

HONOR CODE & CODE OF CONDUCT  
CHARLESTON SCHOOL OF LAW  
Effective August 1, 2020  
Revised August 16, 2021

PLEDGE: On my honor, I pledge to abide by and promote the Charleston School of Law Honor System as set forth in the Honor Code and Code of Conduct. As a law student, I shall not lie, cheat, steal, or tolerate those who do, and I submit to the jurisdiction of the Judicial Board for adjudication of any matter within the scope of its authority.

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**I. Statement of Purpose and Introduction**

- A.** We, the students, faculty, staff, and administration of the Charleston School of Law (CSOL), accept, implement, and adopt this Honor Code and Code of Conduct (collectively referred to as the Code) to promote the following objectives:
  - 1.** to prepare law students to meet the ethical standards of the legal profession by guiding, defining and outlining their pre-professional behavior while at CSOL;
  - 2.** to establish procedures for addressing allegations of behavior in violation of this Code; and
  - 3.** to provide sanctions for behavior in violation of this Code.
- B.** Law students are expected to conduct themselves in a manner that supports CSOL's educational and professional mission. This Code is intended to promote and secure academic integrity, fairness, equal academic opportunity, respect for others, and professionalism at CSOL.
  - 1.** Entering law students shall be informed that this Code exists and will be required to sign a Pledge during Orientation.
  - 2.** This Code shall bind all law students.
  - 3.** Law students are obligated both to abide by the values embodied in this Code and to encourage other law students to respect them actively.
- C.** Law students must be aware that they will be required to report any violation of this Code on state bar application forms. Additionally, at the request of bar and court authorities, CSOL will report allegations and proceedings arising under this Code, and any resulting sanctions.

**II. Scope of Code**

**A. Jurisdiction Over Disciplinary Matters**

- 1.** This Code applies to all law students enrolled at CSOL to pursue a Juris Doctor or Master of Law degrees (law students).
- 2.** This Code applies to any law student enrolled at the time of the alleged violation, whether or not the law student continues to be enrolled at CSOL.
- 3.** This Code governs conduct committed by a law student while engaged in an academic activity or participating in any CSOL-sponsored activity or event, or any other activity while enrolled as a student in CSOL regardless of whether the prohibited conduct occurs on CSOL campus.
- 4.** When registered for courses outside CSOL, law students are subject to this Code in addition to the academic regulations of the school where they are taking courses.

5. If a law student commits alleged academic violations that are not discovered until after graduation, the law student's graduation will not prevent prosecution for those improprieties. Proceedings against a former law student for academic improprieties may not, however, commence more than one year after the law student's enrollment at CSOL has ceased.
6. All allegations involving discrimination and/or harassment on the basis of sex (including sexual and gender-based harassment, sexual assault, sexual exploitation, stalking, intimate partner violence, and retaliation) shall be directed to the Title IX Coordinator, or Deputy Coordinator, and will be governed by CSOL's Title IX Policy Governing Employees and Students instead of the Honor Code and Code of Conduct.

### **III. Honor Code Violations**

#### **A. Plagiarism**

1. No law student shall claim as her/his original work the research, ideas, or writing of another.
2. Plagiarism includes the use or close imitation of the language or thoughts of another writer and the representation of such as one's own.
3. No law student shall copy in whole or in part from the work of another without providing clear attribution to the original author.
4. Paraphrasing, quoting or otherwise using one's words or ideas as one's own without acknowledgment of authorship is a form of plagiarism.

#### **B. Improper Conduct with Respect to Academic Activity**

1. In preparing work product to be submitted for credit, or to be submitted in connection with a law school academic activity, no law student shall give, solicit, or receive assistance from a source prohibited by the instructor or supervisor of the activity.
2. Academic activity is defined as any activity that may affect a grade or any CSOL-related extracurricular activity of a professional nature by way of example only, a journal, moot court competition, legal clinics, externships, trial advocacy competitions and employment efforts or any event which in any way contributes to the satisfaction of the requirements of graduation.
3. The law student bears the burden of clarifying with the instructor or supervisor, whether any particular action or conduct violates this provision.
4. No law student shall make a recording of a class unless s/he has received express consent pursuant to one of the following: (a) the course syllabus specifically allows recording; (b) CSOL's Dean of Academic Affairs has granted permission to record as a disability accommodation, or (c) the instructor has given specific verbal or written permission to record.
5. No law student shall use the same or essentially the same work product, or a substantial part thereof, for credit in more than one course without first securing instructor approval or approval from the appropriate faculty committee. If the courses are taken concurrently, the law student must obtain the approval of both instructors; if the courses are not taken concurrently, the law student must obtain approval from the instructor in the later course and the appropriate faculty committee.

#### **C. Improper Conduct with Respect to Examination and Assessment**

1. No law student shall cheat. Specifically, cheating includes any degree of dishonesty, fraud, or deceit.
2. During any examination or assessment, no law student shall, knowingly, intentionally or recklessly give or receive aid of any nature from any source that is not expressly authorized by the instructor. For clarity, receiving aid may include possessing or consulting during an examination any books, papers, notes, or data of any kind, except as authorized by the instructor.
3. During any examination or assessment, no law student shall, knowingly, intentionally or recklessly obstruct the administration of an examination or violate exam or assessment

policies designed to ensure the integrity of the academic process, this includes for the sake of clarification speaking to other law students once the time for beginning has been announced and will continue while any law students remain in the room after time has concluded.

4. No law student shall secure, give, or exchange information about the examination or assessment or discuss an examination or assessment with any other law student while the examination or assessment is in progress unless the instructor expressly authorizes discussion.
5. No law student shall give, receive, or obtain information concerning the contents of a forthcoming examination or assessment unless the instructor expressly authorizes the information. Any law student who receives such information shall immediately inform the instructor.
6. No law student shall discuss the contents of an examination or assessment with a law student who is scheduled to, but has not yet taken, the examination or assessment.
7. No law student shall retain any notes taken during an examination or assessment or a copy of the examination or assessment except as expressly authorized in the instructions to the examination or assessment, by the person administering the examination or assessment or by the instructor.
8. No law student shall make a false claim regarding examination or assessment conditions, including any alleged problem with testing software.
9. No law student shall provide false information for the purpose of being excused from or for the purpose of rescheduling an examination or assessment.
10. No law student shall take an examination or assessment for another, and no law student shall permit another person to take an examination or assessment for her/himself.
11. No law student shall fail to comply with any other announced or published policies, procedures, rules, or instructions relating to examinations and assessments.

**D. Deceptive Communication**

1. No law student shall lie or engage in any form of dishonesty, fraud, deceit or misrepresentation, including the making of a statement known to be false, or the willful omission of a material fact necessary to avoid a misrepresentation of the truth.
2. No law student shall communicate false or misleading information, by either omission or commission, by which the law student gains or attempts to gain academic or professional advantage for him/herself or a fellow law student, or by which the law student puts or attempts to put another law student at an academic or professional disadvantage.
3. Deceptive communication includes, but is not limited to, the following situations:
  - a. Forging or altering any document, record, or instrument of identification;
  - b. Providing incorrect or misleading information regarding her/his or any other law student's grades, class rank, personal references, employment records, financial aid, activities, residence, or any other material facts regarding academic and personal achievements.

**E. Interference with Property**

1. No law student shall intentionally, knowingly, or recklessly take, use, conceal, destroy, or deface any materials or property of CSOL, its instructors, faculty, administration, staff, or students. Materials and property include website pages and other electronic media.
2. No law student shall steal. For clarity, stealing means the intentional taking of any property without permission or justification.

**F. Impeding Administration of the Honor Code**

1. Any law student who has reasonable grounds to believe that another law student has violated this Code shall promptly file an allegation.
2. No law student shall knowingly give false information, refuse to give information, or otherwise refuse to cooperate in an investigation or hearing involving a charge of misconduct against himself/herself or another student under this Code. However, a law student may refuse to provide evidence on the ground that doing so would significantly

- expose her/him to the threat of criminal prosecution.
3. No law student shall harass, retaliate against, or attempt to influence any complainant, investigator, witness, or other person involved with the administration of this Code.

#### **IV. Code of Conduct Violations**

##### **A. Improper Conduct with Respect to Other Members of the CSOL Community**

1. CSOL is committed to providing a learning environment that is free from violence, discrimination, harassment, retaliation, and other unlawful conduct that assures fair and equitable treatment of all individuals.
2. Sexual misconduct in any form will not be tolerated, as it undermines the character and purpose of CSOL.<sup>1</sup>
3. No law student shall act contrary to the general principles of acceptable conduct or good faith, including but not limited to:
  - a. [CSOL Diversity Policy](#)
  - b. [CSOL Harassment-Free Environment Policy](#)
  - c. [CSOL Title IX Policy Governing Employees and Students](#)
  - d. [Threats, Violence & Weapons Policy](#)
  - e. [Sexual Harassment Policy\\*](#)
  - f. [Alcohol Beverage Policy](#)
  - g. [Substance Abuse/Drug Free Workplace Policy](#)
  - h. [Library Guidelines & Policies](#)
4. No disruption, abuse or obstruction of teaching, research, administration, disciplinary proceedings, technology systems or other CSOL functions, or any act not specifically addressed herein, not regulated exclusively through this Code, which undermines the mission of CSOL activities when the conduct occurs on the CSOL premises will be tolerated.

##### **B. Violation of Administrative Directive**

1. Failure to comply with the directions or requests of a CSOL employee (faculty, administrator, and/or staff) acting in the performance of their duties, and/or with a policy, procedure and/or guideline.
  - a. The issues in such cases shall consist of the following: (1) did the employee make the request, (2) was the employee acting in the performance of their duties or a policy, and (3) did the student violate the directive.
  - b. The “lawfulness” or propriety of the directive is not an issue.

##### **C. Breach of Anonymity**

1. In any course where anonymous grading applies, no law student shall knowingly identify her/himself to the course instructor in any manner as the source of an examination, assessment, paper, or other graded work.

##### **D. Improper Conduct Concerning the Use of Technology**

1. No law student shall use, or access computers owned by CSOL or any member of the CSOL community for an improper purpose from any location.
2. An improper purpose may include, by way of example only, misuse of school resources, unauthorized access to school computer resources and unauthorized installation, modification or deletion of school computer programs or files.
3. No law student shall knowingly, intentionally, or recklessly circumvent or attempt to circumvent the security protocols of any program or system used by CSOL to ensure the integrity of examinations or assessments.

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<sup>1</sup> \* All allegations of discrimination and/or sexual misconduct will be directed to the Title IX Coordinator and be governed by the procedures set forth in the School’s Title IX Policy governing employees and students.

**E. Health and Safety of Members of the CSOL Community**

1. Nothing in this Code shall prevent the Dean or any other member of the CSOL Administration from taking action against a law student that is deemed necessary to protect the health or safety of the CSOL community and/or a member of the community, including the law student himself/herself.
2. No law student shall, without proper authorization, possess, alter, transfer or duplicate keys or electronic badges to CSOL or any office or room on CSOL property.
3. No law student may enter the premises of CSOL without express authorization from the CSOL administration and security personnel.

**F. Breach of Confidentiality**

1. No law student shall breach any duty of confidentiality imposed by any instructor for an academic purpose.
2. No law student shall disclose information concerning Judicial Board investigations or proceedings involving another law student except where disclosure is reasonably necessary to further the investigation or proceedings.

**G. Attempt or Threat**

1. Any attempt or threat to commit a violation shall constitute a violation.
2. In order to commit an attempt, a law student must, while possessing both the mental state required for the violation and the purpose to commit the act required for the violation, take a substantial step towards the completion of the violation. The word “act” in this section includes omissions where the Code imposes a duty to act.

**H. Violation of Laws, Rules or Regulations**

1. No law student shall commit any violation of any federal, state, city, or county law, ordinance, or regulation.
2. No law student shall commit any criminal act.
3. Any student who is accused of committing any violation of any federal, state, city, or county law, ordinance, or regulation or criminal act must report such to the Associate Dean of Admissions and Associate Dean of Student Affairs within 14 days of such event.

**V. Mental States**

**A. Presumption of Knowledge**

1. All law students shall be conclusively presumed to have knowledge of this Code and all announced or published course and examination and assessment policies, procedures, and instructions.
2. The burden shall be on the law student to clarify with the instructor whether any action or conduct violates the instructor’s course or examination or assessment policies, procedures, or instructions.

**B. Mental State Required for Violations**

1. Unless otherwise provided in this Code, a law student commits a violation if s/he acts with gross negligence or more culpably as to each material element of the violation.
2. Gross negligence involves a gross deviation from the standard of care that a reasonable law student would exercise in the actor’s situation.

**C. Accomplices**

1. It is a violation of this Code to assist another in committing any violation of this Code knowingly.

**D. Authority, Effective Date, and Amendments to Code**

1. The Dean of the School of Law must approve all changes to this Code.
2. Effective Date. Unless an amendment provides otherwise, amendments to this Code shall take effect on the date the Dean signifies her/his approval by signing the amended Code.