisdiction and establishes the procedures to be followed when a violation of the Code is alleged. This Honor Code and its processes shall only be applicable with respect to alleged violations of the Code committed by students and shall not, under any circumstances, be applicable with respect to alleged violations committed by professors, staff members or law school administration. Faculty and staff members should follow the principles of academic integrity in their own work and conduct.

The objectives of the Honor Code procedures are to:

1. Create a process in which to determine violations of the Honor Code;
2. Ensure involvement of students, faculty, and administration in enforcement;
3. Maintain confidence that the system will work, that violators will be held accountable, and that any accused student will be treated fairly.

Investigations may be initiated or continued after a student has graduated, or after the student has completed the course or program, if the academic misconduct occurred while the individual was enrolled at Coastal Law or in a program sponsored or co-sponsored by Coastal Law. If an Honor Code matter is pending when a student is scheduled to graduate, the student's degree may be withheld at least until the matter is resolved. Student status continues until it is terminated upon the occurrence of one or more of the following events:

1. Graduation or completion of a Coastal Law-sponsored bar preparatory program.
2. Documented completion of the academic program by the Registrar or program administrator.
3. Voluntary withdrawal of the student from all courses of academic instruction.

4. Involuntary dismissal from all programs and activities of the school, and the exhaustion of all internal procedures to redress the dismissal or withdrawal (if applicable).

5. Unauthorized absence from the school for one or more semesters.

B. Notice of the Honor Code Provisions and Amendments

A student is on notice of this Code and its provisions by virtue of enrollment at the law school in any of its programs. This Code is published in the Coastal Law Student Handbook. Any suggestions for amendments to the provisions of this Honor Code shall be made by the Office of Student Affairs in collaboration with the Academic Integrity Officer. In order to take effect, such amendments (excluding minor clerical or grammatical corrections) must be approved by the voting faculty at a duly noticed faculty meeting. A simple majority is required to amend the Code.

C. Definitions

1. The terms “school” or “Coastal Law” mean Florida Coastal School of Law.
2. The term “student” means an individual:
 - a. Who has been accepted for enrollment in one or more classes offered by this school, or in any qualifying program at Coastal Law, and
 - b. Who has registered for one or more classes of academic instruction to be given at the school or sponsored by the school.
3. “Academic Integrity Officer” refers to a member of the full-time faculty who will be appointed by the Dean. The Academic Integrity Officer has the authority to recommend that certain decisions and sanctions imposed by the Investigator be amended or referred to the Dean for resolution.
4. “Class” and “Course” refer to any class or course at Coastal Law. The terms should be construed broadly, and include graded and non-graded courses, courses offered for credit and not for credit, and courses offered on or off the law school campus. The terms specifically include clinics, internships, summer abroad programs, and academic competitions.
5. “Honor Code” or “Code” refers to the Coastal Law Academic Honor Code
6. “Day” means any regular business day of Coastal Law, and does not include weekends, holidays, or any day on which Coastal Law is not open to conduct regular business.
7. “Dean” refers to the Dean of Coastal Law, or that person’s designee.

8. "Investigator" refers to the person charged with gathering facts and information about a referral under this Code, and with imposing sanctions.
 - a. The Investigator typically will be a member of full-time faculty or an administrator.
 - b. The Dean reserves the right to appoint another person, including a person who is not a full-time employee of Coastal Law, as Investigator. If the Dean appoints a person who is not a full-time employee of Coastal Law, the Dean will enter into an agreement with that individual indicating that the individual will abide by the relevant Coastal Law policies and procedures.
 - c. The Dean also reserves the right to appoint multiple Investigators to a matter. The Investigator may be assisted by others in work under the Code.
 - d. The Investigator under this Code is distinct from the Conduct Code Investigator, who is the person charged with gathering facts and information about a referral under the Conduct Code.
9. "Notice" means written notice and includes e-mail messages.
10. "Writing" includes an e-mail message sent to a student's Coastal Law e-mail account.

D. Prohibited Conduct

Any conduct by a student that would permit any student to gain or give an unfair advantage to any student in any academic matter or matter related to academic credentials shall be considered a violation of this Code. The Investigator does not have to find that any unfair advantage was achieved by the student, only that the student acted knowingly or recklessly with respect to the specific violation. Conversely, a disciplinary violation occurs when, among other things, the violation of a scholastic standard is not the sole or primary allegation against the student. Disciplinary violations will be adjudicated and sanctioned pursuant to Coastal Law's Student Code of Conduct.

The following conduct, while not exhaustive, shall constitute a violation of this Code:

1. **Plagiarism**- Appropriation of any other person's work, words, thoughts or ideas without acknowledgment in any work submitted in any academic pursuit or law school competition, including but not limited to, research or seminar papers, examinations, law review, mock trial or moot court.
2. **Cheating** - Any act of fraud or deception by which the offender improperly gains or attempts to gain an unfair benefit or advantage from the school, its faculty, staff, fellow students, or other persons in connection with the school. Examples of this offense include, but are not limited to the following:

- a. Giving or securing information about an examination, except as authorized by the examining professor;
 - b. Copying or consulting books, papers, or notes of any kind during the examination, except as authorized by the examining professor;
 - c. Unauthorized communication during an examination
 - d. Unauthorized assistance or collaboration; giving or receiving aid on an assignment, examination or other academic assignment without the express prior approval of the professor
 - e. Inappropriate use of others' work; using words, thoughts, or ideas without attribution so that they seem as if they are your own
 - f. Failing to report advance knowledge of any question on an examination not yet given
 - g. Continuing to write a test or examination when the time allotted has elapsed.
3. **Facilitating academic dishonesty** - helping someone else commit an act of academic dishonesty. This includes but is not limited to giving someone work product to copy or allowing someone to cheat from an examination or assignment
 4. **False Witness** - Knowingly making a false report or statement that another student has violated this Code or that a faculty or staff member has violated any provision of the faculty handbook, employee handbook or otherwise engaged in unprofessional conduct.
 5. **Misappropriation of, or damage to, academic materials** – Damaging, misappropriating or disabling academic resources so that others cannot use them.
 6. **Multiple submissions** - Submitting work you have done in previous classes as if it were new and original work without permission from the instructor
 7. **Deception and misrepresentation** – Lying about or intentionally misrepresenting work, academic records, credentials, or other academic matters or information. May include, but not limited to, forging signatures or letters of recommendation, falsifying documents pertaining to internships, clinics, pro bono or resume.
 8. **Electronic Dishonesty** – Using network or computer access inappropriately in a way that affects a class or other students' academic work.
 9. **Obstruction of Justice** - Failing to reveal fully any knowledge or evidence concerning a filed referral on proper request of a member of the Investigator or an Administrator

10. **Perjury** - Knowingly misstating a material fact in a statement presented to an Investigator or an Administrator gathering facts about the issue at hand
11. **Contempt** - Willfully failing or refusing to comply with any request of the Investigator or Administrator in a matter related to this Code.
12. **Confidentiality of Code Violation Proceedings** - Violating any duty of confidentiality imposed by this Code
13. **Failure to Report** - Failing to file a complaint pursuant to the provisions of this Honor Code when a student has knowledge that another student has committed a violation of the Honor Code that raises a substantial question as to that student's honesty, trustworthiness, or fitness as a student in other respects.
14. **Other Conduct** - Engaging in academic conduct, not otherwise covered by any other provision of this Code directly related to activities or programs related to the law school, which adversely reflect upon fitness to remain a student at the law school.

E. Procedures

1. Referrals

- a. Method of referral - Members of the Coastal Law community may refer possible violations of this Code to the Office of Student Affairs. To determine whether an investigation or intervention is necessary, it is helpful for the person to provide names, dates, locations, and descriptions of the possible academic misconduct. It may be within a faculty member's discretion to refer an incident under this Code. Faculty may choose to resolve issues as outlined in their course policies and/or syllabus.
- b. If the Dean of Student Affairs believes a possible violation of the Honor Code has occurred, he or she should urge the individual to move forward with a written referral. Templates for referrals are available in the Office of Student Affairs. The Dean of Student Affairs should alert a reporting student to the fact that failure to report an Honor Code violation is in itself an offense under the Code. If the Dean of Student Affairs does not believe a violation has occurred, he or she shall inform the student, faculty or staff member that he or she is not obliged to take any further action in the matter. However, if despite the consultation with the Dean of Student Affairs, the student, faculty or staff member decides to make a referral, the Dean of Student Affairs should remind him or her that the Honor Code equally sanctions the students who knowingly make a false report of an Honor Code violation. Staff or faculty would be referred to Administration.
- c. Additional referrals - If the Investigator finds information that suggests the student or another person may have violated other provisions of the Honor Code

or Code of Conduct, the Investigator may treat this information as an additional referral or may refer the additional matter to a Conduct Code Investigator.

- d. No anonymous referrals will be accepted. Making a timely referral is of the utmost importance. Referrals are considered timely if they are made within 30 days upon notice of the incident.

2. Interim Action

- a. After receiving a referral, the Investigator or an Administrator may recommend to the Dean or designee that a student be suspended, restricted from classes or other activities, or prohibited from having contact with one or more individuals for an interim period.
- b. A recommendation for interim action must be based on a reasonable belief that serious academic misconduct occurred and that the continued presence of the student on the campus poses a threat to the academic integrity of the institution.
- c. The decision to impose an interim action will be communicated in writing to the student, and will become effective immediately.
- d. A student who receives an interim action will be provided with an opportunity to meet with the Investigator to respond to the allegations of misconduct no later than seven (7) days following the effective date of the interim action.
- e. The interim action will remain in effect until a final decision has been made on the pending referral or until the Investigator determines that the reasons for imposing the interim action no longer exist.
- f. The Dean or his/her designee have the right to impose any readmission requirement necessary, based on an individualized assessment, to demonstrate the health, well-being, and overall fitness of the student to continue in law school before allowing readmission.

3. Investigation and Decision

- a. After receiving a referral, the Investigator:
 - i. will determine whether the referral states a sufficient basis to believe that a violation of the Honor Code may have occurred;
 - ii. will determine whether the referral primarily reflects academic or nonacademic misconduct and will request the Dean of Student Affairs to reassign the matter if it represents nonacademic misconduct;

- iii. may interview the person making the referral and other persons with information, and may seek additional information regarding the referral.
- b. If the Investigator determines that the Code has not been violated or that a violation cannot be substantiated, the investigation will end and the Investigator will follow the reporting and record-keeping provisions noted below in Section J.
- c. Even if the Investigator determines that a matter should not be pursued under the Honor Code, the Investigator may recommend that an educational conference be held with the student so that the conduct at issue is not repeated, or so that the student may better understand the effects and consequences of the actions.
 - i. During this educational conference, the Investigator may require the student enter into an academic conduct contract. That contract may outline conduct or actions that the student must avoid, or may impose affirmative obligations on the student.
 - ii. A violation of the contract may be considered as a violation of this Honor Code.
- d. The referral will be considered an accusation under this Code only after the Investigator determines that a sufficient basis exists to believe that the Honor Code may have been violated.
- e. If the Investigator believes that a violation of the Code may have occurred, then the Investigator will promptly notify the student in writing of the alleged violation, will set a time to meet with the student, and will gather any other information needed to resolve the matter.
- f. At the meeting the student will be provided with the following:
 - i. an explanation of any Honor Code sections at issue and the nature of the conduct that is the basis for invoking those Code sections;
 - a summary of the information gathered
 - ii. a reasonable opportunity to respond; and
 - iii. an explanation of the applicable disciplinary procedures in relation to the Honor Code.
- g. The student may be assisted by an advisor of their own choice and at their own expense. The role of the advisor is limited to consultation. Advisors may not speak on behalf of a student. Because the purpose of this process is to provide a fair review of the alleged violations of the Honor Code rather than a formal legal proceeding, participation of persons acting as legal counsel is not permitted. Advisors may not appear in lieu of the student; however, an advisor may consult

with the student during a meeting and may assist with the preparation for the meeting. Students who choose an attorney as their advisor shall notify the Dean of Student Affairs of the attorney's name and contact information at least five (5) business days prior to the meeting.

- h. During the meeting with the student, both the Investigator and the student may have witnesses available, but the witnesses need not be in the same room as the student. The student, while having the right to understand the witnesses' positions, does not have a right to examine the witnesses. The Investigator may choose to audiotape the meeting.
- i. A student who fails to attend a scheduled meeting with the Investigator will forfeit the right to respond regarding the alleged violation, unless excused by the Investigator. If the student fails to attend the meeting, the Investigator may proceed to impose a sanction.
- j. After carefully considering the information gathered, the Investigator will determine whether there is clear and convincing evidence that a violation of the Honor Code has occurred and, if so, the appropriate sanction or sanctions to apply.
- k. The Investigator will notify the Dean of Student Affairs of the decision and sanction, if any.
- l. Then, the Investigator will inform the student of the decision, in writing. The written decision will describe the violation, the determination, and the sanction. When feasible, the Investigator also should communicate the decision and sanction to the student in a face-to-face meeting or via video or telephone.
- m. Following a decision, the student has the right to file an appeal based on the procedures outline in Section I.

F. Sanctions

1. The following sanctions and may be imposed upon any student found to have violated the Honor Code:
 - a. Warning—Notice, orally or in writing, that continuation or repetition of prohibited conduct will be cause for additional disciplinary action.
 - b. Reprimand - A written or oral reprimand specifying the violation for which the student is held responsible.
 - c. Academic Disciplinary Probation - A form of probation that is distinct from probation that may be imposed as a result of academic performance. The term refers to the

- period prescribed by the Investigator during which certain conditions imposed as sanctions must be met or during which the student's behavior will be monitored. If the student fails to fulfill the conditions during the probationary period, the Investigator, after giving the student notice and a reasonable opportunity to respond, may determine that the student has violated the probation and may impose new or additional sanctions. The conditions of academic disciplinary probation may be varied, depending on the circumstances.
- d. Restrictions or Loss of Privileges and/or Benefits - Denial, exclusion, or restriction of certain privileges, events, activities, or benefit for a designated period of time. An example would be the removal from any student governmental office or position in any school-sponsored activity or organization or from any school-sponsored position of trust, responsibility or interest. Another example would be the partial or total revocation or suspension of scholarship.
 - e. Discretionary Sanction - Work assignments, service to the school, local community, civic organizations, or other related discretionary assignments.
 - f. Counseling - This may be for substance abuse, anger management, or other purposes depending on the incident and associated circumstances. The student will be required to provide documentation of completion of the required counseling by a qualified professional. The student will be responsible for all costs associated with the counseling.
 - g. Suspension—Separation of the student from the school for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Duration of suspension will be determined as part of the disciplinary process.
 - h. Expulsion—Permanent separation of the student from the school. School officials administering this Code have the right to permanently dismiss a student for any reason, cause, or Honor Code violation notwithstanding any other provision in the Honor Code or Student Handbook. If a student is expelled from the school for any Honor Code violation, the student is not entitled to any reimbursement of tuition, book expenses, or other fees associated with the school and/or enrollment.
 - i. Revocation of Degree - Rescinding a student's degree awarded by the school.
 - j. Other Sanctions - Other sanctions or actions may be imposed instead of or in addition to those specified in this section.
2. Multiple sanctions may be imposed by the Investigator.
 3. A student may not be considered in good standing while an Honor Code investigation is pending; to include the appeal process and completion of assigned sanctions.

G. Implementation of Sanctions

Sanctions are effective immediately, unless stayed or otherwise set by the Investigator. If a student initiates an appeal, sanctions will not begin until the appeal process is exhausted. The Dean or designee may impose sanctions during the appeal process to ensure the safety and wellbeing of members of the school community. If the sanctions include suspension or expulsion, various members of the school community will be promptly notified, including school security personnel and the student's faculty.

H. Mitigating and Aggravating Factors

In determining the sanction, the Investigator may consider mitigating and aggravating factors. A non-exhaustive list of factors that may be considered include the following:

1. Pre-referral admission - When a student voluntarily admits misconduct before learning that someone has referred the matter or is about to refer the matter, the Investigator may consider the admission as a mitigating factor. A student who has the courage and integrity to come forth with a good-faith admission has reaffirmed a personal commitment to honor. Any student interested in making such an admission should contact the Office of Student Affairs.
2. Other admissions - Even an admission made after a referral may have some mitigating value. This type of admission shows acknowledgment of the inappropriate nature of the student's conduct. However, a post-referral admission is not as strong a mitigating factor as a pre-referral admission.
3. Cooperation - The Investigator may consider how cooperative, or uncooperative, the student was during the process, including whether the student responded timely to inquiries and requests for meetings, provided requested information, and dealt honestly and civilly with the investigator and others involved with the process.
4. Intent - Conduct falls on an intent continuum that ranges from malicious, willful, intentional, reckless, and grossly negligent conduct on the more serious end, to merely negligent, careless, and accidental conduct on the less serious end. Where conduct falls on this continuum may be considered when determining sanctions. Conduct that is malicious, willful, intentional, reckless, or grossly negligent may justify a more serious sanction. Less intentional conduct may be a mitigating factor.
5. Degree of harm or seriousness of offense - The degree of harm to others and the seriousness of the conduct are relevant factors in determining sanctions.
6. Prior violations educational conferences - Prior violations of, or educational conferences about, the Honor Code or Conduct Code may be considered as aggravating factors.

7. Nexus to professional standards - The nexus between the student's conduct and the question of character and fitness of the student to practice law is a relevant factor in determining sanctions.
8. Discriminatory motive - If a student, in engaging in conduct prohibited under the Honor Code, is also found to have intentionally directed the conduct toward a person or group because of the race, color, religion, age, national origin, ancestry, disability, gender, sexual orientation, marital, or parental status of the targeted person or group, that discriminatory motive may be an aggravating factor in determining sanctions.

I. Appeals

A student may appeal the sanctions imposed under this Code. Appeals should be made in writing to the Dean of the school within five (5) days of the date of communication of the decision reached in the meeting with the Investigator. An appeal must be based on one or more of the following:

1. Availability of new evidence sufficient to alter the decision that was not available prior to the original decision.
2. A procedural defect that was prejudicial.
3. Sanctions found to be grossly disproportionate to the offense.

The appeal will be reviewed and considered by a Review Committee comprised of the Dean or his/her designee, an academic dean, and another administrator or faculty selected by the Dean or his/her designee.

Formal rules of evidence will not be applied nor will deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to a student or the school may result. Upon review of the appeal, the Review Committee will make a ruling, and the decision of the committee is final. The student will be notified in writing of the Review Committee's decision regarding the appeal.

J. Records and Record-keeping

1. The decision will be placed in the student's file in the Office of the Registrar, and a confidential file on the matter also will be maintained in the Office of Student Affairs. Any finding of an Honor Code violation may be reported by the Dean or his/her designee to any board of bar examiners or similar organization for any bar to which the student applies. Students should be aware that most bar applications will require the student to report any sanctions imposed on the student by an educational institution, regardless of whether the sanctions were for academic misconduct suggesting unfitness for the practice of law. Students also should be aware that Coastal Law routinely responds to inquiries regarding student character and fitness from boards of bar examiners and similar organizations.

2. If the Investigator determines that the initial referral cannot be substantiated, the Investigator may prepare a summary of the matter; that summary will be maintained in a confidential file in the Office of Student Affairs. Information in the file will be used only to respond to specific inquiries about that matter received from the student whose conduct was at issue or from a board of bar examiners or similar organization to which the student has applied.

K. Confidentiality

Coastal Law considers referrals and procedures under the Honor Code to be confidential. All participants should respect the confidentiality of this information and disclose it only to those who have a legitimate and necessary need to know.

L. Publication of Results

At least once a year, the department head of the Office of Student Affairs should compile a list of all referrals in which issued violation of the Code was substantiated. This list, which should not contain names, but which should list the violation and any sanction issued, should be shared with the Coastal Law Community at the discretion of the Dean or his/her designee.

Attribution: Portions of this Code were derived from Stetson University College of Law's Academic Honor Code.