



FACULTY

HANDBOOK

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**University of San Diego School of Law
2017/2018 Faculty Handbook**

I. General Information

A. University Identification Card

You will need a University ID card, which you should have at the beginning of your first semester teaching. Obtain your ID in the Campus Card Services Office, located in University Center Room 127. Your ID will give you access to the facilities and services listed below. With the card, you also qualify for a 10% discount (on most products) in the University Torero Store. Additionally, without this ID, your ability to access all of the services available to faculty by the Legal Research Center librarians will be restricted.

B. Faculty Mail/USD E-mail account

The Law School mailroom is located in WH208. **Please check your mail regularly. Important information relating to your classes and law school activities will be distributed via your mailbox.** Package notification slips are placed in recipient's mailboxes. Recipients must come to Warren Hall 211 to claim and sign for their own packages.

All university employees **must register** for an employee USDOne account at <https://my.sandiego.edu>. This account will allow you to access your class roster and other important student information regarding your courses.

C. Address Changes

Please inform the Payroll Department (payroll@sandiego.edu) and Dean's Office of any address changes at any time throughout the semester.

II. Preparing for Class

A. Academic Calendar

A copy of the academic calendar appears as an appendix to this handbook and on the law school website at www.sandiego.edu/law. There are fourteen weeks of class each semester, followed by a study period, and an examination period. No classes are scheduled on Labor Day, Thanksgiving holidays (Wednesday, Thursday & Friday), Martin Luther King Day, Good Friday, Easter Monday and July 4.

B. Syllabus

A detailed week-by-week syllabus for your course should be distributed to students and sent via email to your faculty assistant for posting on the comprehensive law Blackboard site (in addition to any other locations you may desire) no later than **two weeks** before the first day of class. The syllabus should describe, in as much detail as possible, reading assignments, method of evaluation, class attendance and participation requirements, and assignments due during the semester. It is prudent to give students as much information as possible in the syllabus to avoid misunderstandings about the course and your expectations.

C. Selecting a Textbook

Adjunct Faculty: In selecting a textbook, please feel free to consult with other members of the faculty who teach in your general area. The Associate Dean can give you the names of these faculty, if you do not know them.

All Faculty: The Torero Store will be happy to assist you with any questions you have regarding particular textbooks, publisher information, etc. Your assigned faculty assistant will be able to order you a desk copy or review copies of textbooks you are considering for your courses.

D. Ordering Textbooks

In submitting requests for texts, please use the order form provided by the Torero Store. All requests should be made by the third Friday in March for the summer session, the first week in May for the fall semester and the second Friday of October for the spring semester. Prior to the start of the session or semester, please check with the Torero Store to ensure that there are no problems with your textbook order. The Torero Store will maintain a file of all textbooks currently in use. No book order is considered as a standing order from semester to semester. Each title must be reordered for the semester in which it is to be used. Please contact the Torero Store at extension 4551 if you have any questions.

E. Course Packs and Course Readings Posted Online

If you do not choose a published text and will use print or digital copies of materials instead, please be very selective. In determining what a reasonable amount of material is, consideration should be given to the amount of time the students have to complete the reading.

1. Photocopying Course Readings

a. Duplication Policy

The University of San Diego policy concerning the duplication and distribution of materials to students may affect the way in which you conduct your course. **If you plan to distribute more than twenty (20) original pages of materials per class, those materials must be sold to the students through the Torero Store.** Faculty may not duplicate materials to avoid this rule, which is a university requirement. This limitation requires you to anticipate your needs and to allow sufficient time for duplication if you need to sell materials through the Torero Store.

b. Duplication Procedure

Your faculty assistant can prepare materials for duplication. Materials for duplication should be delivered to the Book Department of USD Torero Store. The Torero Store is responsible for reproduction, **as well as obtaining any required copyright permissions.**

c. Desk Copies of Reproduced Materials

The cost of reproduced materials to the student is based upon the total cost of printing. For this reason, the Torero Store can authorize only one complimentary desk copy.

d. Copyright Considerations

Duplicated materials for use in courses and for resale in the Torero Store must be with the written permission of the publisher. The Book Department of the Torero Store will handle this for you, unless you already have written permission, which you provide at the time of your order.

2. Digital Copies of Course Readings

In lieu of a published text or printed course pack, you may use digital copies of course readings. You may distribute the materials via course reserves at the Pardee Legal Research Center (LRC), Blackboard, TWEN, a class website, or email.

a. Copyright Considerations

Digital copies of materials not in the public domain must be distributed with the written permission of the publisher or a determination, after reasonable inquiry, that the use qualifies as a fair use or other exempt or licensed use for which permission is not required. Please review these pages for additional guidance on copyright: <http://www.sandiego.edu/library/copyright/index.php>.

Distributing a **link** to materials on the internet or in a licensed database does not implicate copyright concerns and is preferable to posting a copy of the material. Contact the LRC reference department at lrcrefer@sandiego.edu or extension 4612 for assistance in finding durable links to selected materials.

F. Posting Assignments

Professors are expected to post assignments for the first class meeting for student preparation **prior** to the first day of classes. All assignments must be posted via Blackboard one week prior to the beginning of the semester. Your faculty assistant will be able to assist you with this process.

G. Reserving Materials at the Pardee Legal Research Center

1. Course Reserves

At your request, books and materials needed for your course will be placed on reserve at the LRC. Your Faculty Assistant can assist you in providing the materials to the circulation desk or you may complete a course reserve request form here: <http://www.sandiego.edu/law/library/faculty-resources/faculty-teaching.php>. If you have any questions, please contact the circulation desk directly at lrcirc@sandiego.edu or extension 4542.

2. Previous Exams

To post your previous exams on “e-reserves,” email PDF files of the exams to lrcirc@sandiego.edu along with the course title, semester and year, and your name. Please allow two business days for processing.

H. Class Blackboard Site

You can create a Blackboard site for your class. To do so, you or your faculty assistant must have taken the training for Ole Blackboard (the USD version of Blackboard) offered by the University’s iTeam. Contact the iTeam at extension 7400 or

iteam@sandiego.edu. The iTeam has multiple training sessions at the beginning of each semester.

I. Class TWEN Site

You can create a TWEN site for your class. To do so, you must use your Westlaw user ID. For assistance, please contact the LRC Electronic Services Librarian at extension 4759 or the LRC Reference Desk extension 4612 or lrcrefer@sandiego.edu).

J. Class Web Site

You can create a web site for your class. To do so, you must have a USD e-mail address. For assistance, please contact the Law School Technology Services department, extension 6842 or via email at rstattel@sandiego.edu.

K. Technology in the Classroom

Most classrooms are wired for Power Point presentations, access to the web and on-screen projection. You may bring your own laptop computer or flash drive; laptop computers, portable projectors, and overhead projectors also are available to be checked out for classroom use. For assistance, please contact the Law School Technology Services department, extension 6842 or via email at rstattel@sandiego.edu. Podium keys may be checked out through your faculty assistant.

III. First Day of Class

A. Classroom Assignments

Classroom assignments are printed on your class roster, which is accessible through the portal at <https://my.sandiego.edu>.

B. Class Lists

A class roster will require use of your USDOne login credentials for access to the web site at <https://my.sandiego.edu>. You can also communicate with your students via e-mail and view their profile pictures from this site. **Note that you should use the BCC function when emailing the entire class.** Law students are permitted to add and drop courses from their schedules during the first two weeks of classes, so your roster may change many times during this time period.

C. Graduate Students

The law school has several graduate law programs leading to either an LLM or MS degree. Students may study Tax, International Law, Business and Corporate Law and

various concentrations leading to a general LLM degree. The school also has lawyers from foreign countries pursuing a LLM degree in Comparative Law. You may have students in your class from any of these programs. The class list designates these graduate students by program, e.g. LLMB, LLMI, etc.

D. Registration and Withdrawal from Class

Students **cannot** add a course by going directly to professors and requesting permission to add the course. Professors may agree to add additional seats to allow students from the wait list to add the class; students are selected by the university's Banner system in order of their position on the wait list. A professor may not manually move a student off the waitlist if other students have priority. In some cases, students may withdraw from a class throughout the semester. Please contact the Dean's Office with questions about the withdrawal policy.

E. Seating Charts

Blank seating charts for each classroom are available from your faculty assistant if you wish to use a seating chart to familiarize yourself with your students.

F. Discussing Expectations and Grading Methods

You should discuss your plans for evaluation with students **and confirm them in writing on your syllabus**. Clear and early announcement of the professor's intended method of grading helps avoid many misunderstandings and problems at the end of the semester. Graded midterm exercises are encouraged by the law school, as they are an effective method of providing needed feedback to the students as well as an incentive to the students to work steadily through the semester. Note that these must be coordinated through the Registrar's Office. Please clearly explain at the beginning of the course the following information: 1) exam format, especially whether it will be open or closed book; 2) how you will evaluate attendance and if you add or subtract points for participation (must be announced orally and in writing); and 3) whether you intend to assign an interim project or exam that will be included in the final grade. For additional information, see Section V.

G. Academic Rules

You may obtain a complete copy of the Academic Rules online at www.sandiego.edu/usdlaw under Faculty & Administration, Faculty Resources. The relevant rules on grading, attendance and class participation are included in the appendix and are summarized throughout the materials.

H. Office Hours

You should announce a regular time each week when you will be available for student consultation. Adjunct professors may use the shared office space in WH-123 if available or contact LawEventReservation@sandiego.edu for available conference rooms/meeting spaces.

IV. Class Attendance Policy

Please review the following summary of our Academic Rules prior to your first class. The Academic Rules require the faculty to follow certain procedures regarding matters such as class attendance and class participation points. Some of these procedures may require you to give written notice at the beginning of the semester. Our Academic Rules encompass a policy requiring regular and punctual class attendance and preparation by students, required by the American Bar Association for accreditation. Note that certain procedures must be followed before a student can be penalized for non-attendance. (A.R. XIV.C. and D.)

A. Written Notice

The instructor is permitted to adopt any attendance policy, provided that he or she notifies students in writing **during the first two weeks of classes** of the maximum number of absences permitted. The policy can be expressed in the course syllabus or written course materials. (A.R.XIV.C.)

B. Tardiness

The instructor may count tardiness as partial or full absence and may count classes missed due to late registration. (A.R. XIV.C.1.)

C. Attendance Keeping

As one method of keeping attendance, instructors may circulate and keep an attendance list for students to sign. The Academic Rules provide that a student signing another student's name may be in violation of the Honor Code (either or both of the students involved). (A.R.XIV.C.3.) Please see Appendix B.

D. Penalty Options for Excessive Absence

The instructor has a choice of remedies when a student exceeds the announced maximum number of absences permitted: the instructor may require a written or oral report, penalize the student's final grade, or exclude the student from the course. The instructor must provide written notice of the policy to the class during the first two weeks of classes for such a penalty to be imposed upon a student.

E. Enforcing Grade Reduction or Course Exclusion

In order to impose any penalty on a student, the instructor must provide written notice to the student informing the student of the penalty that is to be imposed. (A.R.XIV.D.)

1. If the penalty is exclusion from the course or reduction of the final grade by more than one grade level, the instructor must both:
 - a. have regularly recorded attendance of students in the class, and
 - b. have sent written notice to the student informing the student that any future absence will result in imposition of the penalty. The notice must be sent both to the student's latest address (see Registrar's office) and to the student at his or her *sandiego.edu* e-mail address.
2. If the penalty is exclusion from the course or reduction in the final grade by any amount, the instructor must send a copy of the written notice to the Registrar, Kim Grennan, Registrar's office, WH 202.

F. Oral or Written Reports

Whether or not the instructor has followed the above procedures including announcing an attendance policy, an instructor may require a student who is unprepared or absent for one or more classes to prepare an oral or written report. The instructor may make the report a condition to take the final exam or otherwise complete the course requirements. (A.R.XIV.G.)

V. Conducting Your Class

A. Guest Lecturers

Guest lecturers may be invited occasionally to discuss specific material in their field of expertise; however, the University is unable to compensate guest lecturers. Although judicious use of outside speakers can be a useful tool in teaching your class, we recommend that you not make excessive use of such speakers.

B. Canceling Classes

If you find yourself in a situation where you must cancel more than one class, please contact the Associate Dean in advance if at all possible. Faculty who find it necessary to cancel any class must contact the Dean's Office at extension 4587 or lawdean@sandiego.edu. The Office will post notices in the appropriate places, notify the Registrar, etc. Notice of make-up classes should be included in the email to the Dean's Office at the same time. It is not sufficient to tell the Registrar's office if you

cancel a class - they will direct you to the Dean's Office. Announcing the cancellation in class without telling the Dean's Office is not an acceptable substitute because not all of the students may receive the message. The Dean's Office needs to be informed so it can keep the students informed. You should cancel a class only for appropriate reasons with as much advance notice as possible. When scheduling a make-up class, please ensure that it does not conflict with another regularly scheduled class of any of your students.

C. Make-Up Classes

It is important to discuss availability with your students before scheduling a make-up class, to find the most convenient time for the majority of your class. To schedule a make-up class, contact laweventreservation@sandiego.edu to reserve a room. Do not assume that your usual classroom, or any room, will be available on another evening or any given time. Arrangements should be made with the Law School Technology Services Department to have the make-up class videotaped or audio-recorded for students who are unable to attend the make-up class. **Make-up classes cannot be held over the noon hour or during the study period prior to final exams.**

D. Communicating with Students

Each student at the School of Law has a *sandiego.edu* e-mail address, which you can access along with your class list via the MySanDiego portal using your USDOne login credentials. If you need to leave a message for an individual student, please email them. General messages for your class may be sent through the MySanDiego portal. Please contact your faculty assistant for assistance. **Note that you should use the BCC function when emailing the entire class.**

E. Student Conduct

If you have students who are struggling in class, not meeting course expectations, have demonstrated attendance issues, or whom you suspect are having difficulties (academic or otherwise), please contact the Assistant Dean for Law Student Affairs at extension 4651.

1. Academic/Conduct Issues

- a. All students are subject to the USD Law Honor Code and USD Student Code of Conduct, as well as all institutional rules, regulations, and policies.
- b. Any and all suspected plagiarism issues should be promptly brought to the attention of the Assistant Dean for Law Student Affairs.

2. Students in Distress/Other Issues

- a. If you suspect or receive information that a student may be in distress or notice unusual or concerning behavior, please alert the Assistant Dean for Law Student Affairs.
- b. While you should always refer a student to our Office for Law Student Affairs, USD has many resources for students. You should bookmark this link: <http://sites.sandiego.edu/youareusd/you-succeed-usd/>.

F. Classroom and Exam Accommodations

The University of San Diego adheres to the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. When appropriate the Office for Law Student Affairs and/or individual students will notify faculty of any approved classroom accommodations based on a documented disability. Exam accommodations under these two laws will not be disclosed to faculty members to preserve exam anonymity, if a course grade depends on an anonymous examination.

VI. Academic Evaluation of Students

A. Evaluation Options

Students' grades in many courses are based primarily on written examination or papers. Participation and attendance may also be factors in determining grades to the extent permitted under the Academic Rules, if you deem it appropriate. Announce this information during the first two weeks of class, and include it on your syllabus.

B. Participation Points (Push Points)

You may increase or decrease grades based upon class participation by up to 0.3 for students in your course if you follow the procedures outlined below:

1. You announce at the beginning of the class, orally and in writing, your policy regarding the awarding or deducting of points.
2. You award the points in an equitable manner.
3. You give the Registrar's office a copy of your preliminary grades not yet recorded on an official grade roster together with a list of:
 - a. Students (any number) who will definitely receive participation points; or

- b. Students, not to exceed 1/3 of the students enrolled in the class, who may receive participation points at your discretion after the grades of the students are revealed; or
 - c. Some combination of (1) and (2) above.
4. After the Registrar's office gives you a "decode" sheet (showing the students' names and your preliminary grades), you award the points and arrive at your final grades, including the participation points for all students.
 5. You submit your final grades (i.e., with participation points included in the calculation), **which must meet the mean and distribution requirements** for the class to the Registrar's office.

C. **Midterm Exam Policy**

If you are giving a **graded** mid-term, the law school requires you to follow a process that will utilize proctors. Please inform the Registrar's office as soon as possible, but **no later than two weeks prior to the exam**. The Law School encourages professors to use mid-term exams; however, at this time it is not a formal requirement. However, during the first semester of First Year courses, faculty members must at least utilize a practice exam with some sort of meaningful feedback. All faculty are encouraged to offer at least one examination (graded or practice) prior to final examinations. The Academic Rules require the professor to announce during the first week of the semester his or her intent to use an interim examination. The interim practice examination should be given during a regularly scheduled class for that course. The Law School does not provide proctors for practice examinations. If a faculty member wants to give a practice exam, then the faculty member should proctor the exam.

1. **Anonymous Grading**

When a graded examination is given, the professor must work through the Registrar's Office. The Registrar's office also will arrange make-up interim examinations to preserve student anonymity. As with final exams, the Academic Rules require that we keep examinations for one year unless returned to the student.

2. **Preparation for Mid-Terms**

Arrangements for proctors and additional classroom space must be made with the Registrar's office **at least two weeks prior to the administration of any graded examination**. Mid-term examination numbers will be distributed to all registered

students after the deadline to add classes has passed. A class roster with mid-term examination numbers will be available to you shortly thereafter, upon request to the Registrar's office. Should faculty wish to return these exams to students after they are graded, you must keep a duplicate for the file; your faculty assistant can help you with this.

3. Advance Notice for Quizzes

Nothing in the policy prevents you from giving quizzes, provided appropriate advance notice is given to the students (in the class syllabus during the first week of class) and to the Registrar's office (as soon as possible). **This notice to the Registrar's office is critical as some of your students may qualify for accommodations due to a documented disability, and the Registrar's office will coordinate appropriately with the Office for Law Student Affairs.**

D. Final Examination Preparation and Administration

During the semester, the Registrar's office will contact you to ask for information about your final exam, such as the type of exam (multiple choice, essay, etc.) and the length. They will also ask if you will permit students to use exam-writing software. Most professors permit the students to use the school's software for essay exams. The software (called Examssoft) blocks a student's access to other areas of the hard drive and the internet during the exam. If you plan on a page or word limit on your exams, please consult with the Assistant Registrar about how to convert the page or word limit to a character count limit in Examssoft.

The Registrar's Office emails each professor with his or her grade roster prior to the start of the final exam period. The roster includes each student, identified by the anonymous exam number.

1. Types of Examinations

a. Open and Closed Book Exams

We recommend that you give only fully open or fully closed book exams (i.e., either anything or nothing is allowed in the exam room). Restrictions such as no commercial outlines or no annotations transform the exam into a limited open book exam, discussed below.

b. Limited Open Book Exams

Each instructor intending to give an open book exam should announce to the class, prior to the last day of classes, exactly what materials will be permitted

during the exam. For example, can the student use his/her notes, a book, photocopies of law review articles? If the student can use a code, can he/she annotate his/her copy? Can students use their computers for portions of the exam other than essay questions (to access notes)? We suggest allowing only those materials available to all students. You must describe in writing the permitted materials; we recommend you do this on the syllabus but require it on the exam cover sheet.

2. Source of Exams

Students use many sources of sample exams to study, including previous State Bar Exam questions. An unfair advantage may accrue to students who have access to previous exams that are reused by a professor. This problem is especially acute when only some of the students have had access to the previous exams. Previous exams should not be reused, unless you are absolutely sure they have not been compromised by their availability to some students. The obvious difficulty with reusing previous exams is determining whether they have been compromised. Visiting faculty from other schools should not assume that USD law students do not have access to their previous exams.

3. Examination Instructions

Written exam instructions should include the following: 1) course name and number; 2) instructor's name; 3) materials students may use during exam; and 4) length of the exam (see below).

Please proofread your exam and exam instructions with great care. Confusing instructions will only be corrected prior to the start of the exam, as this process can create a disturbance and may disadvantage some students, as well as lead to complaints after the exam is completed.

4. Length of Exams

As a general rule, professors give two-hour or longer exams for two-credit courses and three-hour or longer exams for three and four credit courses.

5. Examination Schedule and Preparation

The due date for submitting final exams to the Registrar's office depends on the date the exam is given. In general, exams are due to the Registrar's office **at least five business days** prior to the date of the exam. You will be sent a memo as exams approach detailing the exam schedule. The Registrar's office has a great deal of preparation to do for each examination, so please adhere to the due dates for the exam.

6. Proctoring

The law school uses outside proctors to administer the exams. You should not contact the proctors once the exam has begun. If you have concerns, notify the Registrar's office immediately. **No changes on exam content will be accepted if offered less than 48 hours prior to exam administration.**

7. Availability During the Exam

It is crucial that you be available to answer any questions that may arise during the examination. **The Law School requires you to be available during the entire exam, by telephone at a minimum.**

8. Student Identification

For all final exams, students identify themselves by assigned identification numbers. Grading is done on an anonymous basis using these numbers, and students may not be asked to put their names or any identifying information on their exams or Blue Books.

9. Make-Up Examinations

Every student is required to take the examination at the time it is originally scheduled. No excuses for absences will be granted except by the Assistant Dean of Law Student Affairs, due to documented illness or unforeseen circumstances. All arrangements for make-up exams must be made with the Registrar's office and the Assistant Dean of Law Student Affairs and **not** with the professor. A faculty member may give the same examination as a make-up that he/she gave the rest of the class.

10. Distribution of Completed Exams to Faculty

After the exams have been administered by the proctor, professors can pick up completed exams at the Registrar's office, once they are notified everything is processed and ready to be picked up. Please pick them up as soon as they are available to alleviate the Registrar from having to send multiple reminders.

11. Exam Feedback for Students

Information about the elements of superior student performance on examinations and other evaluated work should be part of the student's learning process. Normally, this procedure should permit a student to review his or her exam answer along with a copy of the exam questions and with information

indicating what elements constitute superior performance. In the case of written material supplied to the student, the professor is not obligated to permit the student to take the material. If you are unable to meet with students, you should contact your faculty assistant to make arrangement for students to review their exams. Each professor should announce his/her feedback procedures during the last week of class. You are encouraged to provide a model or sample answer or provide other meaningful forms of feedback to the class, whether using practice or graded exams.

E. Upper Division Writing Requirement

As a condition for granting the J.D. degree, each student must successfully complete at least one graded writing course after the first year. "Writing course" means: (a) a course of limited enrollment centered on the preparation by each student of a substantial, in-depth research paper of no fewer than 20 pages in length; (b) in which the professor, in addition to any outlines, drafts, or other preliminary submissions, collects the paper and returns it with recorded comments addressing both the substance (e.g., organization, logic, persuasiveness, research, attribution) and style (e.g., spelling, punctuation, grammar, sentence structure, paragraph structure) of the paper, as appropriate; and (c) collects a rewritten paper, after allowing the student a substantial amount of time to prepare the rewritten paper. "Graded writing course" includes writing courses graded "honors/pass/low pass/ fail," but does not include courses graded "pass/fail." **Note: For credit to be given, the Academic Rules require that professors provide recorded comments on a draft version of the paper before collecting the final version.** Professors retain discretion over which version of the paper to address with comments and when during the term that submission occurs (first version, last version, or some period in between those).

Successful completion of a writing course is not determined by a student's grade in the course, but is separately indicated by professors on the grades submitted by the professor.

F. Research Paper Courses

If you are teaching a seminar or paper course, you must require that all papers be submitted on or before the last day of the final examination period on the academic calendar. Professors and administrators cannot extend the due date for seminar papers beyond the date that grades are due for that semester (A.R. XVI.D.2.). **A student who has obtained an extension on a paper will receive an F for the course (or paper) if the paper is not submitted before the date on which grades are due for that semester.**

VII. GRADING

A. Grade Scale

The grade scale is as follows:

A+	4.3
A+	4.2
A	4.1
A	4.0
A	3.9
A-	3.8
A-	3.7
A-	3.6
A-	3.5
B+	3.4
B+	3.3
B+	3.2
B	3.1
B	3.0
B	2.9
B-	2.8
B-	2.7
B-	2.6
B-	2.5
C+	2.4
C+	2.3
C+	2.2
C	2.1
C	2.0
C	1.9
C-	1.8
C-	1.7
C-	1.6
C-	1.5
D+	1.4
D+	1.3
D	1.2
D	1.1
F	1.0 (no credit for course)

J.D. students need a cumulative grade point average of 2.1 or above to be in good academic standing. LL.M. in Comparative Law students need a cumulative grade point average of 2.0 or above to be in good academic standing. All other LLM students need a cumulative grade point average of 2.5 or above to be in good academic standing. MSLS students are graded on the four-tier honors/pass/low pass/fail and must receive a grade of pass or better in at least 22 credits of the 26-credit MSLS program. In the case where an MSLS student requests on at the time of admission to be graded on the letter-grade scale, the student must complete all appropriate course work with an average of 2.0.

B. Grade Range

The Academic Rules (Rule XVI.) establish the following normalized grade range:

1. First Year Courses (other than Legal Writing and Research)
 - a. Professors in first year courses must submit grades that average no more than 3.05 and no less than 2.95. (i.e., a target of 3.0).
 - b. In first-year courses, professors must satisfy the following grade distribution requirements:
 - 1) 20-25% of the students graded must receive grades in the range of 4.3 to 3.5.
 - 2) 20-25% of the students graded must receive grades of 2.4 or lower.
 - 4) 8-12% of the students graded must receive grades of 1.8 or below.

The distribution described above is mandatory for all classes except Legal Writing and Research, which will be graded pursuant to the grading system described in Academic Rule XVI.B.2, and Experiential Advocacy Practicum, which will be graded on a four-tier “honors/pass/low pass/fail” basis.

2. Upper Year Courses and Graduate Tax Courses
 - a. Professors in upper year courses must submit grades that average no less 3.1 and no more than 3.2 (i.e., a target of 3.15).
 - b. In upper year classes, professors must satisfy the following grade distribution requirements:
 - 1) 20-25% of the students must receive grades in the range of 4.3 to 3.5.
 - 3) 25-30% of the students graded must receive grades of 2.8 or lower.
 - 4) No more than 8% of students may receive a grade of 1.8 or below.
 - c. Upper Year Classes with Fewer than 20 Students Enrolled and Graduate Tax Courses (other than Tax I and Corporate Tax).
 - 1) The distribution described in B.2 above is recommended rather than

mandatory. **For graduate tax courses, please keep in mind that students must maintain a cumulative grade point average of 2.5 or above to be in good academic standing.**

2) The mean in such courses **cannot** exceed 3.4.

d. The Dean, in exceptional cases, can authorize exceptions to these rules. However, these must be truly exceptional and the faculty member must provide a written request for deviation from the curve.

3. Courses designated “pass/fail” or “honors/pass/low pass/fail.”

a. A grade of Low Pass is counted as 1.7 in the student’s grade point average.

b. A grade of Fail is counted as 1.0 in the student’s grade point average.

4. Multiple Sections: For purposes of calculations under this Rule XVI., when a professor is simultaneously teaching more than one section of the same course, the grades upon which compliance will be judged are the combined grades of the two sections. (Rule XVI.B.3.). This Rule does not require a professor to combine the two sections in grading the sections.

C. Grading Factors

1. A professor may, in his or her discretion, assess the final grade in a course on the basis of an examination, a seminar paper, or written work of comparable difficulty, or may use a combination of any one or more of the above with other written assignments, special research projects to be presented orally in class, quizzes, or any other form of specific assignment. The professor may decide on the percentage of the final grade to be assigned to each of these specific projects so long as the entire class that is participating in these projects is given the opportunity to participate.

2. Graduate Students

a. No additional work may be required of LL.M. or Diploma candidates than is required of other students in a course.

b. LL.M. and Diploma candidates shall be graded along with other students in a course, in the same manner and on the same basis. MSLS students shall be graded on a honors/pass/low pass/fail basis, unless granted permission at the time of admission to be graded on the letter-grade scale.

D. Changes in Grades, Due Date of Seminar Papers, Retention of Examinations

1. In no event shall a grade be changed on an examination or paper after the grade is submitted to the Registrar's office unless:
 - a. The grade is corrected by the Associate Dean at the request of the faculty grader because there is a mechanical or mathematical error in the original grading; or
 - b. The grade is corrected by the faculty at the request of the faculty grader because of a serious error in assessing the grade; or
 - c. The grade is corrected by the faculty after receiving a report from an ad hoc committee composed of three faculty members appointed by the Dean. The Dean may appoint such a committee as a matter of discretion when the Dean is personally convinced by substantial evidence that there is a strong likelihood that a grade was assessed in error due to breach of the anonymous grading where it applies, use of impermissible criteria in assessing grades, use of inconsistent or incorrect answers on a multiple choice or other short-answer exam, or substantial and serious inconsistencies in grading essay exams, or expectation on an essay exam of an answer that is clearly and demonstrably inappropriate. The committee so appointed shall recommend what adjustments are appropriate, if any, for all students in the class, endeavoring to treat all students consistently and to assure that the adjusted grades in the class comply with both the standard average grade range and the suggested grade distribution.
2. Professors are required to have all seminar papers submitted by students, on or before the last day of the final examination period on the academic calendar. If a student receives a passing grade in a writing course but the professor does not find that the paper satisfied the upper division writing requirement, the professor may allow the student to resubmit the paper, after changes, for reconsideration on whether it meets the writing requirement at such time as the professor designates, but no later than eight weeks after the beginning of the next semester. The grade originally received in the writing course will not be altered by the resubmission, but the resubmission may be found by the professor to meet the upper division writing requirement.
 - a. The final draft of first-year legal writing papers must be submitted no later than the last day of classes. The professor shall notify a student no later than the last day of the final examination period for first-year students, if the student has failed the legal writing course and the professor will allow the student to resubmit his

paper or papers to remove the failing grade. The professor must submit final grades for the legal writing course no later than the time when grades are normally submitted.

3. A professor may, in his or her discretion, return seminar papers, examination papers and other papers used to evaluate student performance, provided he/she retains a copy of each paper.
4. Papers and examinations that are not returned must be retained by the professor for one year; alternatively, the professor may deposit those documents with the Registrar's office.
5. If a student takes an examination out of the professor's possession, the student waives any right to contest the accuracy of the grade determination, mathematically or otherwise. This does not preclude a professor from initiating a correction of a mechanical or mathematical error even after the student has removed the paper.

The following examination discussion policy is hereby adopted: Students have the right to review their examinations. **In order to assist those students who desire to review their examinations, a faculty member should establish a reasonable exam review procedure.** Normally this procedure should permit a student to review his or her examination answer along with a copy of the examination question. Professors are encouraged to indicate what a good exam answer might contain either by making a sample answer available, or by reproducing a good student exam paper, or by discussing the examination in class, or by other appropriate means. In the case of written material supplied to the student, the professor is not obligated to permit the student to take the material out of the professor's presence.

E. Withdrawals and Incompletes

The law school does not recognize a grade of Incomplete. All semester grades must be assessed and submitted on or before the date that grades are due for that semester. After the first two weeks of the semester and before the last date to withdraw as published on the academic calendar, any course dropped from a student's schedule will appear on the transcript with a "W."

F. Honor Code and Plagiarism

The Law School has an Honor Code that covers acts of academic dishonesty, including plagiarism. If you believe a student may have violated the Honor Code or want to discuss a possible violation, please contact the Assistant Dean for Law Student Affairs at extension 4651.

The Pardee Legal Research Center can assist you in locating potential sources of plagiarized text through the use of SafeAssign, a text-matching software program. Contact the Faculty Services Librarian at extension 4766.

Upon request, the Pardee Legal Research Center offers training for students on *Using Research Effectively: Academic Integrity vs. Plagiarism*. Contact the Faculty Services Librarian at x4766.

VIII. Feedback on Your Teaching

A. Evaluation by Students

Student evaluation of teaching is an important factor in evaluating adjunct/visitor professors' teaching. USD uses an online system for the distribution and collection of teaching evaluations. Results of the evaluations are available to each professor after grades are processed; **you will find yours by accessing *my.sandiego.edu***.

B. Classroom Visits

Adjunct Professors: From time to time, the Associate Dean or other faculty may attend a class session to observe your class. First-hand knowledge of your classroom style can help us advise you on improvements that you might make in your teaching. We will notify you prior to this taking place.

IX. Facilities and Services

A. Parking

1. Full-time, Adjunct and Visiting Faculty

Parking permits are required for all students, faculty and staff, on all vehicles, and are not transferable to another vehicle or person.

2. Guest Lecturers

Visitors **must** have a guest parking permit to park on campus or pay at one of the kiosks. You may request guest parking for guest speakers or special guests, in advance, through your faculty assistant. Free visitor parking may not always be available depending on other large campus events. Unauthorized and/or illegally parked vehicles will be cited and/or towed at the owner's expense.

B. Security/Public Safety

The Department of Public Safety is located on the south side of Hughes Administration Hall, and is open 24 hours a day, 7 days a week. Emergencies on campus should be reported directly to the Department of Public Safety by dialing extension 2222 from any on-campus phone, 24 hours a day. In non-emergency situations, dial extension 7777 to reach one of our public safety dispatchers. If calling from off-campus for an emergency, dial (619) 260-2222, and for non-emergency assistance dial (619) 260-7777.

C. Faculty Reading Room

The Faculty Reading Room (FRR) is located on the second floor of Warren Hall, Room 201 across from the Dean's Office. Coffee and tea are available along with a refrigerator and microwave oven. Note: You should not use the FRR to meet with students, as events/meetings are sometimes scheduled in this room. You should use the Adjunct Office or book another room; your faculty assistant can help with this. If you wish to reserve a room yourself, e-mail LawEventResevation@sandiego.edu. You may use the FRR yourself to prepare for class, during breaks or other times it is not in use.

D. Pardee Legal Research Center - (www.sandiego.edu/law/library)


The Pardee Legal Research Center (LRC) is located just east of Warren Hall. You will be working in the region's premier legal collection and facility when you enter USD's LRC. Both the building and services are specifically designed to meet student and faculty research needs.

In addition to a fine collection of books and online materials, the LRC offers computer research services, a very strong microforms and documents collection, and generous space for work and study. The library is open seven days a week; professional reference service is available during much of the library's operating hours. Our knowledgeable and service-oriented staff is available to assist in both your teaching and scholarship.



1. Circulation Policy

To borrow library materials, you need to present a valid USD ID card to the circulation desk staff. Faculty may check out regular materials for four months. Periodicals, reference and reserve materials may be checked out for two weeks. Materials can be renewed upon request.

2. Procedure for Borrowing Books

Books from the LRC can be requested by clicking on  in the library catalog (www.sandiego.edu/law/library/) (you'll be prompted to sign-in with your MySanDiego credentials).

Books from Copley Library may be requested here: <http://www.sandiego.edu/law/forms/library/lrc-plus.php> or by contacting the Reference Desk. Books will be delivered to your mailbox.

Books not available from our libraries may be available from other San Diego libraries via the Circuit. After running a search in the LRC catalog, click on  to re-run your search in a shared catalog. Click on  and sign-in with your MySanDiego credentials.

Be sure to request delivery to the LRC. When the book arrives (one-three business days), it will be delivered to your law school mailbox.

If a book is not available via the Circuit, contact the Reference Desk at lrcrefer@sandiego.edu or extension 4612 to request an inter-library loan.

3. Research & Reference Assistance

Reference librarians are available for research assistance. Contact the Reference Desk at lrcrefer@sandiego.edu or extension 4612.

4. Research Assistant (RA) Training

Training and support for your student RAs are also available. We offer a group training session for RAs each spring (see materials here: <http://www.sandiego.edu/law/library/student-resources/research-and-writing/research-assistant.php>). Individual training, consultations, and ongoing support are always available at the Reference Desk at lrcrefer@sandiego.edu or extension 4612.

5. Book Purchase Requests

To recommend a book to be purchased for the LRC collection, contact the LRC reference desk at lrcrefer@sandiego.edu or extension 4612.

6. Online Legal Research Refresher Training

If you or your faculty assistant would like a refresher training on WestlawNext, Lexis Advance, BloombergLaw, or any other legal research platform, please contact the Reference Desk at lrcrefer@sandiego.edu or extension 4612 to schedule an individual session at your convenience.

7. Classroom Research Training

Customized research training sessions are available for your classes. We can cover most subject-specific legal research topics as well as non-legal research, market research, statistical research, academic research, and practice-focused research. Contact extension 4766 to discuss your specific needs.

8. Current Awareness Tools

There are a variety of current awareness tools available from online legal research platforms and other providers, including docket tracking, tables of contents for new journal issues, citation alerts, and subject-specific case law or regulatory updates. Here are just a few:

[BNA Electronic Highlights](#) | [SmartCILP](#) | [Chronicle of Higher Education](#) | [WestlawNext](#) | [Lexis Advance](#) | [BloombergLaw Dockets](#) | [SSRN](#)

Contact our reference desk at lrcrefer@sandiego.edu for assistance with any of these or to inquire about more tailored alert options.

E. Vending Machines

Vending machines are located on the first floor of Warren Hall. Various snacks, beverages and food are available for purchase.

F. Dining Services (Hours are subject to change without notice)

Please check this link, as hours change depending on the undergraduate schedule:
<http://www.sandiego.edu/dining/campus/>

G. Jenny Craig Pavilion: Sports Center

Located on top of the hill east of the football stadium, the Jenny Craig Pavilion is available for use by faculty with a valid University ID Card. Facilities include a heated outdoor swimming pool, six-basket gym, three volleyball courts (two indoor), 12 tennis courts, and weight room. For more information, use this link:
<http://www.sandiego.edu/jenny-craig-pavilion>.
