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Student Handbook 2015-2016

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MERCER
UNIVERSITY

SCHOOL OF LAW

Student Handbook

2015-2016

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NON-DISCRIMINATION STATEMENT

Mercer University is committed to providing equal education and employment opportunities to all qualified students, employees, and applicants without discrimination on the basis of race, color, national or ethnic origins, sex, age, or disability, veteran status, sex, sexual orientation, age, or religion, as a matter of University policy and as required by applicable State and Federal laws. Inquiries concerning this policy may be directed to the Equal Opportunity/Affirmative Action Officer, Human Resources Office, 1400 Coleman Avenue, Macon, GA 31207, phone (478) 301-2786.

STATE AUTHORIZATION

In 1837, by act of the General Assembly of the State of Georgia, the Executive Committee of the Georgia Baptist Convention was given the power “to establish and endow a collegiate institution, to be known by the name of Mercer University.”

UNIVERSITY ACCREDITATION

Mercer University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award bachelor’s, master’s, and doctor’s degrees. Inquiries to the commission on Colleges should relate only to the accreditation status of the institution and not to general admissions information. Inquires may be referred to the Commission on Colleges of the Southern Association of Colleges and Schools. 1866 Southern Lane, Decatur, GA 30033-4097; telephone, (404) 679-4558; Web site, <http://www.sacscoc.org>.

ACADEMIC INTEGRITY POLICY

Mercer University strives to be a Community of Respect that includes respect for academic integrity. Students operate under an honor system and will exhibit the values of honesty, trustworthiness, and fairness regarding all academic matters. Students, faculty, and staff are expected to report any violations in the forms of, but not limited to, cheating, plagiarism, and academic dishonesty to the honor council appropriate for their campus and program.

Procedures related to Honor Systems and Academic Integrity are outlined in the specific handbooks for each campus and can be found on the Provost website at <http://provost.mercer.edu/handbooks>.

FEDERAL DISCLOSURE REQUIREMENTS

Mercer University's Federal Disclosure Requirements are available from the University web site at <http://www.mercer.edu/disclosure>. This report contains the following information:

- **Campus Security: Jeanne Clearly Disclosure for Campus Security, campus crime statistics, Campus Sex Crime Prevention Act, and fire safety.**
- **Campus Emergency Procedures**
- **Drug and Alcohol Policies**
- **Financial Assistance and Cost of Attendance Information**
- **Health and Safety Information: Immunization and missing persons information**
- **Institutional information: accreditation, characteristics of students, degree programs, degree program improvement plans, disability support services, FERPA information, retention and graduation rates, peer-to-peer file sharing, post-graduate employment information, readmission of veterans, transfer of credit, withdrawal procedures, voter registration, and satisfactory progress standards.**

Paper copies of these reports are available upon request. Please contact the Office of Institutional Effectiveness by mailing inquiries to: Office of Institutional Effectiveness, Mercer University, 1400 Coleman Avenue, Macon, GA 31207

ABA DISCLOSURE

<http://law.mercer.edu/about/consumerinformation>

MERCER UNIVERSITY STUDENT HANDBOOK

A majority of student policies and resources can be found in the Mercer University Student Handbook and the University Catalog found at www.mercer.edu/provost. However, many academic programs and the regional academic center have additional information and policies pertaining to the specific population of students they serve. These resources, when taken as a whole, provide students with a basic understanding of the rights and responsibilities of Mercer students.

The Mercer University Student Handbook applies to all students and supersedes all other student handbooks. <http://provost.mercer.edu/handbooks/studenthandbook.cfm>.

Students should review these documents and to contact the Office of Student Affairs professional on their campus if they have any questions (see contact information for the various campuses in the University Student Handbook). Online copies will contain the most up to date versions of policies and supersedes any printed copies should any discrepancies exist. These documents may be provided in an alternative format upon request.

This handbook can be found on the Web at <http://www.law.mercer.edu/life/handbook.cfm>
Course descriptions can be found at <http://www.law.mercer.edu/administrative/registrar>

Student Access to Law Building Hours

Monday - Thursday	7:00 am to midnight
Friday	7:00 am to 10 pm
Saturday	8:00 am to 10 pm
Sunday	8:00 am to midnight

General Public to Law Building Access

Monday - Thursday	8:30 am to 6:00
Friday	8:30 am to 5:00 pm

Directory

	<u>Phone</u>	<u>Office</u>	<u>Title</u>
<i>Deans' Suite</i>			
	478-301-		
Floyd, Daisy Hurst	2602	140	Dean and University Professor of Law and Ethical Formation
Wells, Donal C. (Chris)	2603	143	Associate Dean and Associate Professor
Donovan, Mary	2586	141	Assistant Dean for Student Affairs
Dean, Michael	2607	137	Associate Dean for Administration, Finance & Enrollment, COO
Batts, Karen	2602	138	Administrative Assistant to the Dean
Boney, Debra	2606	139	Senior Administrative Assistant
 <i>Faculty Offices</i>			
Baldwin, Anthony	2619	332	Professor
Blumoff, Theodore	2634	313	Professor
Buck, Michelle	2436	342	Asst. Dir/Aca/Suc/Stu/Affairs
Buck, Isaac (Zack)	2323	366	Assistant Professor
Cassidy, Suzanne	2665	212	Director of Law Library and Professor
Claxton, Joseph	2146	376	Professor Emeritus
Cole, John	2638	309	Professor
Creswell, Richard	2616	305	Professor
Dantzler, Deryl	2416	126	Professor Emerita
Feinberg, Jessica	2191	377	Associate Professor
Fleissner, James	2637	310	Professor
Floyd, Timothy	2631	304	Tommy Malone Distinguished Chair in Trial Advocacy and Director of Experiential Education
Gerwig-Moore, Sarah	2195	306	Associate Professor
Hricik, David	4154	334	Professor
Hunt, James	2202	321	Associate Professor
Johnson, Steve	2192	375	Walter F. George Professor
Jellum, Linda	5689	362	Ellison C. Palmer Professor of Tax Law
Jones, Mark	2636	325	Professor
Kidd, Jeremy	2431	373	Associate Professor
Longan, Patrick	2639	315	William Augustus Bootle Chair in Ethics

McMurtry-Chubb, Teri	2432	374	and Professionalism	Professor
McCann, Margaret	5017	364	Associate Professor	
Oedel, David	2629	316	Director Academic Success Program	
Painter-Thorne, Sue	2647	303	Professor	
Pinder, Kamina	2434	367	Associate Professor	
Ritchie, David	5686	307	Visiting Associate Professor	
Roudil, Monica Armstrong	2203	372	Professor	
Sabbath, Michael	2643	318	Associate Professor	
			The SBLI/Walter H. Drake, Jr.	Chair in
			Bankruptcy	Professor
Sheppard, Jennifer	2239	311	Associate Professor	
Simson, Gary	2628	333	Senior Vice Provost for Scholarship and	
			Macon Chair in Law	Professor
			Professor	
Sneddon, Karen	5908	371	Associate Professor	
Titshaw, Scott	2492	317	Professor	
Watson, J. Shand	2617	326	Associate Dean for Academic Affairs and	
Wells, Donal C (Chris)	2603	143	Professor	

Adjunct Faculty

Adams, Charles
 Axam, Tony
 Bell, Griffin III
 Bonapfel, Paul
 Boyd, Megan
 Boyer, Wes
 Boyter, Ronald
 Brandenburg, Elizabeth
 Brown, Manley
 Cadle, Ivy
 Clark, John Christopher
 Cole, John P.
 Coody, Lisa
 Cook, Kate
 Culpepper, Bryant
 DeCarlo, Kean
 Dellacona, Tracey
 Donovan, Mary
 Edwards, Brown
 Elliott, James
 Elliott, Richard
 Fagan, Katherine
 Halvorson, Neil

Hearnburg, William
Hervey, William
Hill, William
Hogue, Frank
Hogue, Laura
Hooper, Eric
Johnson, Anne
Matthews, Thomas
Murphy, Napier
Nickell, Amber
Peterman, Pete
Pope, David
Power, Warren
Simson, Rosalind
Sizemore, Lamar
Smith, G. Boone
Traynham, Jay
Treadwell, Marc
Walker, Caleb
Walker, Stuart
Westbroek, Jared
White, Nick

Admissions and Financial Aid

Sutton, Marilyn	2429	144D	Assistant Dean of Admissions and Financial Aid
Aiken, Leah	5902	144C	Director of Admissions and Financial Aid
Peterson, Shay	2605	144B	Assistant Dir. of Admissions and Enrollment Management
Trussell, Teresa	2147	144E	Office Specialist
Villagomez, Marie	2145	144	Administrative Assistant

Career Services

Powell, Stephanie	2064	104	Assistant Dean Career Services
Churchwell, Barbara	2615	103	Administrative Assistant
Bacote, Jenia	2914	108	Assistant Director Career Services
Guard, Christine	5014	107	Director, Career Services
Carr, Elizabeth	2630	106	Assistant Director, Career Services

External Relations

Frys, Billie	5000	341	Director, Communications & Marketing
Cadle, Leslie	2232	344	Director, Development
King, Cheryll	2180	343	Director of Alumni Programs & Engagement

Faculty Support

Wilson, Susan	2611	322	Administrative Coordinator
Hansel, Ariel	2609	359	Administrative Assistant
Studdard, Sandy	4131	339	Administrative Assistant
Sturkey, Cheri	2610	320A	Administrative Assistant

Law Review

Shaw, Yonna	2622	135	Law Review Publishing Coordinator
Jump, Cherie	2337	136	Administrative Assistant
Tom Shaw	2624	134	Editor-in-Chief

Law and Public Service Program

Floyd, Timothy	2631	304	Tommy Malone Distinguished Chair in Trial Advocacy and Director of Experiential Education
Gerwig-Moore, Sarah	2195	306	Associate Professor

Law Library

Cassidy, Suzanne	2665	212	Director of Law Library and Professor
Bloodworth, Lynn	2988	228	Acquisitions and Serials Coordinator
Burge-Otiz, Shakira	2614	211	Administrative Assistant
Dennis, Ethel	2668	228	Library Assistant/Acquisitions
Gibson, Denise	5905	219	Assistant Librarian for Research Services
Gordon, Rachel	2423	220	Access Services Librarian
Gullon, Ismael	5904	217	Associate Librarian for Collections & Tech. Services
Holmes, Abbie	2613	221	Library Associate/ Interlibrary Loan/Circulation
	2612	221	Library Assistant III-Circulation/Student Supervisor
Perkins, John	2667	210	Reference Services Librarian
Solomon, Labrina	2982	228	Library Assistant/Gov. Documents
Walsh, James	2625	227	Reference Services Librarian
Wornum, Lucile	2981	228	Library Assistant/Serials
Library Circulation Desk	2612		
Library Circulation Desk	2613		
Library Reference Desk	2334		
Library Third Floor	2220		

Registrar

Crammer, Patsy	2621		Registrar
Griffin, Marsha	2620		Registrar Specialist
	5023		Assistant Registrar

Technology

DellaDonna, Michael	2181	350C	Director of IT
Osier, Christopher	2183	350B	Systems Manager I
Powers, Justin	2182	350A	IT/AV Support Technician

Other Law School Areas

Moot Court		111	
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Student Bar Association		112
Snack Bar	2298	150
Mail Room	2608	324
Nadler Room	5018	319

NCDC

Dantzler, Deryl	746-4151	126
Laura Hogue		

Main Campus

Admissions, Main Campus	2650	
Athletic Dept. (Intramural)	2370	
Bookstore, Main Campus	2945	
Bursar's Office	1111	
Campus Safety	2911	
Mercer Police	4357(HELP)	
Counseling & Student Development	2862	
Financial Aid	2670	
Grand Opera House Box Office	5470	
Housing & Residence Life	2687	
Infirmary	2696	
Main Library	2055	
Mercer Health Systems	4111	
Human Resources	2785	
Post Office	4170	
President's Office	2500	
Purchasing	2950	
Registrar, Main Campus	2680	
Student Activities	2868	
Switchboard	2700	
University Center	5155	

ACADEMIC CALENDAR
2015-2016
Walter F. George School of Law

Aug. 11	Introduction to Diverse Student Organizations
Aug. 12-14	1st Year Orientation
Aug. 17	Introductory Courses Begin
Aug. 24	Regular Classes Begin
Aug. 24-28	Drop/Add
Sept. 7	Labor Day (University Holiday)
Nov. 23-27	Thanksgiving Break
Dec. 2	Last Class Day in Fall Semester
Dec. 7-18	Fall Semester Examination Period
Jan. 15	Fall Semester Grade Deadline
Jan. 18	Martin Luther King, Jr., Day (University Holiday)
Jan. 19	Spring Semester Classes Begin
Jan. 19-25	Drop/Add
March 21-25	Spring Break
March 25	Good Friday (University Holiday)
March 27	Easter Sunday
April 28	Last Class Day in Spring Semester
May 2-13	Spring Semester Examination Period
May 13	Pre-Commencement Meeting (11:00 a.m.)
May 14	Commencement, 10:00 A.M.
May 23	Summer Session Begins
May 23-24	Drop/Add for Summer School
May 30	Memorial Day (University Holiday)
June 10	Spring Semester Grade Deadline
July 4	University Holiday
July 13	Last class day for summer session
July 14-15	Summer Session Final Exams
August 12	Summer Grade Deadline

Complaints and Questions

Mercer Law School students with concerns, questions or grievances should address them to appropriate members of the faculty and administrative staff listed below. Dean Donovan is available to hear any student problem. .

Admissions and Financial Aid, Assistant Dean Marilyn Sutton
Building and Grounds, Associate Dean Michael Dean
Career Services, Assistant Dean, Career Services, Stephanie Powell
Class & Exam Schedules, Associate Dean Chris Wells
Computer Lab, Michael DellaDonna, Director of Information Technology
Academics, Associate Dean Chris Wells
Honor Violations, Honor Court Prosecutor Hannah Hensley or Assistant Dean Mary Donovan
Law Library, Law Library Director and Professor Suzanne Cassidy
Parking, Associate Dean Michael Dean
Registrar's Office, Dean Daisy Hurst Floyd
Student Lounge/Food Service, Associate Dean Michael Dean
Staff Members, Associate Dean Michael Dean
University Housing, Jeff Takac, Director (301-2687)
Mercer Student Health Services, 301-2696 or Assistant Dean Mary S. Donovan
Security and Safety, Associate Dean Michael Dean (For emergencies call Mercer Police at 478-301-4357)

Counseling

Students experiencing difficulties in their academic, financial, or personal lives should consult with Assistant Dean Mary Donovan. An appointment for free personal counseling can also be made with a therapist on the main campus of Mercer. Please call (478) 301-2862.

Financial Information

Approximately 90 percent of Mercer Law students receive financial aid. Financial aid consists of scholarships, loans, and work study. Information regarding student loans and academic merit scholarships may be obtained by contacting the Financial Aid Office. The priority deadline for receipt of financial aid applications is April 1. Applicants applying for student loans or work study must submit a Free Application for Federal Student Aid (FAFSA) and a Mercer Application for Financial Aid.

Tuition and Fees

Tuition and fees are due the first day of each semester. A monthly fee of \$50.00 will be charged for late payment. Tuition and fees for the 2015-2016 academic year are \$37,260. The estimated living expenses for a nine-month academic year are approximately \$20,219.

Debts

No records will be released and no student will be considered by the University as a candidate for graduation until all indebtedness to the University has been settled. The Bursar's Office is authorized to withhold and apply to the student's debt any funds needed, including the student's payroll check, stipend, scholarship, loans, state grants, or any other student financial aid. Students with outstanding indebtedness will not be eligible for priority registration, and the student may be subject to late

penalty and interest charges. Unpaid student accounts which are deemed delinquent may be placed with a collection agency. If such action is required, the student will be liable for any costs associated with such action.

Satisfactory Academic Progress

General Requirements

Continuing eligibility for federal financial aid is contingent upon a student meeting the “satisfactory academic progress” standard. The satisfactory academic progress standard means that the student is progressing toward completion of the degree in both a qualitative and quantitative manner. At the end of the spring semester during each academic year, each student’s academic progress will be reviewed and a determination will be made whether the student has met the satisfactory academic progress standard.

The satisfactory academic progress **qualitative** standard for financial aid eligibility is explained under “Failures” within the discussion of Grading Policy later in this Student Handbook.

Each student must be able to complete the 89 required credit hours for graduation within 84 months of commencing law school. Under the satisfactory academic progress **quantitative** standard a student must earn a minimum of thirteen (13) credit hours during an academic year in which the student attempts to earn credit hours. If a student fails to meet the satisfactory academic progress quantitative standard at the end of an academic year, the student shall be considered on a probationary status for financial aid eligibility. At the end of the following semester in which the student enrolls for credit hours, he or she must earn a minimum of seven (7) credit hours. Failure to earn seven (7) credit hours during this probationary semester will result in the loss of eligibility for federal financial aid until the student reestablishes satisfactory academic progress as described below.

Appeals

A student who fails to meet the qualitative satisfactory academic progress standard shall be eligible to appeal this adverse determination as described under the “Academic Dismissal and Readmission Policy” in this handbook. A student who fails to meet the quantitative satisfactory academic progress standard shall be eligible to appeal this adverse determination by submitting to the Director of Financial Aid a letter explaining the mitigating circumstances that led to the failure to make satisfactory academic progress. These circumstances shall be considered mitigating if they are of a discrete, severe and temporary personal, medical, social or financial nature. If applicable, the student should also describe how those mitigating circumstances have been remedied or eliminated. The Director of Financial Aid and Assistant Dean of Admissions and Financial Aid shall review the letter of appeal and notify the student within thirty (30) days of filing the letter of appeal whether the appeal has been granted.

Reestablishing Satisfactory Academic Progress

A student shall reestablish satisfactory academic progress only by completing a semester of course work that meets both the qualitative and quantitative standards set forth above.

Sources of Financial Aid

Federal Direct Stafford Student Loan (Unsubsidized)

Students must complete a FAFSA and a Mercer Application for Financial Aid to be eligible for an unsubsidized loan. Eligible law students may borrow up to \$20,500 per academic year. The aggregate amount a professional student may borrow for direct subsidized and unsubsidized loans is \$138,500 (this amount includes loans received for undergraduate and graduate study). Interest is charged from the time the loan is disbursed until the loan is repaid in full. Interest payments may be deferred while the borrower is in school. Deferred interest will be capitalized at repayment. The interest rate for 2015-2016 is 5.84%. Repayment begins six months following departure from school.

Direct Graduate PLUS Loan

The Direct Graduate PLUS Loan is a fixed interest rate loan guaranteed by the federal government. Direct Graduate PLUS Loans through Mercer will have an interest rate of 6.84% for 2015-2016. The Direct Graduate PLUS Loan may be consolidated with other federal loans after graduation. PLUS loan borrowers are required to pass a credit check. Repayment begins six-months following your departure from school or dropping below half-time enrollment.

Private/Alternative Loans

Law students may be eligible to borrow money through private lenders. These loans are based on creditworthiness and some may require a co-signer. Interest rates are variable. Most lenders offer a six to nine-month grace period following departure from school. Borrowers are generally allowed from fifteen to twenty years to repay their private loans. Loan applications may be obtained online at the lender's website.

Scholarships

Mercer Law School offers merit scholarships each year to applicants whose academic records, LSAT scores, and personal achievements demonstrate the potential for outstanding performance in the student of law. The Law School also makes some scholarship awards for the final two years of law school to students who excel academically in their first year and who received little or no award when they entered. Those scholarships will be renewed the final two years of law school as long as the student remains in good standing. The definition of good standing is that a student maintain a 76 or above average at the end of each academic year. In addition to merit scholarships, students may also qualify for a number of academic awards. Information regarding merit scholarships may be obtained by contacting Marilyn Sutton, or Leah Aiken in the Admissions and Financial Aid Office.

Work Study

Students who are interested in working at the University should contact the Director of Financial Aid at the Law School. College work study hours are awarded based on financial need. Students must complete a FAFSA and a Mercer Application for Financial Aid to be considered eligible. Other employment opportunities may be available under the regular wage program.

Withdrawals/Refund

Mercer University will maintain a fair and equitable refund policy by adherence to the Institutional Refund Policy in all programs, in all schools, and on all campuses. This policy is subject to change if there are future changes to the Federal Return Policy or other federal, state, accrediting agency, or institutional policy with which it may conflict.

The criteria for the Mercer Institutional Refund Policy are based upon federal mandates established by the Federal Return Policy which took effect on all Mercer campuses on August 15, 2000,

replacing all existing refund policies throughout the University. The policy applies whether or not Title IV awards are involved.

A student who FORMALLY RESIGNS from school prior to the last day of the drop/add period for any term of enrollment will be entitled to a 100% credit of tuition and fees charged for the current term (the \$500.00 deposit for entering students is non-refundable). A student who FORMALLY RESIGNS from school after this date may be entitled to a prorated credit of the tuition and fee charges if certain criteria are met as described in this policy.

Eligibility for refund of tuition, fees and other institutional charges:

Withdrawal Process

- 1) To officially withdraw from the semester, a student must drop or withdraw from all courses for the term.
- 2) Students contemplating dropping or withdrawing from courses are urged to first consult the Financial Aid Office for information regarding the impact of this action on their financial aid award.
- 3) To officially withdraw, the student must complete and return the Term Withdrawal Form obtained from Mercer Law Registrar's Office, or printed from their webpage.
- 4) The completed form must be received by the Registrar's Office before withdrawal can be finalized.
- 5) Refund calculations will be based upon the date the student officially notifies the Registrar's Office in writing or in person of his/her intent to withdraw.
- 6) Per federal regulations, a calculation for the return of federal funds will be completed within 45 days of the student "officially withdrawing."
- 7) Any balance or overpayment created due to financial aid disbursements being returned to their original source of funding per the withdrawal calculation will then become immediately due and payable, by the student, to the University and in some cases to the U.S. Dept. of Education.
- 8) Once all calculations are completed, the Bursar Office will invoice the student for any outstanding balance.

A student is not eligible for any refund if:

- 1) The student fails to formally withdraw.
- 2) The student is suspended for disciplinary reasons.
- 3) The student withdraws when a disciplinary action or honor code violation is pending.
- 4) The student withdraws from a class or classes while currently enrolled in other classes for the semester.

Failure to Withdraw

- 1) Non-attendance or ceasing to attend a course(s) does not constitute an official schedule change, course withdrawal, or term withdrawal.
- 2) Failure to "officially withdraw" will result in academic penalties and may affect the student's Satisfactory Progress rating.

- 3) **Students failing to officially withdraw will be held financially accountable for tuition, fees, and stipends issued to them for the term.**
- 4) If a student ceases attendance without notifying the university, a Federal statutory provision allows the university to use the midpoint of the payment period as the withdrawal date for calculating the return of financial aid funds. Otherwise, the university may use the student's last verifiable day of an academically related activity.
- 5) Per federal regulations, a withdrawal date will be determined within 30 calendar days from the end of the semester for those students who ceased attendance without "officially withdrawing" from the University and those students who are determined not to have earned any credit for the semester.
- 6) Any balance or overpayment created due to financial aid disbursements being returned to their original source of funding per the withdrawal calculation will then become immediately due and payable, by the student, to the University and in some cases to the U.S. Dept. of Education.
- 7) Once all calculations are completed, the Bursar Office will invoice the student for any outstanding balance.

Refund of Non-Tuition Charges

- 1) If a student withdraws prior to the beginning of the semester or during the official drop/add period, lab fees, facility/technology fees, and insurance premiums will be refunded.
- 2) Pre-enrollment deposits are nonrefundable.
- 3) Insurance Premiums are non-refundable after the insurance waiver deadline.
- 4) Once all calculations are completed, the Bursar Office will invoice the student for any outstanding balance.

Refund Appeals

Any exception to the University Refund Policy requires a written appeal by the student to the Director of Admission and Financial Aid.

Withdrawal Refund Calculations

The federal government requires the Office of Financial Aid to calculate how much Title IV aid a student has earned. Federal regulations state that a student earns Title IV aid based on the period of time he/she remains enrolled for a particular term.

$$\frac{\text{Enrolled Days}}{\text{Days in the Enrollment Period}} = \% \text{ of Title IV Earned By Student}$$

Under federal regulations, any federal funds not earned by the student must be returned to the Title IV program in the following order:

- Unsubsidized Federal Direct Stafford Loan
- Subsidized Federal Direct Stafford Loan
- Federal Perkins Loan
- Federal Direct Plus Loan

- Federal Pell Grant
- Federal Supplemental Educational Opportunity Grant
- Other Title IV Aid Programs

Non-Title IV financial aid funds will be returned in the following order:

- State and other loans
- State and other grants/scholarships
- Mercer institutionally-funded loans
- Mercer institutionally-funded grants/scholarships
- Mercer endowment-funded loans
- Mercer endowment-funded grants/scholarships
- Student/parent payments

Once a student completes enrollment for 60% of the term, the student has earned 100% of the Title IV aid awarded; no return of Title IV aid is required.

Student Handbook Website

Mercer Law School Student Handbook including Financial Aid information is located on the Web at <http://law.mercer.edu/sites/default/files/files/studenthandbook.pdf>. If you would like a hard copy of the financial aid information, please make a written request to the Assistant Dean's office. The Mercer University Handbook can be located on the Law School Web at http://www.mercer.edu/provost/handbooks/sh_univ.pdf.

Degree Requirements

Students will be granted the Juris Doctor degree upon completion of not less than 89 semester hours of law work, with a cumulative average of 76.00 or higher (no rounding). A list of required courses for students is included on the Registrar's web page at: <http://www.law.mercer.edu/academics/registrar> Lists of courses in blocks or pathways may be obtained from the Registrar's web pages.

Mercer Law School requires that students register for a minimum of 12 semester hours unless permission for a lighter load is granted by the Assistant or Associate Dean. A student may not register for more than 15 hours in the sixth semester. Under ABA Standard 311, a student may not be enrolled for more than 17 credit hours at any time in any semester.

The last two semesters of study before completing the requirements for a degree, in every case of a student transferring to Mercer from another law school, must be completed while in residence at this Law School.

Attendance

Prompt and regular attendance at all class meetings is expected and is a primary obligation of the student. No other commitment should interfere with this obligation. The student's total progress and performance in a course, including class attendance and conference attendance, may be reflected in the grade evaluation in each course. When a professor finds that a student has been absent from an

excessive number of classes or conferences, the student may be dropped from the course with or without a failing grade. A failing grade shall be recorded as a 65. A student dropped from a required course must repeat the course.

Full-time Study

Under the regulations of the American Bar Association and of the Association of American Law Schools, a full-time student is one who devotes substantially all of his or her working hours to the study of law. The period required for adjustment to legal studies makes it particularly important that first-year students have no unnecessary distractions. Course requirements and the scheduling of classes are based upon the assumption of full-time devotion to studies.

Many students find that they are able to maintain part-time employment during their second and third years of law school, but regulations of the American Bar Association require students at accredited law schools to work no more than 20 hours per week in any semester in which the student is enrolled in more than 12 class hours to be considered full-time students. For specific residency and course requirements, contact the Assistant or Associate Dean.

Changes in Schedule

No student shall be permitted a course change after the expiration of the drop/add period of any semester unless he or she receives the prior approval of the instructor and the Assistant or Associate Dean upon the determination of unusual circumstances. Withdrawal from a course after the drop/add period will result in a grade of "W" and will remain a part of the student's academic record. A student dropping a course without such approval shall receive a penalty F(65) in the course. All course changes must be officially requested and processed through the Registrar's Office.

Audit of Courses

Regularly enrolled students in the Law School will be allowed to audit courses in the Law School upon approval of the professor involved. There will be no additional charge for auditing a course, no grade will be recorded, and an audited course will not be considered in computing minimum and maximum hours allowed for the semester.

Maximum Time for Completion of Degree

Law students must complete their course of study for the J.D. degree no later than 84 months after commencing law study at Mercer Law School or at a law school from which Mercer Law School has accepted transfer credit.

Grading Scale

The grading scale is as follows:

A	90-99
B	82-89
C	76-81
D	70-75
F	65-69
S	Satisfactory - not computed in average
U	Unsatisfactory (An "unsatisfactory" in a Satisfactory/Unsatisfactory course is recorded as a 65-F)
AUD	Audit
W	Withdrawal
IC	Incomplete
DN	Dropped

- DP Dropped - Penalty (recorded as a 65-F)**
IP Continuing Policy on Incomplete grades (Adopted March 2003)

For reasons of emotional, medical or other problems affecting academic performance, a grade of Incomplete (IC) may be awarded if, prior to the applicable deadline for the submission of grades, a student has received approval from the professor and Associate Dean to complete course requirements after the end of the semester of enrollment. If a grade of Incomplete is entered for a fall semester course, required course work must be completed by the date set by the professor, but no later than the applicable grading deadline of the following spring semester. For an Incomplete entered for a spring semester course or a summer session course, work must be completed by the date set by the professor, but no later than the grading deadline of the following fall semester. For an Incomplete entered for a sixth semester course, work must be completed by the date set by the professor, but no later than the first day of class in the following fall semester. Upon completion of required course work, the professor will submit a numerical grade or S/U for the course according to the type of grade originally authorized for the course. Failure to satisfactorily complete required course work within the time allotted by this policy will result in the Registrar converting the Incomplete to a final grade of 65(F).

Grading Policy

In 1989, the Mercer Law School faculty adopted a policy calling for more uniform grading. The policy was amended in Spring 2004. The policy mandates that the average grade awarded in each course fall within a predetermined narrow range. The purpose of the policy is to ensure equity in grading across courses and course sections, both in fact and in the perception of the students. The specific ranges adopted reflect the traditional overall grading patterns at Mercer.

1. All first year courses shall have an average grade of 84.5, plus or minus one-half point.
2. Except as otherwise authorized by the Dean under subsection (5), all sectionalized upper division courses shall have an average grade of 85.5, plus or minus one-half point.
3. Except as otherwise authorized by the Dean under subsection (5), all other courses not specifically exempt from this policy shall have an average grade ranging from 84.5 to 86.5.
4. Seminars, advanced skills courses, and all other courses in which 15 or fewer students are enrolled are specifically exempted from this policy.
5. Any instructor wishing to deviate from subsections (2) or (3) must obtain prior approval from the Dean. Factors that the Dean may be asked to consider as appropriate bases for deviation from the approved average or range include: an unusual average GPA of the students enrolled in the course; grading of the course on the basis of a paper rather than an examination; and a class that as a whole performs on the examination in a manner justifying deviation.

Degree Honors

A student's scholastic standing is determined on the basis of only those grades received in this law school. A degree of Juris Doctor *cum laude* will be granted to students graduating with a cumulative GPA of 88.0 and above; a degree of Juris Doctor *magna cum laude* will be granted to those graduating with an 90.5 and above; and a degree of Juris Doctor *summa cum laude* will be granted to

students graduating with an average of 94.0 and above. Honors acknowledged at graduation will be presumptive based on five semesters. Final honors will be conferred based on grades for all six semesters.

Dean's List

Dean's List honors for first- and second-year students are earned by achieving a semester average of 88 or above on at least 12 graded hours. Dean's List for third-year students is based on a semester average of 88 or above on all graded hours (no minimum).

Failures

If a student's cumulative average falls below 76.00 at the end of the final semester of the first or second year, the student shall be dismissed from the Law School. After receiving official notifications of academic failure, such students may wish to consult with the Assistant Dean. A student who fails to pass a course is not permitted to take a second examination without repeating the course. A rare exception may be made in favor of a student who is a candidate for the J.D. degree and is in the last semester of law school, and whose failure was due to extraordinary circumstances beyond his or her control. This exception can apply only to a course failed in the semester in which the student would have completed all degree requirements. A special examination can be given only with the unanimous approval of the faculty.

A student receiving a failing grade in a required course must repeat the course. All students must earn a passing grade in all required courses to graduate. A student may not repeat an elective course in which a failing grade has been received. A student repeating a required course will be assigned to a different professor if more than one professor offers the course. Upon successful completion of a repeated course, the student will receive credit toward meeting the credit hour requirement for graduation. The grade in a repeated course will not be included in the student's cumulative grade average, but will be recorded as a satisfactory. The original failing grade will in all cases continue to be included in the cumulative average.

Academic Probation

Any students who, at the end of any semester of law study, have a GPA less than 80.00 will be required to fulfill such academic conditions as the faculty may prescribe.

Academic Dismissal and Readmission Policy

I. **FIRST-YEAR STUDENTS:** If a student's cumulative average falls below 76.00 at the end of the spring semester, first year, the student shall be dismissed from the Law School for academic ineligibility.

A. Before January 15 of the year following academic dismissal, the dismissed student may petition the Admissions Committee for readmission. The petition shall be addressed to the Assistant Dean for Student Affairs and may contain any supporting documents that the petitioning student deems appropriate.

B. Consistent with the Law School's obligations to the profession and the public, the

Admissions Committee may grant a petition for readmission only if it determines that the student will successfully complete law school and will gain admission to the Bar. In making its determination, the committee shall consider the following factors:

The student's commitment to learning as demonstrated by the student's pattern of conduct.

The proximity of the student's cumulative average to the cumulative average required for graduation.

Any circumstances which affected the ability of the student to successfully complete the first year of law study.

C. A student may be readmitted only upon the following conditions:

The student must remain dismissed during the entire academic year immediately following academic dismissal and may recommence enrollment only in a fall semester after sitting out at least one full academic year.

The student must repeat all first-year courses. If a first-year course is offered by more than one professor, to the extent possible, the readmitted student shall not enroll in the section taught by the professor previously taken for that course.

The student must achieve a cumulative average of 78.00 or higher at the end of the second semester of the repeated first year of law study in order to continue to the second year of law study. Failure to achieve the required cumulative average of 78.00 will mean permanent academic dismissal.

All course grades from a readmitted student's unsuccessful first year shall remain on the student's transcript, but those course grades shall not be included for calculation of the cumulative average after readmission.

D. Under extraordinary circumstances and upon written request, the Admissions Committee may waive part I.C.1. above and allow readmission of the dismissed student beginning with the fall semester immediately following dismissal. Immediate readmission will be granted only when the written request demonstrates, by clear and convincing evidence, to the Admissions Committee that:

The preceding year's academic difficulty was caused by a discrete, severe and temporary personal, social or financial circumstance that will have been remedied or eliminated before the beginning of the fall semester; and the prior year's academic performance indicates a high probability of achieving the required cumulative average of 78.00 in the first year of readmission. The Admissions Committee's denial of a request for immediate readmission is not appealable.

E. If the Admissions Committee denies the petition for readmission, a dismissed student may appeal the denial to the full faculty. Upon appeal, if the full faculty votes to readmit by a majority of those present and voting, the readmission shall be made under the limitations set forth in parts I.C. and D. above.

II. SECOND-YEAR STUDENTS: If a student's cumulative average falls below 76.00 at the end of the spring semester, second year, the student shall be dismissed from the Law School.

A. Before July 15 in the year of academic dismissal, the dismissed student may petition the Admissions Committee for readmission. The petition shall be addressed to the Assistant Dean for Student Affairs and may contain any supporting documents that the petitioning student deems appropriate.

B. Consistent with the Law School's obligations to the profession and the public, the Committee may grant a petition for readmission only if it determines that the student will successfully complete law school and will gain admission to the Bar.

C. A student may be readmitted only upon the following conditions:

The student must repeat all failed required courses. If a failed required course is offered by more than one professor, to the extent possible, the readmitted student may not enroll in the section taught by the professor from whom the failing grade was received.

If the readmitted student received a failing grade in any course taken to satisfy any block requirement, the student must receive a passing grade in another course from that block.

All course grades shall be included in any calculation of cumulative average.

D. If the Committee denies the petition, a dismissed student may appeal to the full faculty. If the full faculty votes to readmit by a majority of those present and voting, the readmission shall be made on the same conditions as those set forth in part II.C. above.

E. A readmitted student who fails to achieve a 76.00 cumulative average at the end of the second semester, third year, will be dismissed permanently.

Guidelines Regarding Transient Status

Transient Student Status for Students from Other Law Schools

At the discretion of the Associate Dean, a student of another accredited law school may be admitted to this Law School as a transient student, provided that the other law school also approves the arrangement and is willing to grant a degree based upon credits received at Mercer.

Transient Student Status Elsewhere for Mercer Law Students

- A. Mercer law students who attend summer school programs of other fully accredited law schools will be given credit toward graduation at Mercer for the courses successfully completed at such schools upon approval of the Associate Dean.
- B. At the discretion of the Associate Dean, a Mercer law student may be allowed to attend another fully accredited law school other than in a summer program as a transient student, for a period not to exceed one academic year, with the credits received being applied toward graduation at Mercer, under the following restrictions:

Approval shall be granted only in cases in which the student will suffer extraordinary hardship if not allowed to attend another law school as a transient student. "Extraordinary Hardship" shall include situations involving death or extreme illness in the student's immediate family which necessitates a move to another city in order to alleviate severe financial, medical, or other such stress; situations in which the spouse of a student is compulsorily transferred to another city by his or her employer; and other such situations. Situations already in existence when the student first enrolled at Mercer would ordinarily not be considered justification for approval of transient status.

The other law school must accept the Mercer student as a transient student.

Mercer will only accept credit earned from an ABA accredited law school. You will need to complete the required number of semester hours (89) for graduation. Furthermore, each grade received from the law school you will attend must equal or exceed the graduation average required by that school. For example, if the graduation average for the school visited is a "C", you must have a "C" or better in each course for those grades to transfer. It will be your responsibility to determine this average. Grades from another law school will not be computed in your average and will be recorded on your permanent record as "S" and added to the hours credited at Mercer.

Summer Courses

The Law School annually offers summer classes in several popular courses. Summer classes run seven weeks from late May until mid-July and are taught in the evenings. Although Mercer does not allow early graduation through summer study, credit earned in summer classes at Mercer Law School or other accredited law schools allows students to take reduced course loads during the regular academic year and to enrich their legal educations. Please contact the financial aid office if you need aid for summer school.

Summer Study Abroad

Mercer is a co-sponsor of several Summer Abroad Programs administered by the Stetson University College of Law in Florida. Programs are offered in China, Spain, Argentina, Germany, and the Netherlands. More information about the programs is available at <http://www.law.stetson.edu/international/summer/>. Please contact the financial aid office if you need aid for the summer abroad program.

Summer School at Other Schools

If you wish to take summer school courses at another ABA accredited law school or through the Mercer Law School Summer Study Abroad Program, please follow these steps:

Obtain the appropriate form from the Registrar's Office and read carefully.

Bring the form and attach a copy of the course descriptions from the other school to the Associate Dean. It is not necessary to attach the course descriptions if you will be taking classes through the Mercer/Stetson Summer Study Abroad Program. Mark in the appropriate space on the form if you want credit for a particular block requirement.

If you need financial aid for a summer abroad program, please contact the financial aid office.

Transfer Credit

Mercer Law School will only accept credit earned at another ABA accredited law school. The Law School will accept credit for courses when the grades received equal or exceed the graduation average required by the school where the student is taking the course. When the Law School accepts credit for courses taken at another school, the grades will be recorded as "S" and will not be computed into a student's grade point average at Mercer.

In addition to meeting the other requirements for graduation, transfer students must complete at least four semesters at Mercer. Further, no more than two semesters of academic credit can be transferred from schools that are not members of the Association of American Law Schools.

Joint JD/MBA Program

Mercer's School of Law and Mercer's School of Business and Economics offer a program leading to both the Juris Doctor and the Master of Business Administration degrees. Any applicant to the program may indicate on the Law School application his or her intent to also apply to the School of Business. The applicant must be admitted separately by each school. Additional tuition must be paid to the Business School for courses that are required for the MBA degree.

Business Certificate Program

Students in good standing in the Walter F. George School of Law may choose to take up to three graduate courses in the Eugene Stetson School of Business and Economics without applying for admission to the MBA Program. Currently two specific combinations of courses can be taken for a Certificate in Practice Management or Certificate in Corporate Finance.

Additional tuition must be paid to the Business School for the certificate courses that are required for the Certificate. If students complete the requirements for a Certificate, six of the nine hours of Business School courses can be counted toward the 89 hours required for graduation from the Law School. If students do not complete the requirements for a Certificate, none of the nine hours of Business School courses can be counted toward the 89 hours required for graduation from the Law School. Grades for Business School courses will not be calculated in a law student's GPA.

To enroll in a certificate program, students should notify the Registrar in the Law School of their intention. For detailed information on the joint JD/MBA Program, contact the Admissions Office of the Law School at 478-301-2605, the School of Business at 478-301-2835, or visit our website at www.law.mercer.edu/admissions.

LL.M. In Federal Criminal Practice and Procedure (on hiatus 2015-2016)

The policies and procedures set forth in the Student Handbook, including the Student Honor Code, shall apply to students enrolled in the LL.M. program with the exceptions set forth below.

Degree Requirements

A student will be granted the LL.M. degree in Federal Criminal Practice and Procedure upon completion of the eight required courses totaling 24 credit hours. Students will be graded in each course as "Honors," "Satisfactory," or "Unsatisfactory."

Financial Information

For LL.M. students the “satisfactory academic progress” standard is defined as follows:

Each student must be able to complete the 24 required credit hours for the LL.M. degree within a maximum time frame of 36 months. A student must take a minimum of 12 credit hours during an academic year in which the student attempts to earn credit hours. At the end of the following semester in which the student enrolls for credit hours, he or she must earn six credit hours.

Students must earn a grade of “satisfactory” in all courses to be eligible for the LL.M. degree. If a student receives a grade of “unsatisfactory” in a course, the instructor, in consultation with the LL.M. program director and the Dean’s Office may require an additional examination or work to merit a grade of satisfactory or may require that the course be repeated.

Examination Policies

Illness and Emergency

It is up to a student experiencing emotional, medical or other problems affecting academic performance to confer with the Assistant or Associate Dean before taking examinations. Upon evidence of cause, the Dean and faculty members concerned may allow the student to take examinations late or to withdraw from courses.

Summary of Rules Pertaining to Changes in Individual Examination Schedules

Students having examinations on four consecutive days are entitled to change the date of one of the four examinations. It is the student's responsibility to initiate the rescheduling of one of the examinations and to secure the agreement of the faculty member whose exam will be rescheduled.

Students having two examinations in one day are entitled to change the date of one of them. It is the student's responsibility to initiate the rescheduling of one of the examinations and to secure the agreement of the faculty member whose exam will be rescheduled.

Examinations cannot be rescheduled, even with the agreement of the faculty member, solely because of the number and timing of scheduled exams for which the student is enrolled unless either Rule 1 or Rule 2 applies.

It is the responsibility of the student having emotional, medical or other problems affecting academic performance to confer with the Assistant or Associate Dean before the taking of examinations. The Dean and the faculty members concerned may allow a student with such problems to take examinations late, to withdraw from courses, or to propose other reasonable accommodations. Please note that agreement of the faculty members whose exams are affected is required.

A student requesting to take a final examination on a date other than the scheduled date must complete a form, have the professor and Assistant or Associate Dean approve and sign the

form and return it to the Registrar's Office. Forms may be picked up in the Registrar's Office on the first floor.

Personal reasons for rescheduling examinations must be satisfactory to the professor whose exam will be rescheduled and to the Assistant Dean.

EXAMINATIONS CANNOT BE RESCHEDULED, EVEN WITH THE PROFESSOR'S APPROVAL, IN CIRCUMSTANCES OTHER THAN THOSE LISTED ABOVE.

Materials Allowed in Examination Rooms

Students may not bring any electronic device, other than a laptop for those typing their exams, into the exam room unless specifically permitted in writing on the first page of the test by the professor. Backpacks and all other materials or electronic devices not specifically allowed by the professor in the written instructions to be used during the exam must be placed along the front or side walls of the exam room.

Religious Observance Policy

Mercer University is respectful of the religious practices of members of the student body. Students who will be absent from class for religious observances must confer with their instructor(s) regarding the date of the absence at the beginning of each semester or session, or at least two weeks prior to the dates of the absence. The disposition of missed assignments will be arranged between instructor and student. If a mutually satisfactory solution is not reached, the right to establish a reasonable alternative is reserved to the instructor. Students who feel that their academic performance will be compromised by the alternative assignment/examination timetable may ask that the instructor's dean review the instructor's decision.

Students with Disabilities

It is the policy of Mercer University Law School to provide reasonable accommodations for disabled students, including students with learning disabilities and those with health impairments, as well as those with other disabilities. Students whose disabilities may interfere with their performance of course work or examinations should consult with Assistant Dean Mary Donovan as soon as possible after matriculation. Course load modification, exam accommodation, or other appropriate action will be arranged on a case-by-case basis. A written request, accompanied by supporting documentation of physicians or other appropriate health-care professionals, is required for certain disabilities such as learning disabilities and health impairments. Requests are considered by the University Advisory Committee. It is suggested that requests be made in a timely manner by October 8, 2014 to ensure that there is sufficient time to evaluate and take action on the request. Appropriate and reasonable accommodations will be determined on a case-by-case basis upon review of the submitted documentation, by the appropriate committee and/or consultants. Late requests will be considered, but in no event will retroactive relief be given after a graded exercise or examination has been taken.

Distance Education Guideline

I. A Distance Education course is one in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member either synchronously or asynchronously. A distance learning course must include the use of faculty-approved methods to verify the identity of students taking a distance education course, and students must be notified of any additional cost at the time of enrollment and first day of class. The academic content, method of course delivery, and method of evaluating student performance must be approved as part of Mercer's regular curriculum approval process.

II. A second or third year student enrolled at Mercer who has completed instruction equivalent to 28 credit hours toward the J.D. degree, may receive credit toward the J.D. degree for study through distance education consistent with the provisions of this Guideline.

III. To receive credit, a distance education course must be offered by Mercer or an ABA accredited law school. If the course is not offered by Mercer, the Associate Dean must approve the taking of the course prior to enrollment by the student in order for the course to be available for the student to receive credit. For every course, credit toward will be given only if (1) the distance education course provides opportunity for regular and substantive interaction between faculty member and student and among students; (2) there is regular monitoring of student effort by the faculty member and opportunity for communication about that effort; and (3) the learning outcomes for the course are consistent with ABA Standard 302.

IV. A student may receive no more than fifteen credit hours by enrollment in distance education courses. No more than three distance education credit hours will be credited toward a transfer student's Mercer degree, although a transfer student may, consistent with this Guideline, take additional credit hours after matriculation at Mercer.

V. Distance education courses offered by Mercer to its students count toward the minimum enrollment requirement of 12 hours per semester (10 for the sixth semester). However, all courses under this Guideline, for which credit is available, count for purposes of determining whether a student is enrolled beyond the maximum 17 hours per semester (15 in the final semester).

VI. No credit shall be given for a distance education course offered by another school if the course: (1) is required for graduation; or (2) is substantially the same as one offered at Mercer at an appropriate time during the same academic year.

VII. No credit otherwise may be given toward the J.D. degree for any distance education course.

Interpretations of, or Exceptions from, the Rules and Requirements of the Law School

Any student may petition or request an interpretation of, or exception from, the rules and requirements of the Law School. Such petition should be directed to the Administrative Committee of the Faculty, which is comprised of three faculty members, appointed by the Dean. The Associate Dean of Academic Affairs and the Assistant Dean of Student Affairs are ex officio members of the Administrative Committee.

The decisions of the Administrative Committee shall be final unless two of the committee's three faculty members vote to refer the matter to the faculty as a whole. In the event of such a vote, the committee shall forward the referred matter to the faculty to be decided at the next regularly scheduled faculty meeting.

Student Complaints about ABA Standards Compliance

Student Complaints about ABA Standards Compliance

The American Bar Association (ABA) requires accredited law schools to provide students the opportunity to submit a complaint to bring attention to the law school any failure of compliance with ABA standards available at

http://www.americanbar.org/groups/legal_education/resources/standards.html

The procedures for filing and addressing a complaint are described below.

Filing a Complaint

A student may file a complaint by submitting a complaint in writing to the Assistant Dean for Student Affairs and copying the Associate Dean for Academic Affairs. The complaint should describe in detail the basis of the complaint such as the incident, program, process, or behavior and explain how it implicates the law school's compliance with the ABA standards. The student submitting the complaint must identify him or herself.

Administrative Response

Within two weeks of receiving the complaint, the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs will either respond to the complaint in writing or meet with the student about the complaint. The student will be provided with a substantive response or informed of further steps that will be taken in an effort to address the complaint. If a further investigation is necessary after the initial response, the student will be notified promptly of the investigation results and the steps to be taken to address the complaint. If the student is not satisfied with the response from the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs, an appeal may be made to the Faculty Administrative Committee. An appeal must be submitted in writing to the Chair of the Faculty Administrative Committee within (14) business days of receiving the final response from the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs. The committee will respond to the student making the complaint in writing within business (14) days.

Student Honor Code

**APPROVED BY FACULTY JANUARY 25, 1995; APPROVED BY STUDENT BODY
MARCH 7, 1995**

[N.B.: This is distinct from the Mercer University Conduct Code, which also applies to Mercer Law Students. See below.]

PREAMBLE

The School of Law expects students to deal ethically and honestly with all members of the law school community, including students, faculty, staff, and administrators. This Code describes, among other things, the obligations of students, faculty, and administrators; the composition and jurisdiction of the Honor Council; the procedures to be followed in determining whether a student has violated the Code; and the sanctions that may be imposed.

Although the failure to report one's own act or the act of another Student that may constitute a violation of this Code is not itself a violation of this Code, it is the sense of the Law School community that a Student should report conduct that he or she reasonably suspects does constitute a violation.

Section I. Definitions

- A. Academic Year - a term beginning immediately after the Law School graduation date and ending on the Law School graduation date of the following year.
- B. Assistant Dean - the Assistant Dean for Student Affairs, or that person to whom the Dean has delegated the functions of that office.
- C. Chief Justice - the Student Justice serving as the Chair of the Honor Council. See SECTION VI.A.3.)
- D. Code - the Walter F. George School of Law Student Honor Code.
- E. Complaint - the formal charging document submitted to the Council by the Investigating Committee when it finds probable cause to bring a reported violation to a hearing. (See SECTION VII.G.3.)
- F. Council - the Honor Council. (See SECTION VI.)
- G. Days - calendar days.
- H. Dean - the Dean of the School of Law.
- I. Defense Counsel - the individual who, by a Student's selection, shall represent the Student during an investigation, hearing, or appeal. (See SECTION IV.A.2.,

SECTION VII.G.5.e., SECTION VIII.A., and SECTION X.D.)

- J. Investigating Committee - the committee consisting of one (1) Faculty Member (appointed by the Dean) and the Student Prosecutor who are charged with the duty to investigate possible violations of the Code. (See SECTION VII.E. and G.)
- K. Knowingly - A person acts knowingly, or with knowledge, with respect to the nature of his or her conduct or to the circumstances surrounding such conduct when he or she is aware of the nature of such conduct or that such circumstances exist. A person also acts knowingly, or with knowledge, with respect to a result of his or her conduct when that person is aware that the conduct is reasonably certain to cause that result.
- L. Law School – The Walter F. George School of Law.
- M. Magistrates – The Chief Justice of the Honor Council and the Designated Faculty Justice who, together, decide initially whether the Council shall exercise, decline, or postpone asserting jurisdiction. (See SECTION VII.B.-F.)
- N. Prosecutor – The Student member of the Investigating Committee chosen by the Student body to prosecute the Accused Student. (See SECTIONS VII.E. and G.7.)
- O. Purposefully – A person acts purposefully, or with purpose with respect to an act or to a result, when it is his or her intention, conscious object, or desire to engage in the act or to cause the result.
- P. Recklessly – A person acts recklessly, or is reckless, with respect to circumstances surrounding his or her conduct or the result of that conduct when he or she is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur.
- Q. Report of an Alleged Violation-a report to the Assistant Dean for Student Affairs of a possible violation of the Honor Code. (See SECTION VII.)
- R. Student – any person who is, or has been, enrolled at the Walter F. George School of Law.
- S. University – Mercer University.

Section II. Standards of Conduct

- A. Prohibited Conduct in General
The following Student conduct shall constitute a violation of the Code:
1. Any conduct pertaining to Law School or other University matters, including but not limited to academic matters, that evidences fraud, deceit, dishonesty, or an intent to obtain unfair advantage over other Students; and
 2. Failure to comply with duties imposed by this Code; and
 3. Any act that demonstrates dishonesty, lack of integrity, or lack of fitness to practice law.
- B. Before a Student may be found to have violated this Code, there must be clear and convincing evidence that the Accused Student committed the act or acts constituting the violation and that the Accused Student did so purposefully, knowingly, or recklessly.
- C. Extenuating circumstances or good motives (such as, by way of example, pressure from school or outside work, family obligations, or to help a friend) are no defense to a violation of the Code but may be relevant to the determination of sanction. This section is not intended to disallow the defense that the required mental state was not present.
- D. It is not a defense to charges of violating this Code for a Student to claim he or she has not received, read, or understood this Code, or is otherwise ignorant of its provisions. A Student is held to have notice of this Code by enrolling in the Law School. (See the Law School Bulletin.) A copy of the Code will be distributed to each entering first-year Student, placed on file in the Law School Library, and made available from the Dean's Office.

Section III. Limitations

- A. Student's conduct is not subject to this Code unless it has occurred while the Student is enrolled at or was seeking admission to the Law School. The Council may not exercise jurisdiction over Student conduct unless a complaint is filed within one year of graduation, withdrawal, or dismissal of the Student from the Law School; however, this limitation shall not apply to conduct involving either serious academic misconduct, such as plagiarism or cheating, or serious misrepresentation with respect to the Student's application for enrollment in the Law School.

Section IV. Rights of an Alleged Violator or an Accused Student

- A. The following enumerated Rights of an Alleged Violator or an Accused Student consist of some of those rights which exist as a result of this Honor Code. Students may have additional rights, arising under other sections of this Honor Code or extrinsic authority, which this section of the Honor Code does not abridge.

1. An Alleged Violator or Accused Student shall not be required to testify. (See SECTION VIII.F.)
2. Before and during the investigation, hearing, and through any appeals, an Alleged Violator or Accused Student shall be entitled to representation by or assistance from a retained attorney or anyone else of the Student's choice who will represent or assist the Student as his or her lawyer. (See SECTION VII.G.5.e. SECTION VIII.A. and SECTION X.D.)
3. A Justice of the Honor Council, the Prosecutor, and any Investigator may be voluntarily or involuntarily recused from a pending case due to failure or inability to satisfy the duties of his or her respective position in regard to an alleged violation. Recusal extends only to the Investigator's, Prosecutor's or Honor Council Justice's duties with respect to the pending case. A vote of four present and voting Justices is required for involuntary recusal. The Chief Justice shall at the same time notify the Accused Student and the President of the Student Bar Association or the Dean of the Law School. When a Student Honor Council Justice or the Prosecutor is removed, the President of the Student Bar Association shall, within three calendar days of receiving notice of such removal, appoint a replacement. When a Faculty Honor Council Justice or Faculty Investigator is removed, the Dean of the Law School shall, within three calendar days of receiving notice of such removal, appoint a replacement.
4. Upon request, any Accused Student has the right to a copy of the recordation of the hearing. (See SECTION VIII.B.3.)

Section V. Adopted Policies of the Faculty and Administration

- A. Each Instructor shall identify with precision the materials (if any) Students may use during the Instructor's examination, and shall describe the condition (for example, annotated or unannotated) in which those materials may be used prior to the last regular meeting of the class; provided, however, that if an Instructor does not identify the materials usable during the final examination and their condition, Students must assume the examination in that course is "closed book," that is, that no materials will be permitted to be used by Students during the final examination. In order to eliminate ambiguity or uncertainty, the Instructor shall answer any Student question concerning those materials and shall communicate that same information to all Students in the course.
- B. Each Instructor shall include the instructions described in Paragraph A, above, in the written instructions accompanying the examination.
- C. Each Instructor shall exercise caution in preparing, administering, and discussing an examination to ensure that no Student receives an unfair advantage.
- D. Each Instructor and member of the Law School staff shall report to the Assistant Dean

for Student Affairs any Student conduct that is reasonably believed to constitute a violation of this Code.

- E. It is the responsibility of the Dean, or his or her delegate, to supervise the imposition of any sanction directed by the Council or modified by any appeal.
- F. Failure on the part of an Administrator or an Instructor to comply with the adopted policies of the Faculty and Administration as outlined in this section shall not operate as a procedural defense. Such non-compliance, however, may operate as a substantive defense.

Section VI. The Honor Council

- A. The Honor Council shall consist of six Justices.

Three of the Justices shall be Students. Under procedural rules promulgated by the Student Bar Association, the Student body shall elect three Student Justices, one from each class. Student Justices shall serve a term of one academic year.

Three of the Justices shall be Law School Faculty Members appointed by the Dean of the Law School with the advice of the Faculty Policy Committee. The Dean shall designate one of the appointed Faculty Justices to serve as a Magistrate. The Dean shall not appoint an associate or assistant dean or him/herself to the Council. Faculty Members shall be appointed to a one academic year term.

The third-year Student Justice shall be the Chief Justice. If, at any time, the Chief Justice is unavailable to perform Chair duties, the elected second-year Justice shall serve as the Chief Justice.

- B. The Council shall have jurisdiction over any conduct by a Student which is prohibited by this Code. At any time, for good cause, the Council may decline or postpone asserting jurisdiction over the conduct of a Student. For example, any of the following may constitute good cause for declining or postponing jurisdiction: (1) the fact that such conduct is being, or has been handled by federal, state, or local authorities; (2) assuming the allegation to be true, the conduct does not evidence a lack of honesty, integrity, or trustworthiness on the part of the Student; or (3) the alleged conduct is insufficiently connected with the affairs of the Law School or its Students.

Section VII. Report and Investigation of an Alleged Violation

- A. If a person wishes to initiate a disciplinary proceeding against a Student for violating this Code, the person must report the matter to the Assistant Dean for Student Affairs. The report of the suspected Code violation may be either written or oral. Such report may not be made anonymously; however, confidentiality relating to the identity of the reporter of an alleged violation shall be maintained, subject to the provisions of SECTION VII.B., E., F., and SECTION VIII.L. and M.

- B. Upon receipt of a report of a suspected Code violation, the Assistant Dean for Student Affairs shall promptly notify the Chief Justice of the Honor Council of the bare allegations contained in the report, omitting the names of the Alleged Violator and the person(s) making the allegation. Upon receiving this summary, the Chief Justice shall promptly inform the Faculty Magistrate of the substance of the report.
- C. A meeting to determine whether to decline or postpone asserting jurisdiction shall be held by the Chief Justice of the Honor Court and the designated Faculty Member, who serve as the Magistrates. For good cause, jurisdiction may be declined or postponed at this stage if both Magistrates vote to do so. For example, any of the following may constitute good cause for declining or postponing jurisdiction: (1) the fact that such conduct is being, or has been handled by federal, state, or local authorities; (2) assuming the allegation to be true, the conduct does not evidence a lack of honesty, integrity, or trustworthiness on the part of the Student; or (3) the alleged conduct is insufficiently connected with the affairs of the Law School or its Students. None but the Magistrates are permitted to attend this meeting.
- D. The Chief Justice shall promptly notify the Assistant Dean for Student Affairs of the decision of the Magistrates. Upon receipt of notice that the Magistrates have not declined or postponed asserting jurisdiction, the Assistant Dean for Student Affairs shall promptly notify the Alleged Violator of the allegation and that an investigation will begin. The Assistant Dean shall furnish the Student with an additional copy of this Code. The Assistant Dean shall notify the Prosecutor of the action of the Magistrates and furnish him or her with all documentary evidence collected to date.
- E. Upon receiving notification from the Chief Justice of the Council that the Magistrates have not declined or postponed jurisdiction, the Assistant Dean shall notify the Dean that an investigation is to be initiated. The Dean shall promptly appoint one Faculty Member to assist the Prosecutor. The Prosecutor and the appointed Faculty Member comprise the Investigating Committee. Unless recused, the appointed Faculty Member shall serve on the Investigating Committee for the duration of the investigation and probable cause determination of the allegation(s) for which appointed. The Dean, Associate and Assistant Deans and Justices of the Council shall not be appointed to the Investigating Committee.
- F. Upon receiving notice that the Magistrates either postpone or decline asserting jurisdiction, the Assistant Dean shall inform the reporter of an alleged violation. The Assistant Dean shall not notify the Alleged Violator of the Magistrate's action if jurisdiction is postponed or declined.
- G. Duties of the Investigating Committee.
 - 1. Except for good cause shown, the Investigating Committee shall complete its

investigation of the alleged violation within fourteen (14) days of its formation.

2. The Committee shall have the power to question persons having pertinent information, examine any pertinent material, and question an Alleged Violator if he or she is willing to speak. If the Committee questions a Student whom the Committee reasonably believes has committed a Code violation, it shall advise the Student: (a) of the Student's right not to speak, (b) that what the Student says can be used against the Student, (c) that the Student has the right to consult an attorney or other representative before answering any questions, (d) that the Student has the right to have that representative present during the questioning, and (e) of the consequences for lying to the Committee or the Honor Council. At the request of the Investigating Committee, the Chief Justice of the Honor Council shall have the authority to subpoena Students to appear as witnesses before the Investigating Committee or the Council. Students who have been subpoenaed as witnesses have an obligation to appear and testify.

3. Upon completion of its investigation, the Investigating Committee shall meet in camera and determine whether probable cause exists to believe that a Student has violated this Code. No other person is permitted to attend this meeting. A finding of probable cause must be supported by both members of the Committee. The Prosecutor shall promptly report the determination of the Investigating Committee, whether affirmative or negative, to the Chief Justice of the Honor Council, to the Assistant Dean for Student Affairs, to the Alleged Violator, and to the person(s) who reported the alleged violation of the Code. Upon a finding that sufficient probable cause exists, a complaint issued by the Committee shall be sent to the Chief Justice of the Honor Council.

4. If the Investigating Committee determines that sufficient probable cause does not exist, the matter shall be dismissed immediately, without prejudice, and the Alleged Violator will not have been considered accused of a violation or the subject of any Honor Court proceeding. If the Investigating Committee issues a complaint, the Alleged Violator is formally accused of violating the Honor Code and is the subject of an Honor Court proceeding.

5. If the Investigating Committee determines that a complaint shall be issued, the Prosecutor shall also give to the Accused Student the following information in writing:

- a. A copy of the complaint, which shall be a plain, concise, and definite written statement of the essential facts of the violation(s) charged, citing the specific provision(s) of this Code that the Accused Student is alleged to have violated;
- b. the identity of known witnesses, a general description of what each is expected to testify about, their written statements, if any, and either copies or a description of any physical evidence that may be used at the hearing;
- c. all written reports concerning the alleged violation, if any, submitted to any Administrator, Instructor, or member of the staff;
- d. the names of the Honor Council Justices;

- e. a statement that the Student may be assisted by an attorney or other advisor of the Student's choice (See SECTION VIII.A.);
 - f. a statement that the Student has a right to review any information gathered by the Investigating Committee during the investigation, other than the work product of the Investigating Committee.
6. The Investigating Committee shall not enter into any agreement with the Accused Student whereby the Committee agrees not to bring before the Honor Council any violations for which probable cause has been found, or which commits the Honor Council to any finding or sanction. The Committee must present all such violations to the Council for a hearing by filing a complaint as provided by this Code. The Accused Student may make an admission of a violation by testifying on the record before the Council that he or she committed the alleged act(s), and by waiving a hearing before the Council on the question of a violation. Upon receiving such an admission of a violation, the Council shall proceed by hearing to determine the appropriate sanction(s).
7. The Prosecutor shall present the evidence against the Accused Student during the hearing and any appeal.
8. Notwithstanding that the Investigating Committee has issued a complaint, it shall be the duty of the Prosecutor to continue to gather other evidence relevant to the determination of the commission of a violation or innocence of the Accused Student and to present it to the Council at the hearing on the complaint. Any such evidence shall be disclosed to the Accused Student as soon as possible after it has been obtained.

Section VIII. Hearing

- A. Upon receiving a complaint from the Investigating Committee, the Chief Justice of the Council shall convene a hearing before the Honor Council. Before and during the investigation, hearing, and through any appeals, the Accused Student shall be entitled to representation by or assistance from a retained attorney or anyone else of the Student's choice who will represent or assist the Student as his or her lawyer.
- B. The hearing shall be open to all participants and members of the law school community. Witnesses may also attend unless exclusion is requested by any party. This section is subject to the following provisions:
 - 1. The Council may proceed with no fewer than two faculty and two Student Justices present.
 - 2. No later than one day before the hearing, the Accused Student may request that the Council close the meeting generally or for a limited duration. The Council, upon 2/3 vote of those present and voting, may elect to limit attendance at the hearing to participants.
 - 3. The Council shall record the hearing and may do so by stenographic means, or

audio or video tape. Upon request, any Accused Student has the right to a copy of the recordation of the hearing.

- C. The Chief Justice shall rule on all motions and objections and may be overruled only by a majority of the Council present and voting.
- D. The Council may consider only evidence made part of the record at the hearing. It shall not be bound by rules of evidence. The only objections to the proposed admission of evidence which will be entertained by the Honor Council shall be those made on the grounds of repetitiveness or irrelevance as defined in the Federal Rules of Evidence. Hearsay evidence may be admissible, but it shall be accorded only such weight as it is entitled under the circumstances. Proof of conviction of a crime shall be prima facie evidence that the person committed the offense of which he or she was convicted and of any facts necessary for that finding of guilt. At the request of the Prosecutor or the Accused Student, the Chief Justice shall subpoena any Student to appear as a witness before the Council. A Student who has been subpoenaed as a witness has an obligation to appear and testify.
- E. Normally, the Council shall hear evidence regarding the question of the commission of a violation before hearing evidence regarding sanctions. The Prosecutor shall initiate the presentation of evidence. The Accused Student (or his or her Defense Counsel) may then offer evidence relevant to the charge(s).
- F. The Council, the Prosecutor, and the Accused Student (or his or her Defense Counsel) may question any witness. However, the Accused Student shall not be required to testify, and no adverse inferences shall be drawn from the Accused Student's decision not to testify.
- G. The Prosecutor and the Accused Student (or Defense Counsel) may make opening and concluding statements. However, an Accused Student who has chosen not to testify may not make a statement to the Council unless the Student allows questions from Council Justices and the Prosecutor.
- H. After the presentation of evidence regarding the commission of a violation, the Council shall meet in camera to decide the question of whether a violation has occurred. Upon reaching a decision, it shall reconvene before the parties and announce its decision. If it finds the behavior of the Accused Student is in violation of this code, the Council shall set a date to give the parties the opportunity to present evidence, if any, relevant to sanctions. At that time, the Student shall have the option either to proceed first or to follow the Prosecutor. The Prosecutor shall have the obligation to present all aggravating and mitigating evidence in his or her possession and may recommend particular sanctions. After hearing this evidence, the Council shall again meet in camera to decide what, if any, sanction(s) shall be imposed. Upon reaching a decision, the Council shall reconvene before the parties and impose

sanctions, if any.

- I. The Council may not find the Accused Student to be in violation of any Code provision not charged in the complaint. After the hearing begins, the complaint may be amended over the Accused Student's objection, provided the Accused Student is not thereby prejudiced in his or her defense. A continuance of the hearing may be granted to avoid such prejudice. The Prosecutor shall bear the burden of proving the alleged violation(s) by clear and convincing evidence. A two-thirds (2/3) vote of the Council Justices present and voting shall be necessary for a finding of a violation and the imposition of any sanction, except that expulsion or a recommendation that an awarded degree be withdrawn shall each require unanimity.
- J. After the hearing is concluded and within seven (7) days, the Chief Justice or the Council shall prepare a written report detailing the evidence considered, the reasons for its decision, and any sanction(s) imposed. Concurring and dissenting Justices may prepare opinions explaining their positions. Copies of the report and opinions shall be given to the Accused Student, the Prosecutor, and the Dean.
- K. At the conclusion of a case, including an appeal, if any, the Council shall publish the results of its decision (as amended by any appeal). Beginning with

the effective date of this Code, all published decisions shall be maintained on reserve in the library.
- L. Regardless of the decision on the merits, the Council shall keep a permanent record of the evidence presented at the hearing, the report(s) and the opinion(s) of the Council, if any, and any other information it decides should be retained. Such record may be referred to later by the Council for whatever purpose it considers relevant. Subject to paragraph K above, neither the contents nor the existence of any record referred to in this paragraph may be disclosed except (1) when required by law or order of court, (2) when required by the Dean, or (3) when the concerned Student has signed a written waiver of confidentiality.
- M. At the end of his or her tenure, the Chief Justice shall transfer all case files to the Dean's Office, and the Dean shall transfer them to the next Chief Justice. Such transfers shall be made without breach of the confidentiality of the files.

Section IX. Sanctions

- A. Sanctions for violations of this Code may include but are not limited to one or more of the following:
 - 1. public or private admonition, warning, reprimand, or censure;
 - 2. counseling;
 - 3. additional academic work;
 - 4. a requirement that a Student take extra credit hours;

5. public or University service;
 6. suspension or loss of specific Law School benefits, privileges, memberships, and/or honors including Law School scholarships;
 7. fines;
 8. compensation for or replacement of any damaged or destroyed property;
 9. recordation of findings and sanction(s) in the Student's Law School file for any length of time;
 10. probation, with or without conditions;
 11. removal from elective or appointed office;
 12. suspension for a period not longer than two years;
 13. expulsion; or
 14. recommendation to the Board of Trustees that an awarded degree be withdrawn.
- B. The Honor Council has no authority to determine or change a Student's grade. Nothing in this Code modifies a faculty member's discretion to base a grading decision upon student conduct that might violate the standards established by this Code, regardless of the pendency or outcome of any Honor Proceeding.
- C. Notwithstanding the provisions of this Section regarding the sanctioning ability of the Honor Council, any official Student organization may suspend, expel (with or without retroactive effect), or terminate any membership or honors accorded a member of such organization if found to have violated this Code.

Section X. Appeal of Adjudications

- A. A Student who is adjudged by the Honor Council to be in violation of this Code may appeal such finding or any sanction imposed to the Dean or the Dean's designee. Where the decision maker (the Dean or the Dean's designee) determines that he is unable to be impartial, or where the Student adjudged to be in violation of the Code demonstrates to the Honor Council that the decision maker was the victim of the violation, that the decision maker reported the violation, or that other specific facts exist that suggest a substantial likelihood that the decision maker will not be impartial, then the Dean must appoint a designee to decide the appeal. A Student who admits the truth of the complaint may challenge the Council's jurisdiction and the sanction on appeal. Normally, the filing of a notice of appeal shall automatically stay the execution of all sanctions imposed by the Council on the Student filing the notice; however, the decision maker shall have authority to order that some or all of the sanction(s) be executed during the pendency of the appeal. All unexecuted sanctions upheld by the decision maker shall be executed following the decision maker's determination of the appeal.
- B. Notice of intent to appeal must be given to the Dean and the Chief Justice of the Council. The notice of appeal shall be in writing and shall contain the reasons for the appeal. Upon receipt of the notice of appeal, the Chief Justice shall transmit the Council's report(s) and the record of the hearing to the Dean.

- C. If, following the Council's decision, the Student discovers new information relevant to the merits or the sanction, the Student may ask the Council to reconsider its decision or may ask the Dean to consider such new information along with the record of the hearing. The Dean may remand to the Council for consideration of the new information. If the Student discovers new information after the Dean has decided the appeal, the Student may ask the Dean to reconsider his or her decision. If the Dean decides not to change that decision, he or she shall give the reason(s) for not doing so to the Student in writing.
- D. Normally, the Dean's appellate review will be based on the record of the hearing and any written submissions. However, the Dean may choose to hear oral argument by the Student or by the Defense Counsel, and by the Prosecutor.
- E. The Dean may affirm, reverse, remand, or modify the decision of the Council, or the Dean may dismiss the complaint. If the Dean concludes that the decision of the Council is factually correct and that its sanctions are appropriate, the Dean shall affirm. The Dean may dismiss the complaint only if he or she concludes that the Council lacked jurisdiction or that its determination was not supported by clear and convincing evidence. The Dean may reduce the sanction if he or she believes the sanction is inappropriate but may not increase the sanction. If the matter is remanded, the Council shall reconvene to reconsider the case.
- F. The Dean shall prepare an opinion explaining the reasons for the decision. A copy of that opinion shall be given to the Student, the Prosecutor, and the Council. The Council shall keep a copy as part of its permanent record in accordance with SECTION VIII.L. and M. of this Honor Code.

Section XI. Notification

Whenever this Code requires notification and does not otherwise specify the manner by which such notification shall be accomplished, the following methods are proper:

- A. Verbal notification, either in person or by telephone, followed by written notification; or
- B. Written notification sent by registered or certified mail to the last local address provided to the Law School by the recipient, or if the Law School is not in session, to the last home address provided to the Law School by the recipient.

Section XII. Timeliness of Proceedings

- A. All actions taken pursuant to duties imposed by this Code shall be accomplished in a timely manner. The specific time guidelines are the following:
 1. The Assistant Dean for Student Affairs shall bring a report of a suspected Code violation to the attention of the Chief Justice of the Council within two days of receiving it. (See SECTION VII.B.)
 2. The Chief Justice of the Council shall bring the substance of a report of a suspected

violation to the attention of the Faculty Magistrate within two days of receiving notice from the Assistant Dean. (See SECTION VII.B.)

3. The Magistrates shall determine whether to assert, decline, or postpone taking jurisdiction of a reported matter within three (3) days of the receipt by the Faculty Magistrate of the summary. See (SECTION VII.C.)

4. The Magistrates' determination to assert, decline or postpone asserting jurisdiction shall be reported to the Assistant Dean for Student Affairs in writing within one day of the determination. (See SECTION VII.D.)

5. If jurisdiction is asserted, the Assistant Dean for Student Affairs shall notify the Alleged Violator as soon as possible. (See SECTION VII.D.)

6. The Dean of the Law School shall appoint one Faculty Member to serve on the Investigating Committee within two days of the receipt by the Assistant Dean for Student Affairs of a report from the Chief Justice that jurisdiction of the Council has not been declined or postponed. (See SECTION VII.E.)

7. The Investigating Committee shall complete its investigation regarding the reported Code violation within 14 days of its appointment. (See SECTION VII.G.1.)

8. The Investigating Committee shall report its determination of whether to file a complaint to the Chief Justice of the Honor Council, the Assistant Dean for Student Affairs, to the Alleged Violator, and to the person or persons initiating the report of the suspected violation within one day of reaching its determination. (See SECTION VII.G.3.)

9. The Prosecutor shall give to the Accused Student the information specified in SECTION VII.G.5.a.-f. within one day of the notification to the Student that a complaint will issue.

10. The Honor Council shall convene to hear a complaint within seven days of receipt of the complaint by the Chief Justice. (See SECTION VIII.A.)

11. The Chief Justice's written report of the Council's determination(s) and its summary of the evidence shall be submitted to the Dean, the Prosecutor, and the Accused Student within seven days of the termination of the hearing. (See SECTION VIII.J.)

12. A Student's written notice of intent to appeal an Honor Council determination must be received by the Dean's office within seven days of receipt by the Student of the written report of the Council's determination(s) and the Council's summary of the evidence. (See SECTION VIII.J. and SECTION X.B.)

13. Except for the notice of intent to appeal, deadlines for written submissions to the Dean from any party relating to a matter on appeal will be set by the Dean. (See SECTION X.D.)

14. The Dean shall decide the appeal within 30 days of the date the Dean's office receives the notification of an intent to appeal. (See SECTION X.E.)

- B. In computing any period of time prescribed or allowed by this Code, the day of the act or event from which the designated period of time begins to run shall not be included. Days are computed as calendar days.

- C. The Accused Student may waive time periods imposed by this Code on others. The Honor Council, by majority vote of the Justices present and voting, and the Dean shall have the authority to extend time limits. The Dean shall have such authority regarding appeals.
- D. Failure by Law School personnel to abide by the time requirements of this Code without the Accused Student's consent may be grounds for dismissal of the complaint or mitigation of sanctions only if a substantial delay has been caused and the Accused Student has suffered prejudice thereby.

Section XIII. Exclusive Jurisdiction

All Student conduct subject to this Code shall not be subject to any other honor code of the University.

Section XIV. Interpreting the Code

The Honor Council shall interpret this Code and may exercise its powers of interpretation as to the intent or meaning of any provision in the Code.

Section XV. Amending the Honor Code

- A. Any Student, Instructor, Staff Member, or Administrator may propose an amendment to the Honor Code.
- B. All proposals for amending the Honor Code must be submitted to the Honor Council in writing for preliminary review. The Honor Council will decide by majority vote whether to endorse and present the proposed amendment.
- C. If the Council endorses the proposal, the Chair and the Faculty Magistrate will present the proposal along with any written comments of the proponent and the Justices of the Honor Council to the appropriate Faculty committee and to the Students in a manner appropriate to provide sufficient notice of the contents and purpose of the proposal. If the Faculty approves the proposed amendment, the Chief Justice shall inform the Student Bar Association President of the need to include the proposed amendment on the next election ballot. To be adopted, the proposed amendment must be ratified by a majority of the Students voting in the election.
- D. If the Honor Council does not endorse the proposal, a proposed amendment shall be adopted as an amendment upon successful petition of the Faculty by any proponent and the vote of 2/3's of those present and voting at a duly constituted meeting of the Legislative Assembly. See The Student Bar Association Constitution "ARTICLE VII. LEGISLATIVE ASSEMBLY" and corresponding SBA by laws.

Section XVI. Effective Date and Repeal

- A. This Honor Code shall be effective on the day following ratification by the Faculty and the Student Body.

- B. Upon being effective, this Honor Code repeals the former Student Honor Code and the Procedures Governing Faculty Consideration of Alleged Honor Code Violations, except that any conduct occurring before the effective date of this Code shall be governed by the former Student Honor Code and the Procedures Governing Faculty Consideration of Alleged Honor Code Violations. With the consent of the Prosecutor and the Faculty Magistrate, an Alleged Violator or Accused Student may elect to proceed as if the conduct had occurred after the effective date of this Honor Code.

Mercer University Student Code of Conduct (2015)

The University adopted a new Student Code of Conduct on August 1, 2015. It can be found online at <https://provost.mercer.edu/mu-provost/handbooks/upload/2015-University-Handbook-2-3-rec-d-30-July-2015.pdf> It applies to Mercer Law students, who should familiarize themselves with its provisions. If you have questions about it, please see the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs.

Higher Education Opportunity Act Missing Persons as amended 2009 Missing Student Policy

If a member of the University community (faculty, staff, student, parent, alumni) has reason to believe that a student is missing, that community member will refer the case immediately to the Mercer Police Department. For Regional Academic Center students (Douglas County, Eastman, and Henry County) the community member may contact Mercer Police directly or the Center Coordinator who, in turn, must report the missing student to Mercer Police and the Regional Academic Center Director of Operations.

Mercer Police will work collaboratively with others to contact and locate the student. All reasonable efforts will be made to locate the student and determine his or her state of health and well-being. The efforts include, but are not limited to:

- Phone call to student
- Email to student through Mercer email account (or other known e-mail addresses)
- Messages through social networking web sites if possible
- Contact with all professors to determine last day of attendance in each class
- Contact with Housing staff (Resident Advisor or Residence Life Coordinator) and roommate(s) if student is residential (Housing and/or Mercer Police will make a welfare entry into the student's room)

If the student is located through these attempts, a determination will be made regarding his or her

health and well-being. If necessary, a referral to the Counseling Center, Health Services and other appropriate office may be made at that time. The Dean of Students Office or Mercer Police will also encourage the student to contact the community member who initiated the search or follow up with that person directly.

If the student is not located through these measures and has been reported missing for more than 24 hours, then the following actions will be taken within the next 24 hours by Mercer Police (or the Director of Operations for RAC):

Notification will be made (where and when applicable and appropriate) to the appropriate Dean of Students for the particular college/campus in which the student is enrolled, the students' academic advisor, the counseling staff, and health center staff.

The Police and/or Dean of students will make contact with the students emergency contact* and, for students under 18 years of age, a custodial parent or guardian.

The parent/guardian emergency contact person may need to submit an official missing person report with the appropriate police agency prior to any further action taking place.

**Students are asked to register and continually update emergency contact information on Bear Port. In addition, students who reside in on-campus housing are provided an opportunity to identify an emergency contact individual during check-in. This person(s) will be contacted within 24 hours after the student is determined to be missing unless the student is under 18 years of age, in which case a custodial parent or guardian will be notified as a mandated by law.*

Higher Education Opportunity Act, Pub.L.110-315,§493(a)(1)(A)(i)(II), 20 U.S.C. §1094(a)(26).
Higher Education Opportunity Act, Pub.L.110-315, §488(g), 20 U.S.C. §1092(j).

Hate-based Campus Incidences: Recommendations

Campus climate embraces the culture, habits, decisions, practices, and policies that make up campus life. It is the sum total of the daily environment, and central to the "Comfort factor" that minority students, faculty, staff, and administrators experience on campus. Students and other members of the campus community who feel unwelcome or alienated from the mainstream of campus life are unlikely to remain. If they do remain, they are unlikely to be successful. (Green, 1989)

Colleges and universities are experiencing an ever increasing number of disturbing incidences across their campuses based solely on differences in race, ethnicity, gender, and sexual orientation. Some incidences move beyond uncomfortable and unfriendly and can be categorized as hostile.

Hate-based incidences are, indeed, hostile acts. They occur when a "perpetrator targets a victim because of his or her membership in a certain group. They are different from other acts of violence because they are not simply directed at an individual. Hate activities are meant to evoke terror and intimidation in an entire group of people. Hate takes many forms such as hate speech, vandalism,

assault, discrimination and harassment” (Graham, 2008).

Mercer University is not immune to hate activities. A focus group of 16 Macon Campus students reported both overt and subtle hate activities at Mercer. Some resources are in place that could help students deal with hate-based situations, but these are disjointed and there is a clear need to improve how we communicate their availability. A process to help students plug into them is needed. In order to address the concerns of the students and make Mercer a true “Community of Respect where everyone is held in mutual high regard” the following recommendations are presented (The Lair, 2008-2009).

Add explicit language to The Lair prohibiting hate activities

According to The Lair, hate-based activities violate the values of the Community of Respect. Currently, this student handbook lists 30 violations that would be judged as offenses and violate the values of the Mercer community. At a minimum, “hate-based language and activities” should be listed among the examples of “Conduct Unbecoming”. A stronger statement of Mercer’s position regarding these types of activities can be made by listing “Hate-based Language and Activities” as a separate violation.

Support from the top

The President plays a critical role in establishing campus climate. The President must continue to support all facets of the Mercer student population and periodically have direct contact with specific populations to get a better understanding of how the Mercer experience translates to them.

In the event of a major, highly visible hate-based event on the campus, the President must be prepared to explicitly convey the message that racist (or sexist, anti-gay) acts will not be tolerated by the institution. The President can then mobilize the campus community in ways to counter the horrific act.

Mechanisms for reporting incidences and supporting students

This procedure for reporting hate-based incidences and providing resources to students must be made known throughout the University. It can be tailored to fit our various student populations. For example, this procedure can be established individually for the Macon Campus, Atlanta Campus, Law School, etc.

1. Points of Contact

Hate-based incidences are reported through a contact point. The points of contact are numerous and varied. They can be students, faculty, staff, or administrative. For example, an RA, PA, Minority Mentor, and Dean’s Office can be a point of contact. The sole purpose of this contact is to put the student who has experienced a hate-based act in touch with an Advocate.

A list of all Advocates is given to each contact person. The contact will share the listing with the student and allow the student to select an Advocate.

2. Advocates

Advocates should be of different races, genders, religions, sexual orientations, etc. They can be staff, faculty, administrators, or mature students. The list of Advocates is broad and consists of individuals who have chosen to serve in this capacity. Once selected by the student, the Advocate will provide to the student information regarding options and resources (see #3 and #4). The Advocate provides support, makes referrals, and serves as the liaison between the student and the referral source.

A brief training or information session will be required of those serving as Advocates to ensure that they clearly understand their role. It is recommended that the following individuals be listed among the Advocates for the Macon Campus: Rhonda Lidstone, Michelle Currie, Dr. Mary Ann Drake, Dr. Chester Fontenot, Jenni Greer (Assistant Athletic Director for Compliance & Internal Affairs), Dr. Kedrick Hartfield, Dr. Janell Johnson, and Dr. Jay Pendleton.

Law Library

Carrels and Tables

Carrels and tables are available for study on a first-come, first-served basis. **Carrels may not be reserved for exclusive use.** Personal items left in carrels are subject to removal. Items of value, including laptops, should never be left unattended. Do not tack, tape, or permanently affix anything to carrels, tables, walls, end panels, or other furniture and equipment in the library.

Cell Phones - No Cell Phones

Be considerate and do not talk on your cell phones in the law library. Ringers should be off at all times. If you must answer a call while in the library, step outside to the lobby to continue the conversation.

Circulation

The law library is open to law students 15 hours a day by means of a Bear Card (building access card). Circulation desk service, including the reserve collection, is available fall and spring semesters during the hours listed below. Summer and holiday hours are abbreviated and posted in the library and on the law school web site.

Day	Student Access Hours	Circulation Desk Hours
Monday - Thursday	7:00 am to midnight	8:00 am - 8:00 pm
Friday	7:00 am to 10:00 pm	8:00 am - 5:00 pm
Saturday	8:00 am to 10:00 pm	1:00 pm - 5:00 pm
Sunday	8:00 am to midnight	1:00 pm - 8:00 pm

Employment Opportunities for Law Students

The library hires second- and third-year law students as Student Library Assistants. The hiring process is competitive. Working in the library is an excellent opportunity to work with a variety of legal resources on a routine basis. If you are interested in working in the library, inquire at the circulation desk.

Food and Drink Policy

Cold foods, such as fruit, nuts, candy bars and crackers are permitted in the law library and study rooms. Meals and hot foods, such as pizza, burgers, and soup are not permitted. Drinks in closed, non-disposable containers are welcome in the library. Styrofoam cups, cans, or other open containers of any kind are not permitted. Students are expected to dispose of all trash promptly and properly and clean up any spills/messes.

Interlibrary Loan

If the library does not own an item you need, we might be able to borrow it from another library. Interlibrary loan request forms are available at the circulation desk and in the portal. Inquire at the circulation desk for more information.

Internet Access

There are wireless access points throughout the law library, providing students with laptop access to the network and to printing. Additionally, there are a number of carrels behind the reference desk with networked desktop computers.

LawCat

LawCat is Mercer Law Library's online catalog of library holdings, including print and online resources. LawCat is available on the web at law.mercer.edu/library/ and at designated computers in the library. For assistance using LawCat, inquire at the reference desk.

Lexis, Westlaw and Bloomberg Law

First year law students receive Westlaw and Lexis passwords and instruction during fall semester in Introduction to Legal Research. Student passwords are valid for the rest of the student's career at Mercer Law School. Sharing these passwords violates our agreements with these companies. Lexis Westlaw, and Bloomberg Law place restrictions on the use of passwords as described in the contracts that students enter into with these companies when they register their personal passwords. Questions about access and use of Lexis, Westlaw and Bloomberg Law should be directed to Denise Gibson Room 219.

Library Web Site

The library web site, law.mercer.edu/library/ is a gateway to specialized legal research databases, and sources including full text sources and journal indexes. In addition, students will find a variety of subject guides to legal research, including an extensive list of Georgia resources. Links to LawCat and other library catalogs are also available.

Lost and Found

The circulation desk is the temporary repository for personal items found in the library. If you find or lose an item, ask for assistance at the circulation desk.

Microfiche and Microfilm

Prints from microfiche or microfilm are 5 cents each. Microfilm and a reader are located in the Walnut Wing. Microfiche and a reader are located on the third floor. The microform reader on the 3rd floor scans so one can print pages on the network printers.

Photocopying

Three photocopiers are located on the main floor of the library. All can reduce, enlarge, and make double-sided copies. The copiers next to the circulation desk and in the Walnut Wing also collate. The copier in the Mulberry Wing is specially designed for book copying. Copies are 5 cents per page. The student Bear Card serves as a copy card. Students may add value to their Bear Cards using the value transfer station located next to the circulation desk in the law library. Alternatively, credit cards are accepted online at the Bear Card web site: www.bearcardoffice.com.

Printing

First Floor	Technology Lounge	Panda
Second Floor	Law Library–Behind Reference Desk	Owl and Hippo
Third Floor	Room 350/Technology Lounge	Kangaroo and color printer

Two networked laser printers are provided in the law library, and additional printers are in the technology lounges in room 350 and on the first floor in the student lounge. Students are charged for print jobs sent to the networked laser printers. At the beginning of the academic year, each student's account is credited with 1000 pages. Additional pages may be purchased at five cents per page at the law library circulation desk or in the technology lounge in room 350. A color laser printer is available in room 350 and color pages are charged at 25 cents per page. Print jobs sent to the Lexis printer are not charged against student accounts at this time, but are included in the law library's subscription for Lexis Advance.

The printers are shared resources. Please respect the needs of others who are trying to print documents in a timely fashion. For multiple copies of a document, use the copy machines in the law library. The copy machines have sheet feeders and collate, and also cost five cents per page.

Public Access Workstations

Two public access workstations are located under the windows behind the Reference stacks. These workstations, which are available to attorneys and the general public as well as to the Mercer community, provide access to a number of electronic resources, including Georgia and federal primary law.

Reference

Reference services are provided by professional law librarians who assist users in locating information, developing effective research strategies and identifying the appropriate online and print resources to use in conducting legal research. Reference service is available fall and spring semesters during the hours listed below. Summer and holiday hours are abbreviated and are posted in advance at the reference desk and on the law library website.

Monday - Thursday:	8:30 am to 7:00 pm
Friday:	8:30 am to 5:00 pm
Saturday:	No Reference
Sunday:	1:00 pm to 7:00 pm

Reserve Materials

Reserve materials, consisting of items placed on reserve for current classes as well as other high-use items, are located behind the circulation desk. Reserve items may be checked out for two hour use in the library. Some reserve items also may be checked out for overnight use two hours before closing, and must be returned within one hour of opening on the following day. Lists of course reserve materials are available on LawCat, the online catalog, and may be retrieved by either the course name or the professor’s name. The fine for late return of overdue reserve items is 25 cents per hour.

Scanning

The photocopiers located next to the circulation desk and in the Walnut Wing of the library also serve as scanners. Students may scan and email documents to their Mercer Law Email address, at no charge. For large documents, ask for assistance at the circulation desk. Scanners are also available in the first and third floor tech lounges.

Study Rooms and Smart Suites

Nine study rooms are available for **group study**. **Study groups have priority**. All are equipped with whiteboards. The third floor study rooms are equipped with technology to facilitate collaboration. These rooms can also be used for practicing oral arguments and presentations as well as for reviewing practice sessions.

Walnut Wing	225 and 226	225 equipped with television and DVD/VCR
Mulberry Wing	215 and 216	
Third Floor	345, 346, 347, 348, 351	Equipped with projectors, monitors, DVD players

Law students may check out study room and smart suite keys, along with whiteboard supplies, at the circulation desk for two hour periods. Students may reserve room 351 in the portal. Personal belongings may not be left in study rooms while the student goes to class. During peak times, waiting lists for these rooms are maintained at the circulation desk. Study rooms and smart suites are left open after normal library hours. The Lawyers’ Reading Room is not a study room. It is reserved for use by members of the bar.

Tobacco – No Tobacco

No tobacco of any kind may be used in the library. This includes smokeless tobacco and e-cigarettes.

Technology Lounges

Technology Lounges General Statement

The Technology Lounges are a shared community resource in which students must respect the rights of others to use the Technology Lounges to complete their academic work. Students are expected to use the computers, keyboards, printers, scanner and other lab equipment in their proper and ordinary use.

Access to the Technology Lounges

The Technology Lounges are available 15 hours a day with the Bear Card access system. One is located on the 3rd Floor in The IT Suite and one on the 1st floor in the Student Lounge.

Account Responsibility

Students have access to five gigabytes of storage space through Microsoft SkyDrive. Account holders are fully responsible for their accounts. The contents of a personal folder/directory are the responsibility of the account holder as is the security of that person's password. On law school computers account holders should log in using their username and password and remember to log out when they are finished with their sessions. **Do not store files on the hard drives of law school computers as those files are unprotected and are periodically erased.**

Food, Beverage and Tobacco Products

Cold foods, such as fruit, nuts, candy bars and crackers are permitted in the Technology Lounges. Meals and hot foods, such as pizza, burgers, and soup are not permitted. Drinks in closed, non-disposable containers are welcome in the Technology Lounges. Styrofoam cups, cans, or other open containers of any kind are not permitted. Students are expected to dispose of all trash promptly and properly. No tobacco of any kind may be used in the Technology Lounges.

Laptop Access to Network

In addition to wireless access, there are hard wired stations for students to use to access the Internet and network resources using their laptops. Also, there are a number of workstations with networked computers. Additional wired workstations are available in the law library.

Printing

Networked laser printers are provided in the computer lab, and the law library and the student lounge. Students are charged for print jobs sent to the networked laser printers. At the beginning of the academic year, each student's account is credited with 1000 pages. Additional pages may be purchased at \$.05 per page from Information Technology staff members, a student Technology Lounge assistant, or at the law library circulation desk. A color laser printer is available in the IT Suite Technology Lounge, and color pages are charged at \$.25 per page. Print jobs sent to LexisNexis printers are not charged against student accounts at the present time, but are included in the law library's subscriptions for these services. The printers are a shared resource. Please respect the needs of others who are trying to print their documents in a timely fashion. For multiple copies of a document, use the copy machines in the law library. The copy machines are equipped with

automatic sheet feeders and photocopies are \$.05 per page.

Priority Use Workstations

Two computers in the IT Suite Technology Lounges and One in the Student Technology Lounge are designed to accommodate the special needs of the law school community. These computers include a workstation for disabled persons and a workstation for full page color scanning and desktop publishing. Persons needing to utilize these workstations' special features have priority use on these computers.

Software Applications

Mercer provides applications that enable law students to complete course work and other law school assignments. Applications include word processors, web browsers, spreadsheets, research programs, and utilities, among others. Users may not install or change any programs on the lab or law school computers. Students who need access to an application that is not currently available should contact Chris Osier or Michael DellaDonna. It may be a violation of federal and state laws to upload or download files to or from the network, any lab computer, the Internet or any other information provider. Applications on CDs or floppy disks may not be run on law school computers without the prior approval of the Director of Information Technology.

Student Assistants

Student assistants are available in the Technology Lounge throughout the day and into the evening. Their schedule is posted in the IT Suite Technology Lounge. For computer Technology Lounge questions and concerns, or to report a problem when a student assistant is not available, see Chris Osier in Room 350D.

Training

Classes may be held in the IT Suite Technology Lounge for email, web, word processing and other programs. If you would like to receive training in a particular application, please contact Michael DellaDonna. If you would like assistance with LexisNexis or Westlaw, please contact Denise Gibson (Room 219) or one of our reference librarians.

Use of Email, the Internet and Other Electronic Information Systems

Mercer University provides an email account for each student. This account is to be used to facilitate communication to further the community, academic and intellectual pursuits of the law school. Persons who use email for inappropriate or offensive communication may be in violation of the honor code as well as federal or state laws. Mercer University also provides each student with on-campus access to the Internet. Some material on the Internet may be offensive to other community members. All members of the law school community are required to respect the rights of others while using the Internet.

Media Services and Equipment

Services Offered

Media services consist primarily of delivery, setup, removal, maintenance, and training in the use of classroom technology and audio visual equipment in the law school. Classroom equipment requests can be made to Chris Osier at Osier_cm@law.mercer.edu. Requesters are responsible for room reservations and furniture arrangement. Classroom assignments and room reservations are handled by dean's office staff (301-2606).

Generally, requesters are asked to provide their own operators, especially for evening or weekend events. Instructional Technology staff will instruct the designated students in use of the equipment.

Registrar's Services

It is the student's responsibility to keep the Registrar's office informed of a current mailing address and any other information in the student's possession necessary for accurate record-keeping. Students wishing to provide or obtain the following information, or a record or letter certifying student status and information should consult with the Registrar.

Address/Telephone Number Changes

Bar and Fitness Certifications

Blind Grading Numbers

Drop/Add

Enrollment Certifications

Faculty Course Evaluations

Grades/ Class Rank

Graduation

Loan Deferments

Name Changes

Registration

Student Records

Transcripts

Veterans Administration Certifications

Transcripts: A complete copy of the student's academic record (transcript) may be obtained by the student presenting a written request to the Office of the Registrar. Telephone or e-mail requests will not be honored. If requested, we will provide Mercer University undergraduate transcripts for law students.

Fee Structure:

No charge for up to (3) twenty-four hour transcript service.

\$10.00 immediate service per transcript

\$5.00 fax fee per transcript

\$25.00 overnight service fee per address (Prior to 3:00 p.m. only)

Education Records

(Family Education Rights and Privacy Act of 1974) In accordance with the Family Education Rights and Privacy Act of 1974, Mercer University School of Law (1) permits students to inspect their education records, (2) limits disclosure to others of personally identifiable information from education records without the student's prior written consent to such disclosure, and (3) provides students the opportunity to seek correction of their education records where appropriate.

Section I. Definitions

A. **Student** means an individual who is or who has been in attendance at Mercer University. It does not include individuals who were applicants for admission to the University but did not matriculate.

B. **Education records** include those records which contain information directly related to a student and which are maintained as official working files by the University.

The following are not education records

1. Records about students made by professors and administrators for their own use and not shown to others;
2. Campus police records maintained solely for law enforcement purposes and kept separated from the education records described above;
3. Employment records, except where currently enrolled students are employed as a result of their status as students;
4. Records of physicians, psychologists, or other recognized professionals or paraprofessionals made are used only for treatment purposes and available only to persons providing treatment (however, these records may be reviewed by an appropriate professional of the student's choice); and
5. Records which contain only information relating to a person's activities after graduation or withdrawal from the University.

Section II. Mercer University permits students to inspect their education records.

A. **Right of Access.** Students have the right of access to their education records, except financial records of parents and confidential letters of recommendation received prior to January 1, 1975.

B. Types and Locations of Education Records.

1. **Registrar.** Undergraduate (Macon Main Campus Registrar's Office) and Law School (Law School Registrar's Office). Academic records, computer files (biographical data, course information).
2. **Colleges, schools, and academic departments.** Records kept vary with departments but may include results of certain examinations and other advisory information.

3. **Financial Aid.** Financial Aid applications, needs analysis statements, awards made.
4. **Bursar's Office.** Records of financial payments.
5. **Office of Student Loans.** Promissory notes and copies of correspondence.

C. **Procedure to be followed.** Requests for access specifying the records to be inspected should be made in writing to the Registrar. The Law School will comply with requests within a reasonable time, at most within 45 days. Arrangements normally are made for students to read their records in the presence of a staff member. Students may also obtain copies of their records by paying reproduction costs of \$.25 per page. However, the University may refuse to release copies of records of students who have not settled their accounts with the University. *The Law School does not provide copies of transcripts from other schools.*

Section III. Mercer University limits disclosure of personally identifiable information from education records without the student's prior written consent to such disclosure.

A. **Directory Information.**

1. The following categories of information have been designated as directory information:

- name*
- addresses*
- email address*
- telephone number*
- date and place of birth*
- photograph and/or video images*
- major field of study/academic program*
- participation in officially recognized activities and sports*
- dates of attendance*
- degrees and awards received*
- the most recent previous education institution attended*

2. The Law School gives annual public notice to students of the categories of information designated as directory information, and allows a reasonable period of time after such notice for the student to inform the University that the information should not be considered directory information.

3. Directory information may appear in public documents and may otherwise be disclosed without the student's consent unless the student objects as provided above.

B. **Prior Consent Not Required.** Prior consent is not required for disclosure of education records to the following parties.

1. **School officials** of Mercer University who have been determined to have legitimate educational interests

- a. School officials include instructional personnel, administrative personnel, and members of duly constituted University committees and boards, who are or may be in a position to use the information in furtherance of a legitimate objective.
- b. **Legitimate educational interests** include those interests reasonably related to the academic environment.

2. **FERPA** Another exception which permits disclosure without student consent is disclosure to officials of another school, school system, or institution of postsecondary education where a student seeks or intends to enroll. Upon the request of an institution in which a student seeks or intends to enroll, the University will forward the student's education records to the requesting institution. Upon request, the student may obtain a copy of the record that was disclosed and have an opportunity for a hearing as provided above.
3. Authorized representatives of federal and state educational authorities, but only in connection with the audit or evaluation of federally or state supported educational programs, or in connection with the enforcement of or compliance with federal legal requirements relating to these programs. These officials will protect information received so as not to permit personal identification of students to outsiders, and the data shall be destroyed when no longer needed for the purposes above.
4. In connection with a student's application for or receipt of financial aid, but only to the extent necessary for such purposes as determining eligibility, amount, conditions, and enforcement of terms or conditions.
5. State and local officials to whom such information is specifically required to be reported by effective state law adopted prior to November 19, 1974.
6. Organizations conducting educational studies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. The studies shall be conducted so as not to permit personal identification of students to outsiders, and the information will be destroyed when no longer needed for these purposes.
7. Accrediting organizations for purposes necessary to carry out their functions.
8. Appropriate parties in connection with an emergency, where knowledge of the information is necessary to protect the health or safety of students or other individuals.
9. In response to a court order or subpoena. The University will make reasonable efforts to notify students before complying with the court order.
10. The results of a disciplinary proceeding conducted by the University in connection with an alleged crime of violence may be disclosed to the alleged victim of the crime.
11. As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other

personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

12. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Mercer University to comply with the requirements of FERPA. The name and address of the office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

A. **Prior Consent Required.** In no other cases will the University release personally identifiable information in education records or allow access to those records without the prior written consent of the student. **The consent must be written, signed, and dated, and must specify the records to be disclosed and the identity of the recipient.** A copy of the record disclosed will be provided to the student upon request and at the student's expense.

B. **Record of Disclosures.** The Law School maintains with the student's education records a record of each request and each disclosure, except disclosures:

1. To the student;
2. Pursuant to the written consent of the student;
3. To instructional or administrative officials of Mercer University; or
4. Of directory information.

The record of disclosures may be inspected by the student, the official custodian of the records, and other University and governmental officials.

Section IV. Mercer University provides students with the opportunity to seek correction of their education records.

A. **Request to Amend Records.** Students who believe that information contained in their education records is inaccurate, misleading, or otherwise in violation of their privacy or other rights may submit a written request to the Office of the Registrar, specifying the document(s) being challenged and the basis for the complaint. The request will be sent to the responsible person at the origin of the record in question. Within a reasonable time of receipt of the request, the Law School will decide whether to amend the records in accordance with the request. If the decision is to refuse to amend, the student will be so notified and may submit a request for a hearing.

B. **Right to a Hearing.** Upon request by a student, the Law School will provide an opportunity for a hearing to challenge the content of the student's records. A request for a hearing should be submitted in writing to the Office of the Registrar. Within a reasonable time, the student will be notified in writing of the date, place, and time reasonably in advance of the hearing.

1. *Conduct of the Hearing.* The hearing will be conducted by a Law School official who does not have a direct interest in the outcome. The student will have a fair and full opportunity to present evidence relevant to the issues raised, and may be assisted or represented by individuals of the student's choice, including an attorney, at the student's own expense. The Law School official conducting the hearing will, after considering all relevant information, make a recommendation to the Registrar.

2. *Decision.* Within a reasonable period of time after the conclusion of the hearing, the Law School will notify the student in writing of its decision. The decision will be based solely upon evidence presented at the hearing and will include a summary of the evidence and the reasons for the decision. If the Law School decides that the information in the student's record is inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, the Law School will amend the records accordingly.

C. **Right to Place an Explanation in the Records.** If, as a result of the hearing, the Law School decides that the information is not accurate, misleading, or otherwise in violation of the student's rights, it will inform the student of the right to place in the record a statement commenting on the information and/or explaining any reasons for disagreeing with the Law School's decision. Any such explanation will be kept as part of the student's record as long as the contested portion of the record is kept, and will be disclosed whenever the contested portion of the record is disclosed.

Career Services

The purpose of Career Services is to empower our students and alumni to actively seek and develop satisfying and fulfilling careers by providing individual counseling, educational programming and resources designed to assist students and alumni in applying their education and experiences toward advancing career goals; facilitating and supporting connections among potential employers, students, alumni and Mercer Law School; and providing these services in a professional and responsive manner that respects the individual differences and needs of the students and alumni.

Your role in your professional development is to determine your career interests by performing a self-assessment of your talents and preferences, attending programs and lectures designed to provide you with information on various career options, and interviewing professionals working in your desired field; develop job searching skills through participating in skill development workshops and seeking additional individual assistance as needed; take responsibility for your job search by diligently and consistently seeking employment; establish and maintain a network of professional relationships, which will not only serve your goals of obtaining employment, but that will also assist you in building your career beyond your first job; interact with each employer or potential employer professionally, respecting their needs and limited time; help the Career Services Office help you and your colleagues by keeping us informed of your job search goals and needs and your current employment status.

Services & Resources

The Career Services Office staff is here to assist you as you make your way through law school and beyond. The CSO staff is committed to providing needed information, counseling, and skills training to prepare students for all career options, including summer externships and clerkships as well as

permanent positions and judicial clerkships. The office offers a full range of services to students, alumni, and potential employers. These services include, but are not limited to:

- Providing individual career counseling sessions for students and alumni;
- Hosting year-round On-Campus Interviewing (“OCI”) programs;
- Coordinating off-campus interviewing and resume collection/forwarding programs for employers who cannot come to campus;
- Posting job opportunities online for students and alumni;
- Sponsoring workshops on resume writing, interviewing techniques, and networking events;
- Setting up reciprocity with other law school career services offices for students and alumni to use;
- Maintaining a resource room stocked with books, magazines, information on law firms and governmental agencies, and other career resources.

For a more detailed description of the resources and services available to you through the Career Services Office, please see the handbook provided during your 1L Career Services Orientation, transfer orientation, or the 3L Career Development Handbook.

Policies

Eligibility to Participate in Interview Programs

Unless otherwise noted, to participate in all on-campus interviews, resume collections, resume books, job fairs in which Mercer is a participating school, and any other services offered by the Career Services Office, students must be enrolled at Mercer Law School as of the date of the interview, resume deadline, job fair, etc. Students withdrawing or intending to withdraw from Mercer will be ineligible to participate and any interview offers will be automatically declined.

OCI Bid and Interview Acceptance Policies You may not interview with an employer once you have accepted an offer from another employer for that period of time or for a permanent position. However, you may continue to participate in the process if you are unsure of your intention to accept or reject an offer received from a potential employer. Once you are certain that you intend to accept an offer, you should withdraw from any active bids and inform the Career Services Office of your acceptance. You must contact a member of the Career Services Office staff directly to inform us of your acceptance and to withdraw from any scheduled or pending interviews. Withdrawing your materials from Symplicity is not sufficient once you have submitted an application. By withdrawing at the earliest possible time, another student may receive an interview with that employer. If you withdraw late, the employer may not elect to consider another student.

Interview No Show Policy Students bidding on employers for on campus interviews, job fairs, or any other interview opportunities should attend the interview with that employer if chosen, or should immediately decline the interview upon receipt of the offer to interview. **Failing to attend an accepted interview is unacceptable.** It is a poor reflection on the student and on Mercer Law School. Students who have submitted résumés should check their Mercer Law email account and

Symplicity frequently for notification of interview status. Once you have accepted the interview, you must attend unless you accept another position before the scheduled interview date. If you cannot attend an interview that you have accepted, you **MUST** contact a member of the Career Services Office staff directly for further instruction. Withdrawing from the interview through Symplicity is not sufficient.

We understand that emergencies do occasionally arise. Although it is not acceptable to miss an interview, if a student misses an interview, he or she should contact the Career Services Office as soon as possible, and must **ALSO** write a letter of apology to the interviewer to explain what emergency kept him or her from the interview. A copy of this letter must be given to the Career Services Office. The student's Symplicity account will be locked until the copy of the apology letter has been submitted to the Career Services Office. **The Career Services Office reserves the right to deny services to any student who repeatedly misses interviews.** The continued use of the Career Services Office is contingent upon you following these rules.

First Year Student PoliciesIn accordance with NALP (National Association for Law Placement) guidelines, the Career Services Office cannot meet individually with first year students before **October 15**. Additionally, to comply with NALP guidelines, prospective employers and first year law students should not initiate contact with one another and employers should not interview or make offers to first year students before **December 1**.

Prior to October 15, first year students will participate in a series of professional development programs to assess career options and to prepare for the job search. To participate in all services and programs offered by the Office, attendance is required.

Policy on Non-discriminationMercer Law School has long refrained from discriminating on the basis of race, color, religion, national origin, gender, age, handicap or disability, or sexual orientation. Accordingly, Mercer Law only makes its interviewing facilities and job listing services available to employers who agree to observe this policy of non-discrimination and equality of opportunity on the basis of race, color, religion, national origin, gender, age, handicap or disability, sexual orientation in regard to hiring, promotion, retention, and conditions of employment.

Student Parking

The Walter F. George School of Law has two parking lots. The lower parking lot is reserved year-round, 8:00 a.m. to 5:00 p.m., Monday through Friday, for faculty, staff, and visitors of the Law School. Students may park in the lower parking lot after 5:00 p.m., Monday through Friday, and any time on weekends. The upper parking lot is designated for student parking. However, parking spaces marked "reserved" in the upper parking lot are designated for staff of the Walter F. George School of Law. Students should not park in the lower lot or reserved spaces in the upper lot from 8:00 am to 5:00 pm. Mercer Police will ticket students who park in the lower lot or in reserved spaces between 8:00 am and 5:00 pm.

Students who use the upper parking lot must register their vehicles. Registration information is available in the Deans' Suite (first floor) and on the Law School portal. Students will receive a Mercer University parking decal identifying them as students of the Walter F. George School of Law and will have parking privileges in designated spaces on Mercer University's main campus. This decal must be displayed on the **bottom left corner** of the **front window** of the student's vehicle.

The upper parking lot may be accessed from Georgia Avenue by entering the alley, which is adjacent to the lower parking lot driveway. Students exiting the alley must make a right onto Bond Street, a one-way street. Students should drive slowly and be mindful of children who walk and play in the neighborhood.

The Law School does not excuse parking tickets. However, parking tickets can be appealed by completing an appeal form available at the Mercer Police Department on the main campus.

Please note that students will be required to pay all parking tickets at the beginning of each semester prior to registration. Parking tickets must be paid or students will not be allowed to register for the next semester. Frequent offenders run the risk of having their vehicles towed at the owner's expense.

Card Access System

Students may use their Bear Card to access the building and Law Library when the building is closed to the public. The Bear Card may also be used as an ATM card through Wells Fargo Bank. Additionally, students may add monetary value to the card and use it for vending machine, bookstore, and food service purchases. In the Library, the Bear Card may be used for photocopies and to check out books. The Bear Card, designed for the safety and convenience of students, imposes certain responsibilities on each student. Students should not compromise the Bear Card system and endanger the security of those in the building by loaning their cards to others. Students may not allow others to enter the building. People not affiliated with the Law School have building access when the Library is open to the public.

It is the responsibility of each student to report any lost or stolen Bear Card to Marsha Griffin in the Registrar's Office or Karen Batts in the Deans' Suite. The lost Bear Card can be deactivated to prevent unauthorized access to the building. A replacement Bear Card can be issued for a charge of \$25.

Law School Mail Boxes

Student mailboxes available for Law School correspondence are located in the student lounge area on first floor. Mailboxes are for internal use only and should be checked daily. Students should not use the Law School address to receive personal mail.

Lockers

Personal lockers are available to all Law School students. Locker reservation is held during the first few weeks of each school year and is required before placing a lock on a locker. Students wishing to retain their locker reservation for the subsequent academic year must notify the Student Bar Association prior to the end of the spring semester. During the summer, lockers that have not been retained will be opened and the contents discarded. **If you have a problem with your locker, you should contact the Student Bar Association.**

Security and Safety

For the safety of Mercer Law School students, faculty, staff, and guests, the following security and safety features are in place.

Emergency alarms and telephones: Mercer Police: 478.301.4357 (478.301.HELP)

Indoor emergency telephones. There are four indoor red emergency phones that automatically call Mercer Police when the hand set is lifted. The locations of the emergency phones are as follows:

- 1st floor: main entrance lobby and outside of the Webb Room, #119 near the south end entrance
- 2nd floor: in the Law Library next to the Law Library entrance
- 3rd floor: faculty suite hallway outside of third floor library

Outside emergency call buttons. There are three outside emergency call buttons located by the Bear Card reader at the north end student lounge entrance, main entrance, and the south end entrance.

Outdoor blue light emergency phones. Three blue-light emergency phones are located in the faculty and staff parking lot near the Law Library book return box, the Woodruff House parking lot, and the student parking lot.

Mercer Police patrols. Mercer Police officers including a K-9 unit patrol the Law School property on varying schedules during the week.

Fire alarms. Fire alarm levers are located in multiple places throughout the building.

Emergency weather alert buttons. There is an emergency weather alert button allowing access to the basement during severe weather conditions. The button is next to the basement door located on the first floor, down the hallway near the Law Review office. The button must be pressed and held for three seconds to open the door.

Building Use After Hours. The following suggestions are for personal safety after regular operating hours:

Parking. Park in the faculty and staff parking lot after 5:00 p.m. or in the student lot as close as possible to a building entrance/exit.

Departing Law School property. Leave the building in groups with a student aide escort, or with a Mercer Police escort. Mercer Police may be reached on the emergency phones or by calling 478-301-4357. Student aide staff will be stationed in the main entry lobby of the law school during the fall and spring semesters.

Entrances and exits. Do not prop the entrance doors open as this may allow access to anyone and compromise the safety of students, faculty, or staff in the building.

Access to the Law School Building

Due to occurrences of violence on college campuses in recent years, there is a heightened awareness of the need for adequate security at campus buildings. Although it may cause some inconvenience, restricting open access to the building is one way to enhance the safety of individuals inside the building.

Based on recommendations from law enforcement and security professionals, open access to the building is available only at the main entrance during regular operating hours. A Bear Card is required to enter the building through the north lower parking lot entrance into the student lounge, the south lower parking lot entrance and front portico entrances. After regular operating hours, access to all building entrances requires a Bear Card. Law enforcement and security professionals cite the following reasons to restrict access:

1. Funneling traffic flow to one primary entrance significantly decreases the likelihood of violent events occurring inside the building.
2. Perpetrators tend to use side or back entrances and avoid using main entrances. Bear Card use allows for the identification of students, faculty, and staff entering the building and will be helpful for police officers to quickly make a distinction between students, faculty, staff, and guests.
3. Acting upon building access recommendations decreases the Law School's liability if an unlikely violent event occurs.

If faculty, students or staff notice any suspicious person or activity, they should contact Mercer Police immediately by calling 478-301-4357.

Main Campus Information

See Mercer Website at www.mercer.edu

Bursar's Office

Bursar: Tanya Barton

Location: Roberts Hall

Phone: 301-2660

Mercer Police

Director/Chief: Gary Collins
Location: 1765 Kinship Street
Phone: 301-2970

Along with 24 hour safety patrol and building security responsibilities, the Mercer Police provides escort services around campus. For personal safety, students may request the accompaniment of an officer by calling the Mercer Police main number at 478-301-4357.

The following rules should be followed when an accident, injury, or other related emergency occurs:

1. Notify the Mercer Police Office immediately at 301-2911. Give the location of the injured person and briefly describe the apparent injury. The Mercer Police will then notify the appropriate emergency service, dispatch officers to the scene, and guide the emergency vehicle to the proper location on campus.
2. Remember that any attempt to render first aid or other treatment by an untrained party should be limited to only those steps necessary to sustain life and make the injured person as comfortable as possible.

Student Health Services

STUDENT HEALTH CENTER

Location: Medical School Building, First Floor, off the main lobby opposite the Medical Library
Telephone: 478-301-2696 **Fax:** 478-301-2116
Hours: Monday - Friday, 8:00 am - 12:00 pm; 1:00 pm - 5:00 pm
Website: <http://www.mercer.edu/shc>

The Student Health Center is the primary provider of health services for all Mercer students. It is staffed by two full-time Registered Nurses, and a physician who sees patients during scheduled clinics. Available services include treatment for acute illnesses and injuries, allergy injections, immunizations, supplies (crutches, heating pads, etc.), and health education. Students are first seen by the nurses at the Student Health Center, and then are either treated, or scheduled to see the doctor, or referred to another provider in the community.

IF YOU ARE SICK/INJURED AND THE STUDENT HEALTH CENTER IS OPEN:

Visit or call as early in the day as possible, so that you can be treated as efficiently as possible, either by the nurse, or during the next scheduled clinic, or referred as needed.

IF YOU ARE SICK/INJURED AFTER HOURS:

1. Call 2911 for life-threatening emergencies on campus.
2. If treatment cannot be delayed until the Student Health Center is open, you should go to

the Emergency Room specified by your primary insurance, with your insurance information.

EXCUSES: Class attendance is an issue between the professor and student. Therefore, NO medical excuses for class absence will be issued, except if deemed necessary by the physician.

CONFIDENTIALITY: All visits to the Student Health Center are confidential. No information will be released to anyone, including University officials, professors, or parents, without the written consent of the student.

TO OBTAIN CARE OUTSIDE THE STUDENT HEALTH CENTER:

Law students who have insurance through the school do NOT need a referral from the Student Health Center to obtain outside care (i.e., OB/Gyn, ER, Urgent Care, etc.). To obtain outside care, students need to do the following:

1. Choose a provider from the insurance list (found at www.studentinsurance.com)
2. If needed, print out a temporary insurance card to use until the actual card is sent by Pearce and Pearce. (cards may be printed by logging into your account at <https://www.pearceandpearce.com>)
3. Take the insurance card to the appointment, ER, or Urgent Care.

More information about Student Health Services and Student Insurance will be provided during the Orientation Session for first year students.

Directions to the Student Health Center (from the Law School). Go down College Street toward Main Campus. Cross Coleman Avenue and enter the Main Campus through the North Entrance. Take a left at the stop sign onto Elm Street. The next right, which is College Drive. Parking is available on the right. The Student Health Center is located on the second floor of the Patterson Building.

Student Health Center

478-301-2696

Mercer Health Systems

478-301-4111

Drug-Free Workplace and Campus

Introduction and Purpose

Mercer University shares the widespread national concern with the serious threat to health, safety, and welfare posed by the unlawful use of drugs and the abuse of alcohol, especially in the workplace and on college campuses. As a matter of University policy, growing out of the University's historic mission and character, and in keeping with applicable Federal and State laws, the University has adopted and is implementing the following program to provide a drug-free workplace and campus for all its students and employees and to prevent the illicit use of drugs and abuse of alcohol.

Relationship to Other Policies

This program sets forth the minimum standards of conduct and requirements with respect to drug and

alcohol abuse for all students and employees of the University. Other policies and standards of conduct concerning drugs and alcohol are included in other student handbooks, the Personnel Manual, and other University documents. These remain in full force and effect. Additional policies in this area may also be developed, subject to University approval, provided they are either consistent with this Program or impose higher standards of additional requirements in furtherance of the purposes of this Program. In the case of faculty members, violation of the standards of conduct in this Program shall be considered "adequate cause" for termination of a faculty appointment. All actions taken and sanctions imposed under this program and related drug and alcohol policies shall be reviewed periodically to ensure consistent enforcement.

Nothing in this program shall be interpreted to require the University to violate its obligations under other laws, including laws prohibiting discrimination against qualified handicapped individuals.

Standard of Conduct

The unlawful possession, use, distribution, dispensing or manufacture of illicit drugs or alcohol at any time on any University property or as part of any University-sponsored activity is absolutely prohibited.

University Sanctions and Procedures

As a condition of employment or enrollment at Mercer, all employees and students must abide by these standards of conduct, and disciplinary sanctions will be imposed for violations. Among the sanctions that may be imposed, are: reprimand, probation, suspension, expulsion or termination of employment, and referral for prosecution. Ordinarily the sanctions for drug-related violations will be suspension or termination of employment or enrollment. However, in the University's sole discretion, an employee or student may be permitted to continue in employment or enrollment if he or she satisfactorily participated in an approved rehabilitation program.

Nothing in this policy is intended to affect the procedural rights of students or employees (including faculty members) under existing judicial board, grievance, or review procedures. However, once the University has determined, after reasonable inquiry, that a violation of this policy has occurred, the employee or student may be subject to immediate suspension (without pay, in the case of an employee) pending the conclusion of such procedures. If no existing procedures are in place for an alleged violation by a particular student or employee, the University will adapt other review procedures so as to ensure the individual the opportunity for a fair review, including the right to be heard.

Additional information may be found in your school's handbook.

State and Federal Legal Sanctions

Under Georgia and federal law, it is a crime to possess, manufacture, sell, or distribute illegal drugs.

GEORGIA DRUG LAW SUMMARY

Drug	Conditions/Quantity	Jail Term	Fine
Marijuana	Possess: 1 oz. or less	up to 1 year	up to \$1,000
	Possess, manufacture, distribute, or purchase greater than 1 oz. but less than 50 lbs	1-10 years	
	Trafficking: 50-1,999 lbs.	5 years	\$100,000
	2,000-9,999 lbs 10,000 lbs or more	7 years 15 years	\$250,000 \$1,000,000
Schedule I Controlled Substances	Purchase or possess: first offense	2-15 years	
	Second or subsequent offense	5-30 years	
	Manufacture, distribute, or possess with intent to distribute: first offense	5-30 years	
	Second or subsequent offense	10-40 years or life	
Methaqualone	Trafficking: 200-399 g.	5 years	\$50,000
	400 g. or more	15 years	\$250,000
Schedule II Controlled Substances	Purchase or possess: first offense	2-15 years	
	Second or subsequent offense	5-30 years	
	Manufacture, distribute, or possess with intent to distribute: first offense	5-30 years	
	Second or subsequent offense	10-40 years or life	
Cocaine	Trafficking: 28-199 g.	10 years	\$200,000
	200-399 g.	15 years	\$300,000
	400 g. or more	25 years	\$1,000,000
Morphine, Opium and Heroin	Trafficking: 4-13 g.	5 years	\$50,000
	14-27 g.	10 years	\$100,000
	28 g. or more	25 years	\$500,000
Methamphetamine	Trafficking: 28-199 g.	10 years	\$200,000
	200-399 g.	15 years	\$300,000
	400 g. or more	25 years	\$1,000,000
Schedule III, IV and V Controlled Substances	Possess: first offense	1-5 years	
	Second or subsequent offense	1-10 years	
	Manufacture, distribute, or possess with intent to distribute	1-10 years	
Any	Manufacture, distribute, or possess with intent to distribute within 1,000 feet of elementary or secondary school, park, playground, recreation center, housing project, or drug-free commercial zone:	up to 20 years	up to \$20,000
		5-40 years	up to \$40,000

	first offense		
	Second or subsequent offense		

Georgia law prohibits the purchase or possession of alcohol by a person under the age of 21, or the furnishing of alcohol to such a person. Driving under the influence of alcohol or other drugs also is illegal. It is against Georgia law, under certain circumstances, to walk or be upon a roadway while under the influence of alcohol or other drugs. The punishment for these offenses may include imprisonment, payment of a fine, mandatory treatment and education programs, community service, and mandatory loss of one's driver's license.

Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 - 4999 gms mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual. 2 or More Prior Offenses: Life imprisonment
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 - 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 - 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 - 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 - 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 - 49 gms pure or 50 - 499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10 - 99 gms pure or 100 - 999 gms mixture		100 gm or more pure or 1 kg or more mixture	

PENALTIES		
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual
Flunitrazepam (Schedule IV)	1 gm or more	
Other Schedule III drugs	Any amount	First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.
Flunitrazepam (Schedule IV)	30 to 999 mgs	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual
All other Schedule IV drugs	Any amount	First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.
Flunitrazepam (Schedule IV)	Less than 30 mgs	
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 years, not more than life If death or serious injury, not less than 20 years, not more than life Fine not more than \$4 million if an individual, \$10 million if other than an individual	Not less than 20 years, not more than life If death or serious injury, mandatory life Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999 plants	Not less than 5 years, not more than 40 years If death or serious injury, not less than 20 years, not more than life Fine not more than \$2 million if an individual, \$5 million if other than an individual	Not less than 10 years, not more than life If death or serious injury, mandatory life Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants	Not more than 20 years If death or serious injury, not less than 20 years, not more than life Fine \$1 million if an individual, \$5 million if other than an individual	Not more than 30 years If death or serious injury, mandatory life Fine \$2 million if an individual, \$10 million if other than individual
Marijuana	1 to 49 plants; less than 50 kg mixture	Not more than 5 years Fine not more than	Not more than 10 years Fine \$500,000 if an individual,
Hashish	10 kg or less	\$250,000, \$1 million other than individual	\$2 million if other than individual
Hashish Oil	1 kg or less		

Special Federal sentencing provisions for possession of crack cocaine include a mandatory prison term of at least 5 years and up to 20 years, fine of up to \$250,000, or both, for a first conviction if amount of crack exceeds 5 grams, for a second conviction if the amount exceeds 3 grams, and for a third or subsequent conviction if the amount exceeds 1 gram.

Other Federal sanctions include forfeiture of property used to facilitate illegal possession if offense is punishable by more than one year in prison, forfeiture of vehicles and other conveyances used to transport or conceal controlled substances, civil fines, denial of Federal benefits including student loans, grants and contracts, ineligibility to receive or purchase firearms, and denial or revocation of certain Federal licenses and benefits (e.g. pilot licenses, public housing, etc.).

Convictions for Drug-Related Offenses

Any student or employee convicted of any drug-related criminal statute must notify the appropriate official, the senior student affairs officer (for students) or the Director of Human Resources (for employees), in writing, no later than 5 days after such conviction regardless of where the offense occurred. This is because under Federal and State laws, any student convicted of a drug-related felony offense must be denied all Federal and State assistance, including Pell grants and Georgia Tuition Equalization Grants; and because the University must notify Federal agencies of drug-related convictions of employees involved in work under a grant or contract. However, a criminal conviction shall not be necessary to find that a student or employee has violated these standards of conduct, and the University need not, and ordinarily will not, defer its own actions and sanctions pending the outcome of any criminal proceeding.

HEALTH RISKS ASSOCIATED WITH DRUG OR ALCOHOL USE

Drugs

Narcotics such as opium, morphine, and heroin can cause euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Heroin causes the body's pain reactions to be weakened and can result in coma due to the reduction in pulse rate. The symptoms of an overdose of narcotics are slow and shallow breathing, clammy skin, convulsions, coma, and possible death. A person experiencing withdrawal from addiction to narcotics can experience watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating.

Depressants such as barbiturates and quaaludes can cause disorientation, slurred speech, and senseless behavior. Depressant overdose results in: shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, and possible coma or death. Withdrawal symptoms include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

Stimulants such as cocaine and crack cause increased alertness or euphoria, and increased heart rate, blood pressure, and respiratory rate. Immediate effects of use also include dilated pupils, insomnia, and loss of appetite followed by depression. Stimulant overdose results in agitation increase in body temperature, hallucinations, convulsions, and possible death. Withdrawal symptoms include irritability, long periods of sleep, depression, and/or disorientation.

Hallucinogens such as Lysergic acid (LSD), amphetamines, mescaline, and phencyclidine (PCP) cause illusions, hallucinations and poor perception of time and distance. Users may experience anxiety, loss of control, confusion, and panic. Flashbacks can occur even when use has stopped. Amphetamines can cause rapid, irregular heartbeat, tremors, and collapse. Heavy users may act out irrationally. The effects of an overdose include psychosis and possible death.

Cannabis (Marijuana, Hashish) can cause euphoria, increased appetite, lowered inhibitions, and disorientation. Marijuana use can alter sense of time, reduce energy level and coordination, and impair short-term memory. The effects of an overdose include fatigue, paranoia, and possible psychosis. Withdrawal symptoms include insomnia, hyperactivity, and decreased appetite. Long-term users may have a lowered immune system and increased risk of lung cancer.

Alcohol

Alcohol is a central nervous system depressant. Consumption of alcohol causes a number of changes in behavior that can result in dangerous and high-risk activities. Low doses of alcohol significantly impair judgment, mental function, and coordination, and alter decision-making skills.

Alcohol consumption decreases the alertness and coordination needed to drive a car safely, increasing the likelihood of the driver causing an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, such as spouse or child abuse. Research demonstrates that the majority of violent behaviors and incidents on college campuses, such as date rape, fights, and vandalism, involve the use of alcohol. Moderate to high doses of alcohol cause drastic impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the heart, liver, and brain. Studies have also linked an increase risk for various types of cancer, such as esophageal and breast, to heavy, long-term alcohol use.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome, resulting in mental retardation and/or irreversible physical abnormalities.

Counseling, Treatment, and Rehabilitation

Employees and students who wish information about counseling and treatment programs, either for personal substance abuse or for family members or other, may contact the Human Resources office (for employees) or the appropriate senior student affairs officer (for students).

Human Resources (Atlanta campus)	(678) 547-6155
Human Resources (Macon campus)	(478) 301-2786
Student Affairs office (Atlanta campus)	(678) 547-6821
Student Affairs office (Macon campus)	(478) 301-2685

Information and help is also available from:

- I. Counseling and Psychological Services (Macon campus): (478) 301-2862
- II. Counseling Center (Atlanta campus): (678) 547-6060
- III. AA Alcohol and Drug Abuse Hotline: 1-800-851-3291
- IV. Drug Helpline: 1-800-622-4357
- V. Drug Hotline: (478) 751-7600
- VI. Georgia Drug Abuse Helpline: 1-800-338-6745

MACON	
Coliseum Psychiatric Center 340 Hospital Drive Macon, Georgia 31217 (478) 741-1355	Medical Center of Central Georgia The Psychiatric Pavilion 777 Hemlock Street Macon, Georgia 31201 Inpatient: Psychiatry and Detox (478) 633-1392 Emergency Line (478) 633-HOPE
River Edge Behavioral Health Center 175 Emery Highway Macon, Georgia 31217 (478) 751-4519 Substance Abuse Outpatient & Day-Patient (478) 751-4559 Methadone Clinic (478) 751-4559	River Edge Recovery Center 3575 Fulton Mill Road Macon, Georgia 31206 Front Desk (478) 471-5702 Admission Nurse (478) 471-5390 Detox Program In-Patient (478) 471-5388
ATLANTA	
Anchor Hospital 5454 Yorktowne Drive Atlanta, Georgia 30349 (770) 991-6044	Atlanta Center for Medical Research 811 Juniper St., NE Atlanta, GA 30308 (404) 881-5800
DeKalb Community Service Board 445 Winn Way Decatur, GA 30031 (404) 892-4646	Northside Hospital Behavioral Health Services 1140 Hammond Drive, Building J Atlanta, GA 30328 (404) 851-8961
Metro Atlanta Recovery Residences 2801 Clearview Place Doraville, GA 30340 (770) 457-1222	Peachford Behavioral Health Systems 2151 Peachford Road Atlanta, Georgia 30338 (770) 455-3200
Ridgeview Institute 3995 South Cobb Dr., SE Smyrna, Georgia 30080 (770) 434-4567	RiverWoods, Southern Regional Psychiatric Center 11 Upper Riverdale Road Riverdale, GA 30274 (770) 991-8500
SummitRidge Center for Psychiatry and Addiction Medicine 250 Scenic Highway Lawrenceville, GA 30045 (678) 442-5858	Talbott Recovery Campus 5448 Yorktowne Drive Atlanta, GA 30349 (770) 994-0185

Review of Program

In keeping with Federal Law, this Program shall be reviewed at least biannually to determine its effectiveness, to make changes where necessary, and to ensure that sanctions are consistently enforced.

* Including the Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, the Drug-Free Postsecondary Education Act of 1990 (Georgia), and related laws and regulations.

Information for this policy was obtained from the following sources:

* *Information on Federal Trafficking Penalties downloaded from www.dea.gov/agency/penalties.htm
U.S. Department of Health and Human Services and SAMHSA's National Clearinghouse for Alcohol and Drug Information: <http://ncadi.samhsa.gov>*

National Institute on Drug Abuse: <http://www.nida.nih.gov>

National Institute on Alcohol Abuse and Alcoholism: www.niaaa.nih.gov and www.collegedrinkingprevention.gov.

Student Grievances

Academic Grievance Policy

Students have the right to bring grievances against a faculty member or an administrator concerning academic matters. Such matters may include, but are not limited to failure to abide by requirements described in the course syllabus, arbitrary awarding of grades, discrimination based on age, gender, religion, race, marital status, national origin, or disability.

Time Frame

For grievances of any kind, students are required to initiate appeals with the appropriate faculty member no later than 30 days from the completion of the term in which the course was offered. Appeals received after this period will not be honored.

Informal Resolution Procedure

Student grievance procedures encourage each student to handle complaints as close to the source as possible. If a student has a complaint against a faculty member, the student should first attempt to resolve the complaint by an informal meeting with the faculty member involved.

If this is not satisfactory, or if the student believes that he or she cannot discuss the complaint with the instructor, the student may follow the Formal Resolution Process.

Formal Resolution Procedure

The following protocol should be followed:

- The student should meet with the appropriate department chair or program director after submitting to this person a formal written account of the grievance. This narrative must be submitted no later than 30 days from the date on which the student was formally notified of the instructor's decision.
- If the grievance is not satisfactorily resolved by the department chair or program director, the student should meet with the associate dean after submitting to the associate dean a formal written account of the grievance. This narrative must be submitted no later than 30 days from the date on which the student was formally notified of the department chair's or program director's decision.
- If the grievance is not satisfactorily resolved by the associate dean, the student should meet with the provost after submitting to the provost a formal written account of the grievance. This narrative must be submitted no later than 30 days from the date on which the student was formally notified of the associate dean's decision.

If the student has a complaint against a dean, he or she should schedule an appointment with that dean in an attempt to resolve the matter. If the matter is not resolved or if the student believes that he or

she cannot discuss the complaint with that dean, the student may appeal to the provost. In all grievance procedures, the decision of the provost is final.

Nonacademic Grievance Policy

Mercer University recognizes the importance of providing an efficient procedure for a timely and fair resolution of a nonacademic grievance. Students are encouraged to use the process to resolve allegations concerning (1) a University employee, (2) administrative policies or procedures, and/or (3) a University program, service, or activity.

Informal Resolution Procedure

Many grievances can get resolved via informal personal meetings, phone calls, or e-mails directly with the employee or office responsible for the grievance. Whenever possible, students are encouraged to exercise these avenues of communication first. However, should these avenues not rectify the grievance, or the student wishes to bypass the informal resolution process, then the formal grievance process below should be implemented.

Formal Resolution Procedure

When a student wishes to file a formal complaint that is nonacademic in nature and does not pertain to student conduct, he or she should follow this procedure:

1. The student should submit the complaint in writing to the University employee responsible for the action or event that forms the basis of the grievance. This statement should contain a brief statement of the grievance and the remedies sought. A copy of the statement must also be presented to the employee's supervisor and the Associate Vice President of Human Resources. The complaint should be submitted to the employee within ten (10) days of the action or event that forms the basis of the grievance.
2. The employee respondent will meet with the student along with their supervisor or the Associate Vice President of Human Resources to discuss the complaint within ten (10) days of receipt of the written grievance. The employee respondent will reply in writing to the student with the results of the discussion at the meeting and plans for further action, if any, within ten (10) days of the meeting. A copy of this reply will be provided to the Associate Vice President of Human Resources.
3. If a student is not satisfied with the results of the discussion and/or with the reply and wants the grievance to be considered further, the student may appeal in writing to the employee respondent's supervisor. A copy of this appeal must be sent to the Associate Vice President of Human Resources. This appeal to the supervisor must begin within ten (10) days after the student receives the written reply from the employee responsible for the action or event that forms the basis of the grievance. A written reply indicating the results of the appeal including further action, if any, to be taken will be sent to the student by the employee's supervisor within ten (10) days of the meeting between the student and the employee's supervisor. A copy of this response will be sent to the Associate Vice President for Human Resources.

4. If the student is not satisfied with the results of the appeal to the supervisor and wants the grievance to be considered further, the student will have an opportunity for further appeal as follows:

(a) In the case of complaints concerning employees, policies, procedures, or programs of a nonacademic nature *within a specific school or college*, the student may appeal to the Dean with responsibility for the employee's unit and request a meeting in order to seek a resolution. This appeal must begin within ten (10) days after the employee's supervisor has completed consideration of the grievance and responded in writing to the student. A written reply from the Dean indicating the results of the meeting and including further action, if any, to be taken will be sent to the student within ten (10) days after consideration of the grievance. A copy of the appeal and the response from the Dean must be provided to the Associate Vice President of Human Resources.

If the student is not satisfied with the decision of the Dean, the student may appeal in writing to the Provost with responsibility for the school or college and request a meeting. The appeal must begin within ten (10) days of the date the Dean has completed consideration of the grievance and responded in writing to the student. A written reply by the Provost indicating the results of the meeting and including further action, if any, to be taken will be sent to the student within ten (10) days after consideration of the grievance. The decision of the Provost with responsibility for the employee's unit will be the final University decision on the grievance. A copy of the appeal to the Provost and the Provost response will be copied to the Associate Vice President of Human Resources.

(b) In the case of complaints concerning employees, policies, procedures, or programs of a nonacademic nature *outside of the administrative organization of a specific school or college*, the student may appeal to the Vice President with responsibility for the employee's unit and request a meeting in order to seek a resolution. This appeal must begin within ten (10) days after the employee's supervisor has completed consideration of the grievance and responded in writing to the student. A written reply from the Vice President indicating the results of the meeting and including further action, if any, to be taken will be sent to the student within ten (10) days after consideration of the grievance. The decision of the Vice President with responsibility for the employee's unit will be the final University decision on the grievance. A copy of the complaint to the Vice President and their response will be submitted to the Associate Vice President of Human Resources.

The dean of students or student affairs designee on each campus serves as a resource for students seeking assistance with grievance procedures.

Student Grievance Procedures for Discrimination and Sexual Harassment Complaints

Establishment of Grievance Boards

1. The President will appoint two standing Grievance Boards to receive complaints in violation of the University's equal opportunity policy and policy prohibiting sexual harassment, one for the Macon schools and one for the Atlanta schools. The Boards will emphasize mediation and conciliation and will attempt to resolve complaints informally whenever possible. All members of the University community are expected to cooperate fully with the Boards.
2. Each Board will be composed of at least five members, including at least two faculty members, two administrators, and one student. In making appointments to the Board, the President will be guided by considerations of continuity, experience and sensitivity to the concerns of students and faculty. After the initial appointments the President will seek the advice of the existing Board on new appointments.
3. The President will appoint a chairperson of the Board who will convene the Board, preside over meetings and hearings, assign duties to members, and assume other responsibilities usually undertaken by a committee chair.

Counseling, Advice and Informal Resolution

In many instances, informal discussion and mediation can be useful in resolving perceived instances of discrimination or sexual harassment. Problems are sometimes easier to resolve when an informal atmosphere encourages people to identify the difficulty, talk it out, and agree on how to deal with it.

Whom to Contact

Problems, questions and grievances may be discussed with the Equal Opportunity/ Affirmative Action Officer, the Dean of Student Affairs, the Dean of the student's college or school, or any member of the Grievance Board. Members of the Grievance Board are particularly well-informed and well-placed to help. They may be especially useful in advising and aiding a student's own efforts to resolve a problem. Such help may involve coaching the individual in preparation for a conversation with the person causing the problem, or assisting the student in writing a letter to the person describing the offending behavior and requesting that it stop. Alternatively, the student may ask the Board member to meet with the person causing the problem. In other cases, it may be necessary to arrange for a change in section assignment or for a re-evaluation of work submitted for a grade.

Confidentiality

Throughout the advising and informal resolution process, the information provided by the student will ordinarily be held in confidence unless and until the student agrees that another party or parties must be informed to facilitate a solution. The student's identity will not be revealed to the person against whom the complaint is made without the consent of the student.

Confidentiality Notice

This Electronic Message contains information from the Office of the Registrar at Mercer University and is confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this message is prohibited. If you have received this electronic message in error, please notify us immediately. This information may be protected by federal law, which prohibits further distribution, sharing or disclosure of the information.

Sexual Harassment, Sexual Violence, and Sexual Misconduct Policy

INTRODUCTION

Mercer University is committed to maintaining an environment free from discrimination on the basis of sex where the dignity and worth of all members, guests and visitors of the University community are respected. Sexual harassment, sexual violence and sexual misconduct harms the environment the University seeks to maintain and are unequivocally prohibited. This policy has been developed in accordance with Title IX of the Education Amendments of 1972 to reaffirm these principles and to provide a grievance procedure for students and employees with complaints regarding sexual harassment, sexual violence and sexual misconduct as defined below. Employee complaints regarding other forms of sex discrimination will be handled in accordance with the grievance procedures outlined in the faculty and staff handbooks (Faculty Handbook Section 2.10 and Non Faculty Handbook Section 5/Grievance Procedures).

All members of the University community are expected to conduct themselves in a manner that does not infringe the rights of others, whether on University premises or at any off campus location. This same responsibility extends to employees of third parties doing business with the University or on University premises and to campus visitors. University administrators and supervisors have the responsibility of preventing and implementing steps designed to eliminate sexual harassment, sexual violence and sexual misconduct within the areas they oversee. If University administrators, faculty, or staff know sexual harassment, sexual violence and/or sexual misconduct is occurring, receive a complaint of sexual harassment, sexual violence and/or sexual misconduct, or obtain other information indicating possible sexual harassment, sexual violence and/or sexual misconduct, they must take immediate steps to ensure the problem is addressed, even if the problem or alleged problem is not within their area of oversight, by reporting the behavior of concern to the appropriate authority charged with investigating such complaints.

Under Title IX, individuals reporting as allegation related to sexual harassment, sexual violence and/or sexual misconduct have the right to prompt resolution of their complaint, to have the University conduct a prompt, thorough and impartial investigation, and to have interim steps taken to ensure the safety and well-being of the individuals involved and the University community. The University will communicate regular investigatory updates to the complainant and the respondent. When an allegation of sexual harassment, sexual violence and/or sexual misconduct is brought to the University's attention, and if a respondent is found to have violated this policy, serious sanctions will be used to prevent its reoccurrence and address its effects. Mercer University does not tolerate or condone retaliation, will take steps to prevent retaliation, and will evaluate responsive actions, as necessary, for any retaliatory acts.

Individuals reporting sexual harassment, sexual violence and/or sexual misconduct and/or making inquiries concerning the application of Title IX at Mercer University may contact:

Rhonda Lidstone
Associate Vice President for Human Resources/Title IX Officer
Human Resources Building
1400 Coleman Ave., Macon, GA 31207
478-301-2005
Lidstone_rw@mercer.edu

Individuals may also file a report with the Office of Civil Rights:

Headquarters:

Office for Civil Rights
U.S. Department of Health and Human
Services
200 Independence Avenue, S. W.
Room 509F HHH Bldg.
Washington, D.C. 20201

Regional Office:

Office for Civil Rights
U.S. Department of Health and Human Services
Sam Nunn Atlanta Federal Center
Suite 16T70, 61 Forsyth Street, S.W.
Atlanta, GA 30303-8909
(800) 368-1019

Violations of this policy include, but are not limited to the following offenses, or attempts to commit them, as defined in more detail below.

Sexual Harassment is:

Unwelcome sexual advances, requests for sexual favors and other gender-based verbal, non-verbal or physical conduct of a sexual nature when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or status in a course, program or activity; or submission to or rejection of such conduct is used as a basis for an academic, employment or placement decision affecting the individual; or

Such conduct is objectively offensive and sufficiently severe, persistent, or pervasive that it has the effect of unreasonably interfering with an individual's work performance or educational experience, creates an intimidating, hostile environment, or involves retaliation.

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; gender-based stalking; or gender-based bullying. Sexual harassment can occur regardless of the relationship, position or respective sex of the parties. Same sex harassment violates this policy, as does harassment by a student of a faculty member or a subordinate employee of his/her supervisor.

Sexual Violence, Non-Consensual Sexual Contact is:

Any intentional sexual touching however slight, of any part of one person's body with any part of another person's body or an object, by a man or a woman upon a man or a woman, that is without consent and/or by force.

Examples include, but are not limited to: intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making one person touch another person or themselves with or on any of these body parts; or any intentional bodily contact in a sexual manner.

Non-Consensual Sexual Intercourse is:

Any sexual intercourse, however slight, with any part of a person's body or an object, by a man or woman upon a man or woman, that is without consent and/or by force.

Intercourse includes, but is not limited to: vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger; or oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

Sexual Exploitation is:

When a faculty, staff, or student takes non-consensual or sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage another (other than the one being exploited), and that behavior does not otherwise constitute one of the other sexual harassment, sexual violence and sexual misconduct offenses.

Examples include, but are not limited to: invasion of sexual privacy; prostituting another individual; non-consensual observation, either by direct observation or video or audio-taping of sexual activity; engaging in voyeurism; knowingly transmitting an STI (Sexually Transmitted Infection) or HIV (Human Immunodeficiency Virus) to another; exposing one's genitals in non-consensual circumstances; or inducing another to expose his or her genitals.

Additional Applicable definitions:

Consent: Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.

Current and/or previous relationships or prior consent cannot imply consent to future sexual acts.

In order to give effective consent, one must be of legal age, which is 16 years. Sexual activity with someone known to be – or based on the circumstances should reasonably have known to be – mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout) constitutes a violation of this policy.

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, why or how” of their sexual interaction).

This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of alcohol or drugs.

Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

NOTE: There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

SEXUAL HARASSMENT, SEXUAL VIOLENCE, AND SEXUAL MISCONDUCT REPORTING AND GRIEVANCE PROCEDURES

If an individual believes he or she has experienced sexual harassment, violence and/or misconduct of any sort, it is particularly important, for the protection of both the complainant and the University community, that the incident be reported immediately.

For cases involving non-consensual sexual contact or non-consensual sexual intercourse, it is particularly important for a complainant to report it immediately to the Mercer Police Department or local police as soon as possible. Mercer Police can assist the individual in getting medical attention and in notifying the proper local law enforcement authorities, if the complainant so chooses. The sooner an assault is reported, the easier it is to preserve and collect the evidence necessary for a criminal prosecution. Reporting the incident to the police does not mean the complainant must press charges against the assailant, but it does help assure that the individual receives assistance in deciding how to proceed.

In addition to Mercer Police, some existing services for victims of sexual assault, both on campus and in the local community, include:

Counseling and Psychological Services, Macon (478) 301-2862
Counseling Services, Atlanta (678) 547-6060
Crisis Line and Safe House, Macon (478) 745-9292
Domestic Violence Safe Shelter, Macon (478) 738-9800
Domestic Violence National Hotline (800) 334-2836
Georgia Crisis & Access Line (800) 715-4225
Rape Crisis Center of the Coastal Empire, Savannah (912) 233-7273 or (888) 241-7273
Local Hospital Emergency Rooms

Where appropriate and possible, the University will take steps to minimize contact and/or potential retribution from a respondent (or any associated group related to the case) to individuals making a complaint of alleged sexual harassment, sexual violence, or sexual misconduct. These actions will be assessed and coordinated by the Student Affairs or Human Resources professional in consultation with the Title IX Officer (See "Preliminary Review" below).

Complaints may be reported to any of the following:

Atlanta:

Residence Life Staff at (678) 547-6823
Dean of Students at (678) 547-6821
Associate Vice President for Human Resources/Title IX Officer at (478) 301-2005
Mercer Police at (678) 547-6358

Macon:

Residence Life Staff at (478) 301-2687
Vice President and Dean of Students (478) 301- 2685
Associate Vice President for Human Resources/Title IX Officer at (478) 301-2005
Law School Dean of Students (478) 301-2602
Medical School Dean of Students (478) 301-5570
Mercer Police at (478) 301-2970

Savannah:

Dean, Savannah Campus (912) 350-1750
Office of Faculty Affairs, Savannah Campus (912) 350-1750
Associate Dean for Student Affairs, Savannah Campus (912) 350-1750
Associate Vice President for Human Resources/Title IX Officer at (478) 301-2005
Chatham County Police Department (912) 652-6500

Columbus:

Associate Vice President for Human Resources/Title IX Officer at (478) 301-2005
Local Columbus Police Department (706) 653-3400

Centers:

Center Coordinator for that location
Director of Operations for the Centers at (678) 547-6370
Associate Vice President for Human Resources/Title IX Officer at (478) 301-2005
Henry, Douglas, and Newnan students call Atlanta Mercer Police at (678) 547-6358
Eastman Local Police (478) 974-7788

INVESTIGATIVE PROCEDURES

STEP 1: REPORT IS MADE

Once an individual “complainant” reports an alleged incident of sexual harassment, sexual violence and/or sexual misconduct to any official University employee (see reporting procedures), that University employee must immediately notify his or her supervisor, and/or contact the Associate VP for Human Resources if the suspected accused individual (respondent) is an employee, or the Dean of Students (or the Student Affairs designee for their campus) if the suspected accused individual (respondent) is a student. The Dean of Students (or the Student Affairs designee for his or her campus) or the Associate Vice President for Human Resources (AVP-HR) will then notify the Title IX Officer of the complaint.

The complainant will be encouraged to seek out immediate medical care, offered counseling support, and provided the opportunity to file an official report with either campus or local police. After meeting with police, or if the complainant declines to meet with the police, a meeting with the AVP-HR or the Dean of Students (or designee) will be scheduled as soon as possible.

STEP 2: PRELIMINARY REVIEW – INTERIM STEPS

A Student Affairs or Human Resources representative professional will meet with the complainant to review the investigative and adjudication procedures related to the allegation and to review and evaluate interim steps that may be taken to protect the complainant and the community. These steps may include modification to class schedules, work assignments, living arrangements, and/or limits on contact with the respondent depending on the circumstances. These modifications will be made with due deference to provide balance and equity for both the complainant and the respondent(s) in the process. Complainant is advised of his or her rights under Title IX at this point.

The Student Affairs or Human Resources professional will interview the complainant and conduct a preliminary investigation, using police reports where available, to ascertain if there is reasonable cause to believe this policy has been violated.

Based on feedback from the complainant, any known and relevant history or patterns related to the case, and the severity of the allegation, the Dean of Students (or designee)/AVP-HR in consultation with the Title IX Officer will determine whether to move forward with a full investigation or to end the process at this stage.

If the decision is made not to proceed further, the institution will make every effort to obtain written verification from the complainant that he or she was made aware of their rights under Title IX. A copy of this report must be sent to the Title IX Officer.

If the decision is made to proceed with a full investigation, the Title IX officer, in consultation with appropriate administrators/Mercer Police, will assign a trained investigator to the case.

STEP 3: FULL INVESTIGATION

The trained investigator and/or a Mercer Police Officer will notify both parties of the investigation and will conduct a full review of the allegations including all available relevant witnesses and evidence presented by both the complainant and the respondent. The investigator and/or Mercer Police will write up their findings including an assessment of what they believe to have occurred based on the preponderance of evidence standard (i.e., it is more likely than not that sexual harassment, violence, or misconduct occurred). These findings should include feedback from both the complainant and respondent regarding his or her preference for resolution of the allegations. These findings are to be presented in a written report to the Dean of Students for student cases and the Associate VP for Human Resources for cases involving employees. Typical investigations will be completed within 60-90 days but may vary depending on the complexity of the investigation and the severity and extent of the harassment. A copy of these findings should be sent to the Title IX Officer.

STEP 4: RESPONSE TO INVESTIGATION

Based on findings from the investigation and feedback from the complainant and respondent, the Dean of Students in consultation with the Title IX Coordinator for student cases, and the AVP for Human Resources for employee cases makes a determination on resolution of the allegations. This resolution will be one of the following:

1) No Further Action

Based on the information obtained during the investigation, and feedback from the complainant and respondent, the University may choose to take no further action. If no action is taken, a copy of the investigation and supporting documentation supporting this decision will be sent to the Title IX Officer.

2) Informal Resolution

Based on feedback from both the complainant and respondent, the University may provide an opportunity for informal resolution. Informal resolution will be handled by the Dean of Students (or designee) for student cases and by the AVP-HR for employee cases. Informal resolution does not involve a hearing, but represents resolution for the case that may include stipulations on contact, educational activities, or other actions as determined by the Dean of Students/AVP-HR. If either party does not agree with the outcome and/or stipulations during the informal resolution process, the case may be referred to formal action for review (see below). Any informal resolution must be reviewed by the Title IX Officer before becoming binding.

3) Formal Resolution

When a case is not resolved voluntarily through informal resolution, a review of the allegations is conducted by the appropriate disciplinary process applicable to the respondent(s) (student or employee).

For student respondents:

The case is forwarded for charges and processing (hearing) under the appropriate Student Code of Conduct procedures applicable to the respondent(s) involved.

For employees:

Within 30 days of receipt of the report of the full investigation, the AVP-HR will implement appropriate disciplinary action for the employee. If dismissal of a faculty member is recommended by the AVP-HR, faculty members may exercise their rights as outlined in section 2.08 of the Faculty Handbook.

In both of these resolution processes, a review of the investigative findings of the investigator and/or Mercer Police may suffice in place of hearing from any or all witnesses, and/or the complainant or respondent. However, in the case of students, both the complainant and respondent should be offered the opportunity to be present during the hearing, to make any statements they wish to make prior to concluding the hearing, and to submit impact statements.

The hearing body/AVP-HR retains the right to request additional information deemed necessary to clarify any questions or issues, and to determine responsibility. The final outcome of this hearing body/AVP-HR will be shared with both the complainant and respondent. A copy will be sent to the Title IX Officer.

STEP 5: APPEAL

Either party may appeal the outcome of the resolution process. If both the complainant and the respondent are students, appeals should be handled in accordance with the Student Conduct Code applicable to the campus/school in which the respondent's case was processed.

If the respondent is an employee, appeals from either the complainant or respondent should be directed to the Executive Vice President for Finance and Administration within ten (10) working days after the receipt of the written outcome. Any such appeal shall be in writing and shall state the grounds for the appeal. Grounds for appealing the outcome are:

An error in procedural due process, which prejudiced the accused to the extent that they were denied a fundamentally fair hearing as a result of the error. Procedural flaws alone are not grounds for an appeal. Significant procedural errors that may have affected the outcome will be considered.

The emergence of new evidence that could not have been previously discovered and that, had it been represented at the initial hearing, would have substantially affected the original decision.

The imposition of sanctions which are disproportionate to the offense.

For these cases where the respondent is an employee, the Executive Vice President for Finance and Administration shall make a decision within 30 working days of receipt of the appeal. The Executive Vice President's decision is final.

Both parties will be notified in writing about the outcomes of any appeal. A copy will be sent to the Office of Human Resources for faculty and staff, and to the Title IX Officer.

Article XIX. Alcohol Policy/Student Bar Association (SBA)

In accordance with the University Student Code of Conduct, the possession and/or consumption of alcoholic beverages including empty containers or alcohol paraphernalia is prohibited on Mercer University Property or at University sponsored events unless approved in advance by the Provost. The following SBA policy has been reviewed by the Dean of the Law School and Law School Faculty Student Affairs Committee and approved by the Provost and applies to off-campus events.

All student organizations and groups must follow the SBA Alcohol Policy (Article XIX of the SBA Constitution) for off-campus events. The student organization or host has the full responsibility to implement and enforce this policy and bears the sole responsibility for any event as these are student organization, not University, sponsored events.

This policy is applicable to all Mercer Law Students, the Student Bar Association, and all Law School Student Organizations. Failure to comply with the alcohol policy will result in review and sanctions under the University Student Code of Conduct. It may also result in sanctions by the SBA Board of Governors, including, but not limited to, revocation of organization charters and financial penalties. Any alcohol related problem at a social event hosted by SBA or a student organization off-campus shall be reported to the SBA President and to the Dean of Students within one day of the event. Exceptions to the above policy can only be made by application to the Faculty Student Affairs Committee, and must be made two weeks in advance of any event.

1. **Funding:** No funds allocated to the Student Bar Association or any other organization shall be used to purchase alcohol for SBA or other organization social events.
2. **Hours:** All social events shall be no longer than four hours.
3. **Requirements:** If alcohol is available at a student event, the following stipulations will apply:
 - A. The event must be held at a public venue
 - B. There must be a non-law-student trained and certified bartender who is at least 21 years of age, who will serve the alcohol and that person shall have the power not to serve a visibly intoxicated individual.
 - C. Free taxis must be provided. [Taxi service (2-4 cabs) at the end of the event will be available].
 - D. There must be substantial food available at no cost to any student at any event where alcohol is available for purchase.
 - E. There must be alternatives to alcohol available for students at no cost.
4. **Small Group Tax Exception:**
 - A. A small event is defined as an event where it is estimated that fewer than twenty students will attend.

- B. The student organizations that host small events for their members where alcohol is available for purchase, may provide reasonable number of designated drivers (i.e. 1-4), in lieu of taxi cabs, with permission from the SBA President or his designee.
 - C. The Student Organization must provide a list of the designated drivers to the SBA President before the event. The Student Organization hosting the event is responsible for finding designated drivers for their event.
 - D. The SBA Board of Governors will also oversee the process of having voluntary designated drivers at each social event.
5. **Education:** The SBA will provide educational seminars on the dangers associated with alcohol consumption, and the ramifications of DUI charges and/or other arrests, each semester.