



## STUDENT HONOR & CONDUCT CODE

Lewis & Clark Law School is a community of people dedicated to high standards of academic, professional, and personal conduct. The standards are intended to ensure each student has an opportunity to enjoy rights of personal and intellectual freedom in an atmosphere of mutual respect. These rights are accompanied by duties that include the observance of the highest principles of honesty, integrity, and ethics. To guarantee the protection of these rights and the performance of these duties, the faculty and students of Lewis & Clark Law School have adopted this Student Honor & Conduct Code.

Responsibility for student conduct rests with the students and the faculty. Assuming this responsibility is particularly important for law students. Their future conduct as lawyers will be governed by the rules of professional conduct adopted by the states in which they practice, all of which require high standards of integrity and personal conduct.

In addition to the offenses set forth in this Code, law students are required to follow the Institutional Policies, which are available at <https://www.lclark.edu/policies/>. These policies include, but are not limited to, the following:

- [Alcohol and Drugs Policy](#)
- [Discrimination, Harassment, and Hate- or Bias-Motivated Conduct Policy](#)
- [Disorderly Conduct Policy](#)
- [Freedom of Expression & Academic Inquiry Policy](#)
- [Hazing Policy](#)
- [Protest and Demonstration Policy](#)
- [Sexual Discrimination, Harassment, and Misconduct Policy](#)
- [Smoke and Tobacco Free Community Policy](#)
- [Weapons on Campus Policy](#)

Some of these Institutional Policies have specific procedures for reporting, investigation, and enforcement. If any conflict arises between the obligations of this Code and an Institutional Policy, this Code supersedes the Institutional Policy. If a law student is accused of a violation of an Institutional policy, Law School administration, in consultation with the appropriate College of Arts & Sciences (CAS) department, will oversee the conduct process and, if applicable, determine the appropriate penalty.

Students may be accountable to both civil authorities and to the Law School for acts that constitute violations of law as well as violations of Law School or Institutional Policies. In some cases, students may be referred to civil authorities for arrest or prosecution resulting from actions that are also violations of Law School or Institutional Policies. The Law School may address policy violations regardless of and separate from any other proceedings. Student conduct hearings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. If the alleged violation also violates Institutional or Law School Policies, the Law School may advise off-campus authorities of the existence of the Code and of how such matters will be

handled internally within the Law School community. Unless otherwise provided by Institutional Policies, the Law School will cooperate, consistent with its own policies and interpretations, with law enforcement and other agencies in the enforcement of municipal, state, and federal law on campus, as well as in the implementation of conditions imposed by criminal courts for the rehabilitation of student violators. However, where government implementation of the law is reasonably believed to conflict with constitutional protections, applicable law, or the Law School's core commitments to the safety, dignity, and rights of its students, the Law School may decline or limit cooperation to the fullest extent permitted by law in order to protect its students and community.

Offenses not set forth in this Code or addressed by an Institutional Policy will be reviewed by the Dean of the Law School. The Dean has the discretion to determine how to investigate, whether to refer the matter to an Honor & Conduct Committee, and what penalties, if any, should be imposed, in accordance with the severity of the offense.

**Definitions:**

As used in this Code, the following definitions apply:

**Institution/Institutional:** All units of Lewis & Clark (Law School, College of Arts & Sciences, Graduate School of Education and Counseling, and Common Services).

**Administrative Staff:** All employees of any unit of Lewis & Clark.

**Dissent:** The expression of an opposing view.

**Event:** Any program, session, professional, or social activity held on or off the Law School campus.

**Electronic devices:** headphones/in-ear items, tablets, smart devices (e.g., phones, watches, pens, glasses), or any other items that require electricity and/or charging. For purposes of this Code, this also includes any type of in-ear item, whether electronic or not, except foam ear plugs that do not resemble electronic earbuds.

**Examinations:** Finals, mid-terms, or quizzes given in-person or remotely by any means, including exam software or a word processing program.

**Student:** Any currently enrolled J.D., L.L.M., or M.S.L. student and any person currently on a leave of absence or in an active degree program.

**Student Organization:** Any organization approved by the Law School Student Affairs department and authorized to hold group meetings and events.

**Student guest:** Any person who has been invited by a student to attend an event or session on the Law School campus or to attend an off-campus event hosted by the Law School or one of the Law School departments or student organizations.

## **A. HONOR & CONDUCT CODE**

### **1. Examinations**

- a. A student shall not violate any instruction provided by a professor or the Registrar's Office relating to an examination. This includes instructions or policies created by the Registrar's Office regarding computer/exam software use.
- b. Except when expressly authorized by the professor, a student shall not give, seek, or receive aid in any form before, during, or after an examination when such aid might create an unfair advantage. If a student inadvertently obtains information that might

create an unfair advantage, the student shall immediately bring the matter to the attention of the professor.

- c. Unless the professor expressly authorizes or the Office of Student Accessibility provides as part of a student's reasonable accommodation after consultation with the faculty member:
  - i. A student shall not use books, papers, electronic devices (other than the device being used to take the exam, if permitted), or other materials for any purpose during an examination;
  - ii. A student shall not reproduce passages from allowed materials without due acknowledgement, except that students may reproduce material from their personal class notes or non-commercial outlines if they are permitted to consult those materials during an exam (unless the professor explicitly provides otherwise). Permitted personal notes and outlines include material which a student created in collaboration with classmates, unless the professor states otherwise.
  - iii. A student who brings authorized print materials into an examination room shall ensure those materials are free from any additional writings or notes if the professor has expressly prohibited markings in authorized materials.

## **2. Other Academic Work**

- a. A student shall comply with any written rules established by a professor with respect to work for that professor, including rules that modify the requirements that follow in this section.
- b. A student shall not submit work as their own for academic credit or publication if the student has not prepared that work in whole or in part themselves. This section does not prohibit joint authorship for a paper when all student authors of such paper have the express permission of the professor. For purposes of this section, submission of work includes any work that a student submits to a professor, including draft papers or other documents, that the student represents as the student's own work.
- c. A student shall not submit work, or any portion thereof, for credit in more than one course unless the student makes full disclosure to, and obtains the prior written consent of, the professors to whom the paper has been and is to be submitted.
- d. A student shall not give, seek, or receive help, cooperation, or collaboration from any source (person or electronic) unless the supervising professor gives express permission to do so. Unless a professor specifically prohibits it, this rule does not prohibit a student from obtaining review from a member of the Legal Writing Center or from having a person or electronic program/application review solely for grammatical, typographical, or citation errors.
- e. A student shall clearly identify any material, including ideas, words, and statements, that the student has not personally created, prepared, compiled, or published, using quotation marks, citations, or other appropriate methods of acknowledgment. Written work that does not contain appropriate methods of acknowledgement can be plagiarism even if the student's work is not a verbatim copy from other sources.
- f. Factors that will be considered in assessing appropriate sanctions for violations of this Code section include (but are not limited to) the quantity of material a student has appropriated from other sources without proper attribution, evidence indicating

an intent on the student's part to pass off work they did not do as their own, the extent to which the work is a draft or finished product, and the degree of similarity between the student's work and material from other sources.

### **3. Library**

A student shall comply with all written Library policies posted on the Library website or in the Library and Wood Hall, including policies pertaining to the use of Library materials, equipment, and space. Specifically, a student shall not hide, conceal, remove, misshelve, nor intentionally tear, mutilate, mark, write in, or otherwise destroy Library materials. This also includes Library policies pertaining to conduct and students' responsibility for maintaining an atmosphere in the Library and Wood Hall study areas that is conducive to study.

### **4. Property**

- a. Students shall not take without permission, or intentionally damage or disable property belonging to the institution or to another person. Students shall not take, copy, or view another person's notes, books, papers, or other academic materials, whether in print or electronic format, without permission.
- b. A student shall not remove or deface flyers, posters, or other announcements of events sponsored by the Institution or a recognized student organization.

This Code section pertains to conduct on campus and/or relating to the academic environment. For example, if a student steals the coat of another student while on Lewis & Clark premises, including satellite locations, it is a violation. If a student steals the coat of another student while off Lewis & Clark premises, it is not a violation of this Code (although criminal convictions resulting from the theft will likely result in Conduct Code proceedings). If, though, a student steals the notes of another student, this Code section pertains regardless of where the notes are at the time of the taking. These examples are not intended to limit the situations to which this violation applies.

### **5. False & Misleading Information**

A student shall not intentionally furnish false or misleading information to a member of the administrative staff or faculty with respect to any law school matter.

### **6. Classroom Conduct**

- a. A student shall follow all written policies, rules, and instructions of the professor.
- b. A student shall not engage in classroom behavior that impedes or disrupts other students' opportunity to learn or that directly or significantly interferes with class objectives.
- c. Upon the professor's request, a student shall leave a classroom if the student is engaging in classroom behavior that impedes or disrupts other students' opportunity to learn or that directly and significantly interferes with class objectives.

## **7. Disruptive Behavior, Protest, & Dissent**

Students shall not engage in loud, aggressive, or other behavior that disrupts or obstructs, or that is intended to disrupt or obstruct, the orderly functioning of the Law School, or the peace of person(s) on the Law School campus, on Law School owned or controlled property, or at a Law School-sponsored or -supervised function.

### **a. Protest and Dissent**

The right to dissent is the complement of the right to speak, but these rights need not occupy the same forum at the same time. Speakers are entitled to communicate their message to the audience, and the audience is entitled to hear the message and see the speaker. A dissenter shall not interfere with a speaker's ability to communicate or an audience's ability to see and hear the speaker.

When an event is closed (by invitation only, as decided by the organizers or the Associate Dean of Student Affairs), dissent is limited to activity outside the event that does not impede access to the event or interfere with the communication inside.

When an event is open to the public or open to all Law School community members, the acceptable form of dissent will depend on whether the dissenter is inside or outside the event venue and on whether the dissenter is acting before, after, or during the event.

### **b. Picketing and Distributing Literature**

Picketing in an orderly way or distributing literature outside of an event is permitted unless it impedes access to the venue. Distributing literature inside an open event is acceptable before the event is called to order and after the event is adjourned.

### **c. Silent or Symbolic Protest**

During events open generally to Law School community members or the public, displaying a sign, wearing symbolic clothing, gesturing or otherwise protesting noiselessly is acceptable so long as the protest complies with (d), below, unless the protest interferes with a speaker's ability to communicate or the audience's ability to see and hear the speaker.

### **d. Location of Dissenting or Protesting Activity**

During events open generally to Law School community members or the public, any use of signs, standing, or other activity likely to block the ability of anyone in the audience to see the speaker must be confined to the back of the room, with an exception for students who have mobility issues that make it difficult to reach the back of the room.

Law School community members shall not sit, stand, or otherwise occupy the area around the podium or the front of the room, unless invited to do so by the speaker or

the organizers of the event. This restriction does not apply to a moderator, discussant, participating member of the faculty or administration, or a representative of the student organization that invited the speaker.

For purposes of this section, “the front of the room” means any area in front of the first row of audience seating for the event. In a classroom, this will typically be the area in front of the first row of fixed seating.

**e. Noise**

Law School community members shall not chant or make other sustained or repeated noise in a manner that interferes with the speaker’s communication, whether inside or outside of an event. Responding vocally to the speaker, spontaneously and temporarily, is generally acceptable. Spontaneous and temporary vocal reactions against a speaker do not violate this Code if they are similar in kind and degree to reactions in favor of the speaker.

**f. Force or Violence**

Law School community members shall not use or threaten force or violence, such as assaulting a speaker or a member of the audience or interfering with any person’s freedom of movement (including the ability to enter or leave a room at which an event is taking place).

**g. Audience Responsibility**

The audience, like the host and the speaker, must respect the right to dissent. Members of the audience and the host organization shall not substantially interfere with acceptable dissent as outlined in this Code. Such conduct violates this Code section in the same way as a dissenter who violates the rights of the speaker or audience.

**h. Compliance with Faculty and Law School Administration**

Faculty and administrators who are present at an event may instruct anyone causing a disruption of the event to leave the event or may temporarily halt or move the event. Failure to comply with such a request from a faculty member or administrator is a violation of this Code. Students who wish to ask for advice about what kinds of protest activities are acceptable or unacceptable under this Code should consult with the Associate Dean of Students.

**8. Disclosure**

A student shall report suspected violations of the Code as specified in “Reporting of Possible Violations,” below. Failure to report a violation is itself a violation of this Code.

## **B. HONOR & CONDUCT CODE REPORTING & REVIEW PROCESS**

### **1. Reporting of Possible Violations**

a. **Students:** A student who has reasonable grounds to believe that a Code violation has been committed shall report the violation to a faculty member or the Associate Dean of Student Affairs no later than five days from discovery (excluding holidays, Saturdays, and Sundays). The failure to report a violation within five days is itself an Honor Code violation. The five-day period is not a statute of limitation for the original violation.

b. **Faculty and Administration:** A faculty member or administrator who discovers or who receives a report about a possible Code violation shall, unless the faculty member deals with it directly, report the violation to the Associate Dean of Student Affairs as soon as possible.

### **2. Review of Reported Code Violation**

#### **a. Informal Procedure**

When a faculty member discovers a possible Code violation or a violation is reported to a faculty member, the faculty member may deal directly with the possible violation if it involves an examination, other academic work, or other matters relating to a class that the faculty member is teaching or supervising. The faculty member has discretion to impose the sanction that they believe is appropriate under the circumstances, including, but not limited to, a reprimand, grade reduction, failing grade, corrective work, or dismissal from the class. No penalty may be imposed by the faculty member without first notifying the accused student and affording the student a full opportunity to respond to the charge. The faculty member may not expel, suspend, or place a student on probation. A faculty member shall report to the student, the Associate Dean of Student Affairs, and the Dean any penalty imposed and the violation involved. A record of the violation and resulting penalty will be recorded and retained by the Law School. If required by any bar to which the student applies for licensure, the Law School will provide a report of the violation and resulting penalty.

#### **b. Referral of Violations to the Honor & Conduct Committee**

When the Dean is informed of a possible Code violation and a request is made for a formal process, the Dean shall refer the matter to the Honor & Conduct Committee within 10 calendar days of the report to the Dean. Any student who has received a penalty in accordance with the Informal Procedure set forth above and who denies committing the violation or who wishes to appeal the penalty imposed for an admitted offense, may have the matter referred to the Honor & Conduct Committee by making a request to the Dean within 10 calendar days of the report to the student.

**c. Composition of the Honor & Conduct Committee**

The Honor & Conduct Committee shall consist of two faculty members appointed by the Dean and a student elected on an annual basis by the student body at large. The Dean will designate one of the faculty members as chair of the committee. When the alleged violation is first presented to the Honor & Conduct Committee for consideration, the Committee will determine, as a whole, whether the student or faculty representative(s) has a conflict of interest or a bias which will favor or disfavor the alleged student violator in a way that may adversely affect due process. If for this, or any other reason, the student representative or a designated faculty member is unable to sit on the Honor & Conduct Committee for a particular violation, the Dean shall assign a replacement faculty member; a replacement student representative shall be chosen from among the students elected by the student body to the Student Bar Association (SBA).

**3. Honor & Conduct Committee Procedures**

- a. The Committee shall investigate to determine the facts de novo and to recommend any penalty for any matter referred to it. The Committee shall use the procedures it deems appropriate, with due consideration for past practices and reasonable requests by the student involved. At a minimum, the Committee shall consult with any faculty member who reported the violation to the Dean, give notice of any alleged violation to the student involved, and give the student an opportunity to fully present orally their side of the story before any determination is made regarding the facts or penalty.
- b. The Committee investigation shall be concluded as expeditiously as possible, consistent with the ascertainment of the facts and the integrity of the process. Only in extraordinary cases should the period from referral to the Committee to resolution exceed three weeks.
- c. The Committee shall determine the facts in any case before the Committee that was handled directly by the Associate Dean of Student Affairs or a faculty member pursuant to the Informal Procedure set forth above.
- d. In all proceedings, the Committee shall use a more-probable-than-not standard for finding facts. If a violation is found, the Committee shall recommend a penalty. If no violation is found, the Associate Dean of Student Affairs or the faculty member who handled the matter directly under the Informal Procedure set forth above shall withdraw any penalty imposed.
- e. Upon completion of its proceeding, the Committee shall report its determinations of the facts and whether a violation was committed, as well as its recommendation about penalties, to the Dean.
- f. The Dean has discretion to confer with other administrators and faculty, as well as to communicate with the involved student(s), but has sole authority to impose the appropriate penalty and report it to the student.

## **C. PENALTIES**

The penalties that may be imposed for Code violations must have a reasonable relationship to the gravity of the offense. Penalties the Dean may impose include, but are not limited to:

### **1. Reprimand**

A written notice, saved in the student's official record, stating that their conduct falls below the accepted standards of the school.

### **2. Probation**

The student remains enrolled in law school, but the Dean shall impose written conditions and specify a period of time that the student is on probation.

### **3. Grade Reduction, including failing grade**

A grade reduction, including a failing grade in the course, may be imposed for a student who violates this Code in relation to coursework.

### **4. Removal from Course**

The student may be immediately removed from a course.

### **5. Damages**

The student may be required to pay damages to an injured party, which may include the Law School, in an amount reasonably related to the losses sustained.

### **6. Suspension**

A suspension, not to exceed two years, may be imposed. The Dean shall determine when the suspension begins.

### **7. Expulsion**

A student who has been expelled may not be readmitted.

## **D. RECORDS & DISCLOSURES**

1. The Honor & Conduct Committee shall make such record of its proceedings as it deems necessary to support its determinations. In any case in which the committee finds a violation, the Dean shall retain the record in a secure location. In any case in which no violation is found by the Honor & Conduct Committee, no record shall be retained. Suspension or expulsion shall be reflected in the student's official transcript. Annually, the Dean or their designee shall report statistics regarding the operation of the Honor & Conduct Committee, including violations found and penalties imposed, to the faculty.

2. The Law School may be obliged to report violations of this Code to the bar of a state to which a student applies for admission. The report sent to a state bar may include the written findings from the informal or formal process. Students who are the subject of an informal proceeding under this Code or an Honor & Conduct Committee investigation or proceeding may have an obligation to disclose that information to the bar of any state to which they seek admission.

## **E. PROCEDURE FOR MODIFYING THE HONOR AND CONDUCT CODE**

At the request of the faculty or the SBA, the Dean will appoint a committee consisting of the Associate Dean of Students, the Associate Dean of Academic Affairs, other faculty designated by the Dean, and at least one student representative, for the purpose of reviewing this Code and any proposed changes to it. Any proposed changes will be provided to the SBA for review and comment before final adoption by the faculty, including rules that modify the rules stated in section E.

*Revision approved by faculty on 4/14/26 and in effect as of 4/14/26.*