

THE UNIVERSITY OF TEXAS AT AUSTIN

TEXAS LAW

New and Visiting Faculty Handbook

2018 - 2019

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SECTION ONE: HANDY INFORMATION

A. QUICK CONTACT INFORMATION

Ward Farnsworth 512-232-1120 wf@law.utexas.edu TNH 2.119
Dean

Robert Chesney 512-232-1298 rchesney@law.utexas.edu JON 6.238
Associate Dean for Academic Affairs

For questions regarding payroll, parking, and your appointment:

Sylvia Hendricks 512-232-1473 shendricks@law.utexas.edu TNH 2.118F
Assistant to the Dean

For audiovisual services:

Media Services 512-232-7797 mediaserv@law.utexas.edu CCJ 1.302

For questions about technology, including classroom technology:

LTS Help Desk 512-232-1230 <http://law.utexas.edu/technology-services/> TNH 3.102M
Law Technology Services

Micheal Waitley 512-471-2717 mwaitley@law.utexas.edu TNH 3.102F
Faculty Services Representative

Student Affairs Office: TNH 2.117

Elizabeth T. Bangs 512-232-1313 ebangs@law.utexas.edu
Assistant Dean (concerns about individual students, and questions about policies and procedures)

Rashida Douglas 512-232-1143 rdouglas@law.utexas.edu
Director for Academic Services (course scheduling, enrollment, registration, grade submissions, final exams, scheduling make-up classes, textbook orders, and course instructor surveys)

B. Important Dates

Fall 2018

August 29	WEDNESDAY. Classes begin.
September 3	MONDAY. Labor Day Holiday. NO CLASSES!
September 14	FRIDAY. <i>Last day to add a course or drop a course for a refund.</i> This is the twelfth class day and the date official enrollment is taken. Courses dropped after this date will require approval and will appear on the student's transcript.
November 22 - 23	THURSDAY-FRIDAY. Thanksgiving Holidays.
December 10	MONDAY. Last class day.
December 11	TUESDAY. Reading Day.
December 12-15 & 17-20	WEDNESDAY-SATURDAY & MONDAY-THURSDAY. Fall semester final exams.
December 21	FRIDAY. Graduating students' pass/fail information is due in the Student Affairs Office by noon.
December 22	SATURDAY. Official graduation date.
January 4	FRIDAY. Absolute last day by which 1L grades must be submitted, without exception.
January 18	FRIDAY. Absolute last day by which upper-class grades must be submitted, without exception.

Spring 2019

January 22	TUESDAY. Classes begin.
February 6	WEDNESDAY. <i>Last day to add a course or drop a course for a refund.</i> This is the twelfth class day and the date official enrollment is taken. Courses dropped after this date will require approval and will appear on the student's transcript.
March 18-23	MONDAY-SATURDAY. SPRING BREAK.
May 6	MONDAY. Last class day.
May 7	TUESDAY. Reading Day.
May 8-11, 13-17	WEDNESDAY-SATURDAY, & MONDAY-FRIDAY. Spring semester final exams.
May 17	FRIDAY. Graduating students' pass/fail information is due in the Student Affairs Office by noon.
May 25	SATURDAY. Official graduation date.
June 14	FRIDAY. Absolute last day by which upper-class grades must be submitted, without exception.
June 21	FRIDAY. Absolute last day by which 1L grades must be submitted, without exception.

SECTION TWO: GENERAL INFORMATION

A. SERVICES & REQUIREMENTS

Appointment

Fall faculty appointment dates for the fall are from September 1 through January 15; spring appointments run from January 16 through May 31. Fall classes, however, start the last week of August and end the first week of December, with final exams beginning shortly thereafter. Spring classes start in mid-January and end during the first week in May, with final exams beginning shortly thereafter. Please check Section 1.B., Important Dates, for exact dates.

Faculty Development Allowance

Your faculty development allowance may be used for expenses related to your academic pursuits. For example, you may use it to pay for research assistants (see Research Assistants below), to cover costs associated with attendance at academic conferences (e.g., travel, lodging, meals), and to purchase books and other academically-related materials. Tangible items purchased with your FDA are the property of the University of Texas.

If you are seeking reimbursement from your FDA for expenditures you have made, please be sure to retain your original receipts. Your Faculty Assistant can fill out the forms necessary to obtain reimbursement.

If you have any questions, contact Jeff Toreki at jeff.toreki@austin.utexas.edu or 512-232-1007.

Law School Website

The Law School website is <https://law.utexas.edu/>. You can find a great deal about the Law School through the website. At this link <https://law.utexas.edu/faculty-resources/>, you will have easy access to websites with information regarding curriculum, textbooks, Canvas (web-based system for communicating with your class, posting assignments, class materials, etc.), the library, your financial data, directories, University policies, benefits and insurance, etc.

You are listed as a member of the Law Faculty on the Faculty Profiles page: <https://law.utexas.edu/faculty/profiles>. If you want to update your faculty profile, contact Sylvia Hendricks at shendricks@law.utexas.edu or 512-232-1473.

Mail

Mailboxes for campus mail and for postage-needed, official mail are available at the Communications Center. For personal mail, express mail drops are available on the first floor (basement) of the Law School. You can find these by taking the atrium elevator or by going down the atrium staircase. A U.S. Postal Service mailbox is located nearby, just outside the north entrance.

Mailbox

You will be provided a mailbox in our Communications Center (Room 2.101). The Center is open Monday-Friday from 8 a.m. to 5 p.m. Fax machines are also located in the Communications Center. Your Faculty Assistant or the Communications Center Staff can assist you.

Mandatory Compliance Training

State law requires all employees to complete sexual harassment training and equal employment opportunity training within thirty (30) days of employment and every two years thereafter. The University's Sexual Discrimination and Sexual Harassment Policy are set out in full in the Appendix. Once you obtain your upgraded UT EID, you may complete your compliance training online at: <https://utdirect.utexas.edu/cts/>. The online training can be completed quite quickly.

Payroll

Paychecks will be disbursed once a month, on the first day of the month following the month you worked. If you have any questions, see Sylvia Hendricks in TNH 2.118F. You may arrange for direct deposit. See "Paycheck profile" link on the Law Staff Resources page of the Law School Website.

Phone

When you arrive, a phone book will be in your office. This book contains information on how to make in-house calls, campus calls, and long distance calls. A Law School directory is accessible at the Law School website <https://law.utexas.edu/about/contact-us/> by anyone with a UT EID.

Research Assistants

You may hire a research assistant who will be paid out of your Faculty Development Allowance. Many faculty solicit applications for research assistants by utilizing our Career Services Office at csojobs@law.utexas.edu, or 512-232-1150.

When you have decided to hire someone, he or she needs to see Susan Farias, Director of Law School Human Resources, in TNH 2.121.

UT EID

Your UT EID is an electronic identifier that identifies you in UT world. You cannot do much of anything at UT without a UT EID. Every faculty member is assigned a UT EID. If you had a previous relationship with UT as a student, staff member, or alum, you may already have a UT EID. As a faculty member, you will need an “upgraded” or “high assurance” UT EID. Having an upgraded UT EID means that The University of Texas has seen physical proof of your identity (such as a driver's license or passport) and you have signed a form giving your UT EID legal signature authority. When you have an upgraded UT EID, you can use your EID as your electronic signature to complete transactions online that normally require you to go to a UT office in person, show a photo ID, and/or require your signature. An upgraded UT EID is also necessary to access secure systems such as Blackboard, your UT payroll and bank routing information, and to submit grades on the law school grade submission system.

You may upgrade your UT EID in either of two ways:

1. Upgrade when you get your UT proximity card/photo ID (see below)

Go to the ID Center. Be sure to bring your driver's license or passport. The ID Center is located in the Peter T. Flawn Academic Center, Suite 102, 2400 Inner Campus Drive. It is open from 8:30 a.m. to 6:00 p.m., Monday through Friday.

2. Upgrade remotely via the internet by going to:

https://idmanager.its.utexas.edu/eid_self_help/

Contrary to what this website implies, you may upgrade remotely even if you live in Austin. You will need to download a form from this website, complete it, have it notarized, and fax or mail it to the ID Center.

A word of caution: Your UT EID and password are what identifies you on UT secure websites. Please protect this identity.

B. LAW SCHOOL BUILDING & UT CAMPUS

Classrooms

If you need access to a locked classroom before 5:00 p.m., ask at the Communications Center (512-232-1101), or ask any member of the Student Affairs Office staff (TNH 2.117, 512-232-1140). If you need access after 5:00 p.m., ask the evening circulation supervisor in the Law Library.

If you need to reserve a classroom for a time other than your regular class period, contact Rashida Douglas at rdouglas@law.utexas.edu or 512-232-1143, in the Student Affairs Office. There is also a link for “Classroom Availability and Reservations” on the Faculty Resources page of the Law School website. <https://law.utexas.edu/rooms/>

Faculty Lounge

The Faculty Lounge is in JON 6.209. You are welcome to use it at any time. Coffee and tea are provided.

Café

George’s Café, operated by O’s Campus Cafe, is located on the first floor on the east side of the law school. O’s also operates a coffee bar, which sells breakfast items, snacks, and sandwiches. The coffee bar is located in the Susman Godfrey Atrium, outside the Law Library. Vending machines with snacks and beverages are available near the Tom Clark Lounge, which is located near the Communications Center. Vending machines with beverages are scattered throughout the Law School. The faculty and staff can advise you about other dining options near the Law School.

John B. Connally Center for the Administration of Justice

The Connally Center houses a state-of-the-art courtroom, our trial advocacy program and most of our clinics. It also contains a few small classrooms, two of which have distance-learning capability. If you think you may be interested in using the distance learning facilities, contact Media Services at mediaserv@law.utexas.edu or 512-232-7797.

Law Library

Our Tarlton Law Library is the seventh largest academic law library with more than one million volumes. You are welcome to use its many resources. In addition to its extensive collection, the law library is renowned for its support services for faculty. By the time you arrive at the Law School, a library staff member will have been designated as your personal library liaison. Your liaison will contact you soon after you arrive (if he or she has not done so before you arrive). Your liaison is your contact person with the library, and is available to help you with research, answer questions, obtain materials through interlibrary loan, etc. Your liaison will also provide you with a copy of a brochure it has created for faculty. The library's website is <http://tarlton.law.utexas.edu/>.

Maps

Maps of the Law School building can be found online by going to the Law School homepage and clicking on the “About” link at the top of the homepage. The direct link is: <https://law.utexas.edu/about/facilities/building-maps/>. A University of Texas campus map is located at <http://www.utexas.edu/maps/>.

Parking

You will need an F-20 parking permit to park near the Law School. Please contact Sylvia Hendricks at shendricks@law.utexas.edu or 512-232-1473 if you would like an F-20 permit. If you have a sticker but get a ticket because you remember to display it, you can file an online appeal, which will likely result in dismissal of your ticket. You may appeal online by going to <http://www.utexas.edu/parking/>.

C. FACULTY EVENTS

Faculty Lunch

An informal, open-to-all faculty lunch is held every Wednesday in the Sheffield-Massey Room in TNH 2.111. Lunch is buffet-style. Service begins at 11:30 a.m. and continues until about 12:45 p.m.

Faculty Colloquia

The Law School hosts a wide range of colloquia, conferences, lectures, etc. These include five regular series:

- Friday afternoon colloquia, typically held once or twice per month;
- Tuesday Drawing Board luncheons (typically two to three per semester), at which faculty (permanent and visiting) present projects at an early stage of development;
- Constitutional Studies luncheon, typically involving guest speakers;
- Law, Business, and Economics Workshop, with weekly presentations, usually by guest speakers; and
- Colloquium on Constitutional and Legal Theory, typically conducted in the spring semester.

The Law School also sponsors, either on its own or in conjunction with other departments, various conferences and symposia throughout the year.

A schedule for these five regular series can be found at <https://law.utexas.edu/colloquia/> and conferences and symposia are also publicized on the Law School website. In addition, you will receive e-mail notification of all these events. It goes without saying that we welcome your participation.

SECTION THREE: LAW TECHNOLOGY SERVICES

A. LTS HELP DESK

If you are having any problems with your computer, contact the LTS Help Desk. You may do this via the web (if your computer is working to that extent) by submitting an LTS Help Ticket request at <https://law.utexas.edu/technology-services/help/>.

You can also call the LTS Help Desk at 512-232-1230. For after-hours emergencies, call 512-232-1230, and press 0.

B. CANVAS

Canvas

Canvas is a cloud-based learning management system supported by the University. Users will need a UT EID to log in to Canvas.

Non-UT affiliated users who need to access Canvas will need a Guest EID. To create a UT EID, click on [Get a UT EID](#) and follow the prompts. Once the Guest EID has been created, contact the [ITS Help Desk](#) with the following information:

- Instructor's Name
- Guest's Full Name
- Guest EID
- Why access to Canvas is needed
- How long guest access is needed

C. MEDIA SERVICES

Classroom Technology

All of our large and medium classrooms are equipped with Crestron control systems, touchscreen PC computers, LCD projectors and screens, document cameras and DVD-ROM players. All our smaller classrooms have LCD projectors and screens, as well as Crestron wall plates and controls to allow for easy presentation and laptop connection. If you want to use this equipment, please contact our Media Services Department at mediaserv@law.utexas.edu or 512-232-7797.

You may need a key for access to some equipment, and Media Service can provide it. A Classroom Response System, or "clicker" system, is now available as an option in all our classrooms. The Turning Point product we use integrates with PowerPoint. If you are interested, please contact Micheal Waitley, the Law Technology Services Faculty Services Representative, at mwaitley@law.utexas.edu or 512-471-2717, for more

information. Micheal can also help you if you are interested in incorporating more technology into your course.

Media Services provides additional audio-visual support for all other law school classrooms, courtrooms and presentation spaces. The law school has a wide variety of equipment available for classroom use, including HD video conferencing, LCD projectors, DVD/VCR's, televisions, document cameras, video cameras and much more. If you would like to reserve equipment or request a class be audio- or video-taped, contact Media Services

For a list of room specifications see <https://law.utexas.edu/rooms/>.

SECTION FOUR: YOUR COURSE

A. GETTING STARTED

Class Roster

Class rosters are available at your class Canvas site or at https://utdirect.utexas.edu/nrport/clips_menu.WBX (UT EID required). The latter is the most up-to-date.

Classroom Seating Charts

You may prepare a seating chart by using the Excel forms that are available for each classroom. These “Blank Seating Charts” are available on the Faculty Resources page of the Law School website: <https://law.utexas.edu/faculty-resources/>. The direct link is: <https://law.utexas.edu/student-affairs/blank-seating-charts/>

Textbooks/Course Materials

The Student Affairs Office will contact you to request a list of textbooks for your course. Please respond promptly. Even if your textbooks are ordered directly through the University Co-op or elsewhere, you must notify the Student Affairs Office, which maintains the course book lists that are distributed to students via the online course schedule. This is essential for the many students who purchase their books from somewhere other than the University Co-op.

You may also place items in any media on course reserve in the library. To do so, contact Martha Clark at mclark@law.utexas.edu or 512-471-7726. Faculty members may place personal copies of resources on course reserve. All materials will be returned at the end of the semester (unless requested sooner).

If you plan to create a set of materials for your class, a couple of options exist for getting them to your students. First, you may post them or link to them via Blackboard. This is a particularly easy way of disseminating any cases, articles, etc. that can be found on Westlaw or Lexis. Class materials can also be duplicated by the University’s Central Duplicating office. You will, however, have to submit the materials several weeks in advance in order to be sure that all copyright clearances can be obtained. No such clearances are required for Westlaw or Lexis materials, as the Law School is licensed to reproduce such materials for educational purposes. Give the materials to your Faculty Assistant, who will forward it to Central Duplicating.

If you plan to assign textbooks, notebooks, manuals, or other materials that you have written or prepared, you must obtain approval. Approval must be renewed each year. The link to the approval form can be found at: <http://provost.utexas.edu/policies-and-resources/faculty-textbook-authorization>.

Posting Your Class Assignments

If you have assignments for the first few days of class, your Faculty Assistant can post them on the class Canvas site.

Scheduling Class Meetings/Make-Up Classes

The Student Affairs Office will advise you of your schedule and your course/seminar room. Courses are required to meet 50 minutes a week for the entire semester for each hour of academic credit. Seminars are required to meet for two hours a week. If you need to cancel a class, you or your faculty assistant should notify your students via Canvas. For last-minute cancellations, contact your Faculty Assistant or the Student Affairs Office at 512-232-1140. Please use the room reservation system to book make-up classes at this link: <https://law.utexas.edu/rooms/>. Our class schedule is quite full, so it is often difficult to find a time that all students can meet, and a room in which to meet.

Class-related activities, with the exception of office hours, are prohibited on designated no-class days and during the final examination period. These dates are set aside for students to prepare for and take scheduled final examinations. During this period, papers and projects are not to be due, review sessions are not to be scheduled, quizzes are not to be given, and there are not to be any other class-related activities, with the exception of office hours (Policy Memorandum 3.201).

B. ACADEMIC POLICIES

Course Syllabus

Faculty are required to provide their students with a course syllabus by the first meeting day of all classes. The University requires that each syllabus contain the following information:

- The course number, course title, unique number, course time, and semester
- Class location
- The instructor's name, office location, phone number, e-mail address, and office hours
- If there are teaching assistants for the class, their names, office locations, phone numbers, e-mail addresses, and office hours
- URL for course Web site (if any)
- An overview of the class, including prerequisites or co-requisites, the subject matter of each lecture or discussion, as well as the academic/learning goals for the course and how they will be assessed (see Grading section below). A detailed handout can be found at: <http://ctl.utexas.edu/teaching/course-design>
- A brief descriptive overview of all major course requirements and assignments
- Description in detail of grading policy and criteria (how many tests, quizzes, papers; weighting of each; amount of homework, etc.)
- Attendance and tardiness policy and whether class attendance is used in determining the grade
- Due dates for homework, projects, etc. that count for 20% or more of the course grade
- Date and time of final exam (when available)
- A list of required and recommended materials, such as textbooks, image collections, audio and audiovisual materials, supplies, chapters, and excerpts as appropriate, identified by author, title and publisher
- A notice that students with disabilities may request appropriate academic accommodations from the Division of Diversity and Community Engagement, Service for Students with Disabilities, 471-6259, <http://ddce.utexas.edu/disability/how-to-register-with-ssd/>

Other information that is helpful to include in the syllabus is referenced below.

Announcing Grading Method

University rules require you to inform your students in writing, no later than the fourth day of the semester, of the method by which their grades will be determined. University Handbook of Operating Procedure §3.22. Please do not deviate from your announced method of evaluation. If you, for example, have told students that grading will be

completely anonymous based on a written final examination, do not add a graded in-class group project. If you intend to base grades on a number of different factors (e.g., class participation, written assignments), you need to tell your students what these factors will be and approximately how much each factor will weigh in the grading. You should also let students know how their exam will be structured. If you announce you will have an open-book exam, do not switch to a closed-book exam. If you announce that your exam will be all essays, do not switch to a multiple-choice exam. You cannot change your evaluation method mid-semester. Doing so violates University rules and invariably creates turmoil within the class.

Office Hours

Regents' Rule, Pt. I, Ch. III, §12, states: "Members of the teaching staff are expected to post on their office doors, and publish in any other manner required by the chief administrative officer, office hours and conference periods most advantageous to students."

Prerequisites

Prerequisites are requirements students should meet before enrolling in a particular course. Please list any prerequisites (indicating whether required or recommended) in both your course syllabus and course description. Additionally, notify the Student Affairs Office at registration@law.utexas.edu prior to the semester if assistance is needed in checking prerequisites of your students.

Attendance

Regular and punctual class attendance is required. If you have an attendance policy that was provided in your course syllabus, a student may be dropped from the course, with the consent of the Assistant Dean for Student Affairs, for poor daily attendance at any time prior to the last day of the semester. It is within your discretion to assign either an F or Q to the administrative drop. A Q-drop indicates no academic penalty to the student.

The attendance policy has exceptions for religious holy days and military service, set out below. If you have questions, contact the Student Affairs Office.

1. Religious holy days

A student who misses classes or other required activities, including examinations, for the observance of a religious holy day should inform the instructor as far in advance of the absence as possible, so that arrangements can be made to complete an assignment within a reasonable time after the absence.

2. Absence for military service

A student is excused from attending classes or engaging in other required activities, including exams, if he or she is called to active military service of a reasonably brief duration.

Auditors and Visitors

Permission to audit a course conveys the privilege of listening and observing but not of handing in papers, taking part in discussion, or receiving evaluations. An auditor does not receive University credit for the course, nor is the course recorded on his or her transcript. Auditors are permitted only when space is available. No more than five auditors are allowed in any section. Instructors and the dean may refuse any request to audit a course.

A graduate student from another University department who wishes to audit a law course should obtain a Class Auditor Permit from the Student Affairs Office and secure the consent of the course instructor and the Assistant Dean for Student Affairs. (Law students and undergraduates are not permitted to audit law courses.) The Assistant Dean will generally only allow nonstudents who are graduates of the Law School or another law school to audit our courses.

Nothing in these rules prohibits an instructor from permitting guests and visitors.

Seminars

Each law student must successfully complete one seminar to graduate. The faculty has adopted a set of rules for seminars, to which you must adhere if you are teaching a seminar. The rules provide that a seminar must require students:

To prepare one to three original papers, based on directed and supervised research, addressing one or more law-related issues. The paper or papers are to be primarily of an analytical rather than descriptive nature. Ordinarily, thirty to fifty double-spaced typewritten pages, including footnotes, in the aggregate, will satisfy the length requirement. The instructor will closely review the paper(s) and provide written and oral suggestions for improvements in style and substance. The student will then prepare a revised version of the paper(s) in light of the instructor's and, if appropriate, fellow students' comments. The paper requirement is not satisfied by pleadings, motions, by-laws, documents, agreements, and other drafting exercises.

The syllabus should advise students in seminars of the nature and size of the paper expected. It is also desirable to create and distribute a schedule setting forth when paper topics must be agreed upon with the instructor and when the first and final drafts will be due. You are urged not to allow delays in the submission of the final draft beyond the last day of exams for the semester.

The seminar rules are available through the Faculty Resources page of the Law School website, and reprinted in the Appendix of this Handbook.

Directed Research and Study/Teaching Assistants

A copy of the rules governing Directed Research and Study projects and the use of Teaching Assistants is included in the Rules Appendix. Here is a link to the Directed Research and Study Requirements: <https://law.utexas.edu/student-affairs/academic-services/directed-research-and-study/>. Here is a quick summary of the substantive provisions.

1. Directed Research and Study Projects

A Directed Research and Study project is one that involves either: (1) faculty directed independent scholarly research culminating in a final paper or project; or (2) faculty directed independent study involving knowledge skills or experience related to law, regular student faculty interaction, and faculty feedback and evaluation. Faculty are free to supervise or choose not to supervise a student in a directed research and study project.

The predominant purpose of all DRS offerings must be to provide a substantial pedagogic benefit to the student. All DRS offerings must entail close and sustained faculty supervision. If the DRS offering is intended to culminate in a final product (either written or otherwise), that product must reflect serious independent research and analysis on the part of the student.

The following types of projects are deemed appropriate for DRS credit:

- (a) Independent research and writing culminating in a traditional scholarly paper of which the student is the sole or joint author.
- (b) Independent research and writing of graduate level academic rigor culminating in a final law-related project of professional quality.
- (c) Serving as a teaching assistant for a law school faculty member if the service involves intensive and rigorous academic inquiry and exposition, and close and sustained faculty supervision.
- (d) Assistance with faculty scholarship that requires independent, extensive, and rigorous research and a substantial written product.

The following types of projects are not appropriate for DRS credit:

- (a) Assistance with faculty scholarship that is essentially bibliographic in nature, or involves relatively ministerial verification skills.
- (b) Assistance with work for which a faculty member is receiving outside compensation, unless the work relates to a treatise, book, research project,

or other project that is of significant scholarly value, and the student's contribution would otherwise qualify for DRS credit under example 1(d) above.

(c) Assisting a faculty member in the practice of law.

(d) Any work for which the student is being paid.

(e) Any work that the student has already completed before registering for the DRS credits.

2. Teaching Assistants

Directed Research and Study is also the mechanism by which you may use a Teaching Assistant in your course (this is distinct from Research Assistants, who are paid out of your FDA funds). Teaching Assistants may be awarded 1-3 DRS credits per semester for their work as TAs, so long as the TA position entails close and sustained scholarly and pedagogic interaction with the supervising faculty member. TAs are to be used as supplemental instructors for the enhancement of the learning experience for the students enrolled in the class, not as substitute instructors during regularly scheduled class meetings. The number of credits a student may receive for being a TA in a given course may not exceed the credit hours earned by a student taking the course, and a student may not receive credit for being a TA in the same course more than once. A faculty member must obtain the approval the Standards Oversight Subcommittee before a student may register for DRS credit as a TA in his or her course. DRS credits for serving as a TA must be awarded on a Pass/Fail basis.

C. EXAMS

Types

There are various types of exams. You can find examples of past law exams though the link on the Faculty Resources page of the Law School website. Here is a link to the exam schedules and final exams policies and guidelines: <https://law.utexas.edu/student-affairs/academic-services/final-exams/>

You should be familiar with the nomenclature used at the Law School to describe exams. This will diminish the chance that the students will be confused about how you intend to examine them. Note that take-home and floating exams impose a substantially greater administrative burden than traditional in-room exams.

1. In-room exam

Given at time and day scheduled by Student Affairs Office. In-room exams are administered by the Student Affairs Office.

2. Take-home exam

Given on a specified day scheduled by Student Affairs Office within the exam period. Students may take the exam at a location of their convenience and must return the exam within a prescribed time period. *The Student Affairs Office does not administer take-home exams.* They must be administered by your Faculty Assistant.

3. Floating exam

Given any time during the exam period at the student's convenience. Floating exams must be made available to students *during the entire exam period*. Otherwise, floating exams are like take-home exams. Students may take the exam at a location of their convenience and must return it within a prescribed time period. *The Student Affairs Office does not administer floating exams.* They must be administered by your Faculty Assistant.

You may specify that your exam is open- or closed-book. If it is open-book, you may limit the material to which students may have access. For example, you might allow them to bring a copy of their textbook or particular statutes into the exam, but not other materials. If you decide to allow access to certain materials, be sure to be precise about what you will and will not allow, and to do so early in the semester. Electronic documents may not be accessed during the exam, so students must possess hard copies of any allowed materials.

For in-room exams, the Law School allows students to type their exam on a laptop. The students must have installed a Law School-approved software program that allows laptops to function solely as word processors, and disables them from accessing any files and other applications, including e-mail and instant messaging. If you have any questions, feel free to contact David Watson (512-232-1140, dwatson@law.utexas.edu).

Submission to Student Affairs Office

All in-room examinations are administered by the Student Affairs Office. *Exams must be submitted to that office no later than **three full business days** prior to exam date due to external University Duplicating deadlines.* There are specific requirements as to the content of the instructions, page numbering, etc. A memo describing them is attached in the Appendix. Your Faculty Assistant is knowledgeable about these requirements. A staff member will contact you if there are any errors. Please check and double-check your exam for any errors before you submit it.

Faculty Presence on Campus During Final Examination Periods

A faculty member is responsible for ensuring that he or she is available during the final exam period for related questions and to resolve problems, and that final course grades are turned in on time. Unless a faculty member has received approval for travel under regular University policy, he or she must be available on campus during final examinations in his or her courses, or available in the Austin area and easily reachable by telephone or e-mail. The faculty member must remain in the Austin area until his or her grades are finalized. If a faculty member must travel during this time, he or she must include on the request for travel authorization how final examination matters will be handled and how he or she can be reached in case of an emergency.

Postponement

Law school policy prohibits the administration of an exam prior to the scheduled exam date; however, under certain circumstances, a postponed exam may be allowed for an individual student or students. Exams are graded anonymously. If any student approaches you with questions regarding an exam postponement, in order to maintain anonymity, direct the student to the Student Affairs Office. Only the Assistant Dean for Student Affairs may approve a postponement, and only if certain criteria are met.

D. GRADING

The Law School faculty has adopted a mandatory grading policy for all graded classes other than seminars. A copy of the policy is available through the Faculty Resources page of the Law School website, and is excerpted below. Here is a direct link to Grading Policies: <https://law.utexas.edu/student-affairs/academic-services/grading-policies/>.

Please acquaint yourself with this policy before the semester starts.

This will help you avoid making representations to your class about your grading practices that may be inconsistent with the Law School grading policy. In addition, if you assign grades during the semester to written work, projects, exercises, etc., you will be able to do so in a manner that facilitates rather than impedes adherence to the mandatory grading policy. Instructors of record are expected to grade student coursework and exams without the use of a proxy.

Grade Policy

The following letter grades are assigned in the School of Law: *A+*, *A*, *A-*; *B+*, *B*, *B-*; *C+*, *C*; *D*; and *F*. In calculating the grade point average for law courses, an *A+* counts as 4.30 points a semester hour; an *A* as 4; an *A-* as 3.70; a *B+* as 3.30; a *B* as 3; a *B-* as 2.70; a *C+* as 2.30; a *C* as 2; a *D* as 1.70; and an *F* as 1.30. An explanation of the grading policy appears on the student's transcript.

All curricular offerings other than clinics are graded on the Law School's letter grade system. Prior approval of the Dean is required before a course or seminar may be graded on a pass/fail basis. This is granted only in very special circumstances, and must be done well in advance of the semester.

A non-law graduate student who enrolls in a law school course offered for a letter grade may register on a credit/no credit basis if permitted to do so by his or her graduate adviser.

1. Classes Other Than Seminars

To standardize grading practices across courses and eliminate the incentive for students to choose classes based on the grading practices of the professor, the faculty adopted a grading system for classes other than seminars. This policy requires the professor to produce a set of final grades that generates a class mean (average) grade of 3.3 (plus or minus .05).

(a) *Mandatory Mean.* The mean (average) grade for your course must fall between 3.25 and 3.35 inclusive. There is no rounding up or down; 3.2495 is too low and 3.351 is too high. The online grade submission will not accept grades that are outside this range, and the Student Affairs Office is not permitted to record grades for a class in which the mean falls outside this

range unless the Associate Dean for Academic Affairs grants an exception. Note that non-JD students, such as LLM students and non-law graduate students, are not subject to the mandatory grading policy. Therefore, their grades are not included in the mandatory mean calculation. However, you may, at your election, decide to include LLM students in the curve in your course. Most faculty members exclude LLM students from the curve, but the decision is completely at your discretion.

(b) *High Incoming GPAs.* If the average incoming GPA of the JD students who enroll in an upper-division class is above 3.5, the maximum permitted mean grade for the class rises accordingly (i.e., to the level of the average incoming GPA of the JD students).

(c) *Exceptions.* Under limited circumstances, a professor may request an exception from the required mean. To do so, before submitting grades to the Student Affairs Office, the professor must submit adequate justification to the Associate Dean for Academic Affairs. The grounds for such an exception are: (1) that the class has twenty or fewer students AND the required mean is not appropriate because of either (a) the method of evaluation or (b) the distribution of raw data; or (2) other truly exceptional reasons. Please note that the exception is not automatic. You must submit a request for an exception to Associate Dean for Academic Affairs. If your exception is based on the method of evaluation, you should request the exception early in the semester.

(d) *Maximum number of A+ grades.* There is an independent cap on the number of A+ grades that may be awarded. A maximum of 6% A+ grades (rounded up to the next whole number) may be awarded in classes other than seminars. No exception from this policy is allowed.

(e) *Submission of grades.* All grades, both preliminary and final, must be submitted electronically (see Procedures below).

2. Seminars

Students in writing seminars are graded largely, if not entirely, on the basis of their research papers. If you should desire to adopt the very unusual practice of having an examination in a writing seminar as an additional basis for evaluation of student performance, the syllabus should make this clear and should explain the extent to which performance on the examinations will contribute to the final grade.

(a) *No mandatory mean requirement.* Seminars are exempt from the mean grade requirement. However, even in seminars, there should be a distribution of grades from A+ to B or below.

(b) *Maximum number of A+ grades.* There is an independent cap on the number of A+ grades that may be awarded. A maximum of 15% A+ grades (rounded up to the next whole number) may be awarded in seminars. No exception from this policy is allowed.

Blind Grading of Final Exams

In courses with final exams, the exams are to be graded anonymously (“blindly”). Each student has a randomly-assigned examination number. The faculty member will not be given the students’ names until after exam grades are submitted electronically to the Student Affairs Office. You may take classroom participation or other work into account (assuming that you have notified the students to that effect in writing during the first four class days as required by University rules), but you may do so only after submitting exam grades electronically to the Student Affairs Office. If you are evaluating your students on written work in addition to the exam, you may want to consider arranging for blind grading of these as well, although it is not required. The professor(s) of each course must grade student exams, no proxy is allowed to do so.

Seminar and other courses that are graded without reference to a final examination are exempted from blind grading.

Timely Submission of Grades

Final grades must be turned in to the Student Affairs Office no later than the deadlines published on pages 3-4 of this handbook. All grades must be submitted electronically (see Electronic Submission of Grades below).

Late grades are frustrating to the students and put many of them at a disadvantage in their search for a job. We cannot emphasize enough how much ill will this causes among our students. The faculty has recognized the corrosive effect of late grading by imposing upon itself a system for imposing financial penalties for late grades. We cannot impose such sanctions upon adjuncts, but failure to adhere to the grading deadline will be a factor in rehiring decisions for adjunct positions.

Electronic Submission of Grades

You must submit your exam scores (preliminary grades) and final class grades to the Student Affairs office electronically at this link: . The electronic grade submission link can be found on the Faculty Resources page of the UT Law website.

Final exam scores are entered by using a student’s exam number. After the exam scores (preliminary grades) have been posted, you will have the ability to see the students’ names and calculate a student’s final class grade based upon factors other than the exam.

If you have any questions, contact the Director of Student Services in the Student Affairs Office, Jeana Driggers (512-232-1140, jdriggers@law.utexas.edu).

Changing Grades

The following rule for grade changes was approved at the faculty meeting on May 31, 1982:

After a final grade had been submitted to, and recorded by, the [Student Affairs Office], it shall not be changed except for good cause submitted in writing to the Associate Dean for Academic Affairs and approved by the Dean of the Law School. Good cause is best exemplified by arithmetical error, but may include other reasons. It is not good cause to change a grade for humanitarian or other reasons merely to affect a student's grade point average, for example, to achieve honors status, to be eligible for graduation, to be removed from scholastic probation, or to be redeemed from dismissal for academic failure.

It was understood at the faculty meeting that a final grade, while not defined, includes all grades submitted by a faculty member to the Student Affairs Office, except a temporary "pass" submitted for some students in a course prior to the time that the entire set of exams for the course has been graded.

Once a final grade is recorded, it may be changed only if a clerical mistake (mistranscription, error in addition, etc.) was made. The grade cannot be changed unless you and the Associate Dean for Academic Affairs both certify that the change is warranted because of a clerical error. No one ever grades every exam perfectly, so changing your mind after you have had time to review the exam (and hear a convincing argument from a student) is not a reason to change a grade. We have discovered that allowing students to importune professors to add a couple of points to their exam score and raise their grade from, for example, a B to a B+, results in a less accurate grading system. The benefits of blind grading are lost, the student's exam is regraded when the other exams to which it was originally compared are no longer fresh in the grader's mind, and more aggressive and persistent students receive higher grades because they are willing to badger professors. Please heed this advice. If nothing else, it will give you an ironclad excuse when a student comes to you and asks you to regrade his or her exam.

Student Access to Graded Classwork

A student has the right to have all written materials that are submitted to meet the requirements of a course returned or made available for review. To be "made available" does not ensure the right to a photocopy, but the materials may be examined in the office of the faculty member or the academic department. Written materials that are not returned to the student must be retained by the faculty member or the department for at least one long-session semester following the completion of the course. Many law

faculty members give graded exams to their faculty assistant for distribution and safe-keeping.

After grades are rendered, students often (and understandably) want to meet with the professor to learn about the basis for the grade. These are not always pleasant conversations, to say the least. It should go without saying, however, that we have an obligation as teachers to make reasonable efforts to convey information as to why the grade turned out the way it did. That is especially important, in situations in which the final grade turns in part on non-anonymous measures such as a student's performance in an oral presentation. Of course, you need not go to unreasonable levels of detail about your grading decisions, and there is certainly no obligation to relitigate the merits of your decisions.

E. THE HONOR CODE & PLAGIARISM

Honor System

All students are bound by the following University Honor Code; law school students are also bound by the School of Law Honor Code described below.

1. University Honor Code

The core values of the University of Texas at Austin are learning, discovery, freedom, leadership, individual opportunity, and responsibility. Each member of the University is expected to uphold these values through integrity, honesty, trust, fairness, and respect toward peers and community.

2. School of Law Honor Code

The study of law is an integral part of the legal profession. Students engaged in legal studies should learn the proper ethical standards as part of their education. All members of the legal profession recognize the need to maintain a high level of professional competence and integrity. A student at the University of Texas at Austin School of Law is expected to adhere to the highest standard of personal integrity. Each student is expected to compete honestly and fairly with his or her peers. All law students are harmed by unethical behavior by any student. A student who deals dishonestly with fellow law students may be dishonest in the future and harm both future clients and the legal profession. Under the honor system, the students must not tolerate unethical behavior by their fellow students. A student who knows of unethical behavior of another student is under an obligation to take the steps necessary to expose this behavior. Students in the University of Texas at Austin School of Law are governed by the Institutional Rules on Student Services and Activities. Students may be subject to discipline for cheating, plagiarism, and misrepresentations.

Plagiarism

The definition and discussion of plagiarism below is from the Student Judicial Services Academic Integrity website: http://deanofstudents.utexas.edu/sjs/acint_student.php.

Additional information is available there. Information about detecting plagiarism can be found at: <http://www.lib.utexas.edu/services/instruction/learningmodules/plagiarism/>.

Plagiarism is an extremely serious violation of academic integrity. [The Institutional Rules on Student Services and Activities](#) at The University of Texas at Austin defines plagiarism as follows: “‘Plagiarism’ includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any other means another's work and the submission of it as one's own academic work offered for credit” (Section 11-802(d)). Plagiarism can occur in a myriad of forms and media. Although most commonly associated with writing, all types of scholarly work, including computer code, music, scientific data and analysis, and

electronic publications can be plagiarized. The aim of this section is to help students and faculty deal with the complex and important issue of plagiarism on campus.

A Question of Intent?

Plagiarism, strictly speaking, is not a question of intent. Any use of the content or style of another's intellectual product without proper attribution constitutes plagiarism. However, students plagiarize for a variety of reasons, and awareness of these reasons is essential for understanding the problem of plagiarism.

Some students choose to plagiarize. Whether claiming to be overworked, compensating for their own perceived academic or language deficiencies, or simply hoping to gain an academic advantage, those who choose to claim credit for another's work are guilty of plagiarism. Those who intentionally plagiarize "borrow" either from published sources, such as books, journal articles, or electronic information, or from unpublished sources, such as a friend's paper or a commercial writing service. Whatever the source, such conduct is a direct and serious violation of accepted standards of academic integrity.

Others, however, stumble into plagiarism. Negligent plagiarism can result from ineffective proofreading, sloppy note taking, or, most commonly, simple ignorance about the nature of plagiarism itself. Such inadvertent plagiarism, while not an excuse for what is still a serious breach of academic standards, is a more complex area of academic conduct than straightforward copying. Addressing the issue of negligent plagiarism requires a careful examination of both the definition of plagiarism and the appropriate techniques for scholarly attribution.

What is Plagiarism?

Nearly everyone understands that copying passages verbatim from another writer's work and representing them as one's own work constitutes plagiarism. Yet plagiarism involves much more. At The University of Texas at Austin plagiarism is defined to include any use of another's work and submitting that work as one's own. This means not only copying passages of writing or direct quotations but also paraphrasing or using structure or ideas without citation. Learning how to paraphrase and when and how to cite can be difficult, yet it is an essential step in maintaining academic integrity.

Paraphrasing

Like a direct quotation, a paraphrase is the use of another's ideas to enhance one's own work. For this reason, a paraphrase, just like a quotation, must be cited. In a paraphrase, however, the author rewrites in his or her own words the ideas taken from the source. Therefore, a paraphrase is not set within quotation marks. So, while the ideas may be borrowed, the borrower's writing must be entirely original; merely changing a few words or rearranging words or sentences is not

paraphrasing. Even if properly cited, a paraphrase that is too similar to the writing of the original is plagiarized.

Good writers often signal paraphrases through clauses such as, "Werner Sollors, in *Beyond Ethnicity*, argues that..." Such constructions avoid excessive reliance on quotations, which can clog writing, and demonstrate that the writer has thoroughly digested the source author's argument. A full citation, of course, is still required. When done properly, a paraphrase is usually much more concise than the original and always has a different sentence structure and word choice. Yet no matter how different from the original, a paraphrase must always be cited, because its content is not original to the author of the paraphrase.

Responding to Violations of the Honor Code

If you suspect plagiarism or another violation of the Honor Code has occurred in your course, immediately contact Elizabeth Bangs, the Assistant Dean for Student Affairs (512-232-1317, ebangs@law.utexas.edu), who can advise you about how to proceed. If a faculty member determines a violation has occurred she may impose one of the following sanctions:

- 1. Retake** of exam or **re-submission** of the assignment in question.
- 2. No credit** or **reduced credit** for the paper, assignment, or test in question.
- 3. Failing grade** or **reduced final grade** for the course.

All disciplinary sanctions must follow University procedures and be reported on official forms.

APPENDIX

A. Seminar Rules

The writing seminar serves several important purposes. First, it develops students' research skills. Second, it provides each student with an intensive writing experience in preparing one or more papers of an analytical nature. Third, the writing seminar provides students with a valuable opportunity for small group discussion and close faculty contact regarding matters of legal significance.

1. Requirements

For an offering to qualify as a writing seminar, the student is to prepare one to three original papers, based on directed and supervised research, addressing one or more law-related issues. The paper or papers are to be primarily of an analytical rather than descriptive nature. Ordinarily, thirty to fifty double-spaced typewritten pages, including footnotes, in the aggregate, will satisfy the length requirement. The instructor will closely review the paper(s) and provide written and oral suggestions for improvements in style and substance. The student will then prepare a revised version of the paper(s) in light of the instructor's and, if appropriate, fellow students' comments. The paper requirement is not satisfied by pleadings, motions, by-laws, documents, agreements, and other drafting exercises.

2. Size

Writing seminars are limited to twelve students, unless the instructor agrees to admit additional students up to a maximum seminar size of sixteen students.

3. Meetings

Writing seminars will ordinarily meet regularly as a group with the instructor present for the designated number (typically 28) of hours. Writing seminars may meet less often than 28 hours but in no case for fewer than twenty hours total, in order to provide additional time for meetings by the instructor with individual students and for student research and writing.

4. Grading

Aside from the rule that the "A+" grade may not be awarded to more than 15 percent of the students in a writing seminar (which translates into one student for seminars of twelve or fewer student), there is no mandatory grading curve for writing seminars. Nevertheless, the full range of grades (down through F) is available. Differences in the ambition and quality of work are to be recognized by differences in grading; poor papers should be given low grades.

5. Notice and procedure

(a) The instructor shall provide a Course Description or otherwise provide in writing the basic information about the writing seminar, such as subject matter, prerequisites (if any), and criteria for deciding which students have priority. Instructors offering writing seminars are to be available to answer questions about the course.

(b) At the first meeting, the instructor should set forth in writing the rules by which the writing seminar will be conducted, such as the minimum length and format of papers, permissible subject matter, grading criteria (including what, if anything, other than the paper(s) will be considered), due dates of drafts and final submissions, and the consequences of late submissions (such as failing grade, reduced grade.)

(c) The rules applicable to writing seminars are to be included in student registration and early registration packets, and are to be issued to the instructors prior to the first meeting.

(d) Writing seminars shall be regularly and systematically evaluated to ensure compliance with these rules.

B. DIRECTED RESEARCH & STUDY

These rules are intended to combine and supersede the prior rules for the separate categories of courses known as Directed Research and Directed Study. A Directed Research and Study project is one that involves either: (1) faculty directed independent scholarly research culminating in a final paper or project; or (2) faculty directed independent study involving knowledge skills or experience related to law, regular student-faculty interaction, and faculty feedback and evaluation.

- 1.** Directed Research and Study (DRS) offerings must be approved in advance of registration for the course. For DRS offerings of 3 credits or less per semester, the approval must be sought from the Associate Dean for Academic Affairs. For DRS offerings of 4-6 credits per semester, approval must be sought from the Standards Oversight Subcommittee pursuant to Rule 8, below. The Standards Oversight Subcommittee shall be composed of three members of the standards committee.
- 2.** For the summer session, students must register for DRS by the fourth class day of the first term. DRS is available only as a full-semester course. Late registration for DRS is not available.
- 3.** DRS may be offered only by a law school faculty member (including modified service faculty, lecturers, library staff who regularly teach courses for credit, and visiting faculty), or an interdisciplinary faculty member. Except in extraordinary circumstances DRS offerings may not be supervised by adjunct faculty members.
- 4.** The predominant purpose of all DRS offerings must be to provide a substantial pedagogic benefit to the student. All DRS offerings must entail close and sustained faculty supervision. If the DRS offering is intended to culminate in a final product (either written or otherwise), that product must reflect serious independent research and analysis on the part of the student. An appendix to these rules includes a nonexclusive list of the types of projects that are appropriate for DRS credit and the types that are not.
- 5.** Teaching Assistants may be awarded 1-3 DRS credits per semester for their work as TAs, so long as the TA position entails close and sustained scholarly and pedagogic interaction with the supervising faculty member. TAs are to be used as supplemental instructors for the enhancement of the learning experience for the students enrolled in the class, not as substitute instructors during regularly scheduled class meetings. The number of credits a student may receive for being a TA in a given course may not exceed the credit hours earned by a student taking the course, and a student may not receive credit for being a TA in the same course more than once. A faculty member must obtain the approval of the Standards Oversight Subcommittee before a student may register for DRS credit

as a TA in his or her course. DRS credits for serving as a TA must be awarded on a Pass/Fail basis.

6. Students may register for no more than 6 DRS credit hours per semester.

7. Unless granted an exception by the Standards Oversight Subcommittee, a student may take no more than 6 DRS credit hours with any particular faculty member. Exceptions should be granted only where the student has proposed an unusually ambitious project of substantial pedagogic value that cannot fruitfully be undertaken without an exemption from this rule.

8. To obtain permission to register for a DRS offering of 4-6 credits in one semester, the student and her faculty advisor must prepare a detailed proposal explaining the purpose of the project, the proposed course of study, the extent and type of faculty supervision that will be provided to the student, and the type of final product that will result from the DRS. This DRS Proposal must be submitted to the Standards Oversight Subcommittee, which will then schedule a meeting at which the student and the faculty supervisor must appear to discuss the project with the Subcommittee. The proposal must be approved by the Standards Oversight Subcommittee before the student may register for the DRS offering.

9. To obtain permission to register for more than 6 DRS credits with a particular faculty advisor, the student and her faculty advisor must prepare a detailed proposal explaining the purpose of the project, the proposed course of study, the extent and type of faculty supervision that will be provided to the student, the type of final product that will result from the DRS, and the exceptional circumstances that justify an exception to the 6 credit maximum with a particular professor. This DRS Proposal must be submitted to the Standards Oversight Subcommittee, which will then schedule a meeting at which the student and the faculty supervisor must appear to discuss the project with the Subcommittee. The proposal must be approved by the Standards Oversight Subcommittee before the student may register for the DRS offering.

10. DRS offerings of 1-3 credits may be assessed on a pass/fail standard or awarded a letter grade, at the discretion of the supervising faculty member. Election of the grading standard is to occur when the permission form is submitted. Any DRS project that is awarded a letter grade must culminate in the production of a final product upon which that grade is to be based. A 2-credit DRS should result in a paper equal to that of a seminar (30-40 double-space pages), and 3 credits may be awarded for work substantially beyond that.

11. All DRS offerings of more than 3 credits must be awarded a letter grade on the basis of a final product. The final product must be submitted to the

Standards Oversight Subcommittee before a grade can be submitted for the course by the supervising faculty member.

12. A maximum of 12 DRS credits may be counted toward the fulfillment of law school graduation requirements.

13. The number of credit hours to be awarded DRS projects is a function of time spent by the student. Each credit hour represents at least 60 hours of work by the student. Ordinarily, a Directed Research project should receive two hours credit. Three credits may be awarded for work substantially beyond that normally required for a seminar paper.

14. At the end of each semester, the Standards Oversight Subcommittee must circulate to the tenured and tenure-track faculty a list of all the DRS projects approved under paragraphs 5, 7, 8, and 9 above.

15. The research or project must be completed during the semester/term of registration and no extensions are allowed. If a grade has not been received at the end of a semester/term by the upper-class grading deadline, a grade of Q (drop) shall automatically be entered on the permanent record.

C. MEMORANDUM CONCERNING EXAM PREPARATION

MEMORANDUM

DATE: April 22, 2015
TO: Faculty Assistants
FROM: Rashida Douglas
Assistant Director for Academic Services, Student Affairs Office
RE: Examinations, Spring 2015

The information below and the attached samples are designed to assist you in preparation for the upcoming final examination period.

The Student Affairs Office (SAO) administers all in-room exams. For all in-room exams, faculty **MUST** submit the original exam to the SAO a minimum of three (3) business days before exam date [no less than 72, working M-F, hours before exam time (e.g., if exam starts at 8:30 a.m. on Thursday, original must be received prior to 8:30 a.m. on Monday)]. The SAO will order copies of in-room exams from UT Duplicating, if the original exam *is received* by the appropriate deadline (no less than 72, working M-F, hours before exam time). If the SAO *does not receive* the original exam by the appropriate deadline, it will be **your responsibility** to have the in-room exams duplicated and delivered to the SAO at least one (1) business day prior to the examination.

In the event that your professor misses the 72-hour deadline and you become responsible for duplication, we will require the original in-room exam in the SAO immediately upon receipt and prior to duplication. The SAO staff member in charge of the exam will review it for accuracy and verify that it contains all of the required information. If no corrections are required, the original will be returned to you for duplication. Otherwise, you will be asked to make the suggested revisions before duplication.

No later than one business day prior to an examination, the SAO requires: (1) the original in-room exam, (2) one copy of the exam for each student registered, and (3) extra copies. If the exam is an in-room exam (with essay and/or short-answer), 10 extra copies are required for courses with 20 or fewer registered students and 20 extra copies are required for courses with 21 or more registered students. If the in-room exam is 100% multiple-choice, or answer-only-on-the-exam type, only 10 extra copies are required.

As implemented in Spring 2007, faculty assistants will administer all aspects of take-home and floating exams, including the coordination of duplication. A separate document, describing the procedures relating to the administration of take-home and floating exams, is attached for your reference.

Memo to Faculty Assistants
Page 2

In preparing final exams, we ask that you exercise the utmost security:

1. *Type the exam using your professor's folder or directory on the server, then copy it onto a USB drive, CD, or other storage device. The storage device may then be given to LTS for safekeeping.*
2. *Do not leave your exam drafts on your desk, even if you will be gone for only a minute. Keep them locked in your desk drawer.*
3. *Never leave your workstation unattended during the time you are working on an exam draft. Please make sure you log off even if you will be gone for "only a few minutes".*
4. *When you deliver the exam to the SAO, be sure to hand it to the staff member administering the exam; do not just leave it on an individual's desk/counter. The staff member in charge of the exam will go over it with you. If required, you will be asked to make any necessary corrections.*
5. *To discard any drafts, please feel free to use the paper shredder in the SAO lobby.*

Be advised that all exams have at least two sections: the **instruction page(s)** (which includes the Honor Code) and the **question page(s)**. All take-home and floating exams are also required to have the appropriate **cover page** (see Attachment #1).

INSTRUCTION PAGE(S)

The instruction page(s) must include the following:

1. A line at the top, where the students can write their exam number.
2. Identifying exam information (e.g., semester/year, date of exam, course, professor).
3. Page 1 of _____
4. What type of exam? Essay, true/false, short-answer, multiple-choice, or a combination of these types.
5. Closed book? Open book? If open book exam, be specific as to which books/materials are allowed. PDAs (e.g., BlackBerry, HP iPAQ, Palm, etc.), e-book readers, smartphones, tablets, and other mobile electronic/digital devices may not be used during exams for any reason, and the only laptops that may be used are those that have Extegrity software loaded and operating, as approved by the Student Affairs Office. The Extegrity software locks the computer and prevents the user from using the Internet or any files on the computer.
6. How many parts? **Important:** If the exam has more than one part and each part is timed separately (*or*, if the professor indicates that one part must be returned and the other part may be kept by the student), please prepare the parts separately (begin numbering Part II with page 1). If the exam has more than one part, but the division of time is left to the students and the *entire* exam is to be either returned or kept by the student, the exam parts do not need to be separated.
7. Total time allocated to the entire exam? How much time for Part I? Part II?
8. Total number of pages? If multiple parts are separated, please indicate "total" pages for each part.
9. Are students allowed to keep the exam questions or must the exam questions be returned?
10. Any other instructions (e.g., word limits, start new page for each question, etc.)?
11. The **Honor Code** must be typed at the bottom of the instruction page.

QUESTION PAGE(S)

The question page(s) must include the following:

1. Identifying exam information (e.g., semester/year, date of exam, course, professor).
2. Page 2 of _____, Page 3 of _____, etc.
3. Begin typing exam questions.
4. Indicate the end of examination.

COVER PAGE FOR TAKE-HOME AND FLOATING EXAMS

All take-home and floating exams must have a cover page (*see Attachment #1*). The purpose of the cover page is to remind students to save their exam file in multiple locations in order to avoid losing their exam answers before printing.

Once again, I hope that this information proves beneficial as you prepare for the upcoming final exam period. The SAO knows that each of you will do everything in your power to adhere to the deadlines and policy set forth in this memo. If your professor expects to be out of the building during the day of an applicable in-room exam, we ask that you provide the SAO with a phone number at which s/he can be reached.

Please do not hesitate to contact me with any additional questions. Thank you for your cooperation.

EXAM NO. _____

THE UNIVERSITY OF TEXAS AT AUSTIN
SCHOOL OF LAW

SPRING 2015
{DATE OF EXAM}
PAGE 1 OF ____

FINAL EXAMINATION
IN
{COURSE}

{PROFESSOR}

Instructions:

This part must indicate the following:

1. What type of exam? Essay, true/false, short-answer, multiple-choice, or a combination of two, three, or all four.
2. Closed book? Open book? If open book exam, be specific as to which books/materials are allowed. PDAs (e.g., BlackBerry, HP iPAQ, Palm, etc.), e-book readers, smartphones, tablets, and other mobile electronic/digital devices may not be used during exams for any reason, and the only laptops that may be used are those that have Extegrity software loaded and operating, as approved by the Student Affairs Office. The Extegrity software locks the computer and prevents the user from using the Internet or any files on the computer.
3. How many parts? Important: If the exam has more than one part and each part is timed separately (*or*, if the professor indicates that one part must be returned and the other part may be kept by the student), please prepare the parts separately (begin numbering Part II with page 1). If the exam has more than one part, but the division of time is left to the students and the *entire* exam is to be either returned or kept by the student, the exam parts do not need to be separated.
4. Total time allocated to the entire exam? How much time for Part I? Part II?
5. Total number of pages? If multiple parts and parts are separated, please indicate "total" pages for each part.
6. Must the exam questions be returned or will students be allowed to keep the exam questions?
7. Any other instructions (e.g., word limits, start new page for each question, etc.)?

HONOR CODE: Chapter 1 of the Honor Code provides, in part: "All law students are harmed by unethical behavior by any student. A student who deals dishonestly with fellow law students may be dishonest in the future and harm both future clients and the legal profession. . . . A student who knows of unethical behavior of another student is under an obligation to take steps necessary to expose this behavior. . . ."

(questions start on the next page)

FINAL EXAMINATION IN
{COURSE}
{PROFESSOR}

SPRING 2015
{DATE OF EXAM}
PAGE 2 OF ____

(On this page, you may start typing the questions)

more, next page
(or)
END OF EXAMINATION

We have had multiple incidents where students have lost their exam answers due to storage failure. You must save your file often in multiple locations -- your hard drive as well as on a USB drive, CD, or other storage device.

We also recommend that you print your exam answers often (every 20 minutes). You will not be given additional time on the exam for file storage problems.

Take-Home & Floating Exam Information

Floating Exam: Picked up any day during exam period; returned by deadline.

Take-Home Exam: Picked up on the specified date/time; returned by deadline.

Take-home and floating exams will be administered by you. Please be guided by the following:

1. Please refer to memo dated April 22, 2013, to refresh your memory on how to **format** take-home and floating exams.
2. Take-home and floating exams **must be given within the exam period**. They may NOT be scheduled to begin before the first day of the exam period (Wednesday, May 1), nor may they extend past 4:30 p.m. on the last day of the exam period (Monday, May 13). *Please note that a faculty assistant will be available from 8 a.m. to 5 p.m. on Saturdays to receive and/or distribute floating exams to students.* Additionally, it is important to note that take-home exams are given on a specific day within the exam period; however, floating exams must be made available to students during the entire exam period. Instruct students receiving extra time on their exams (those identified by SAO) that all floating exams must be turned in no later than 4:30 p.m. on the penultimate day of the exam period. **Only postponed exams are scheduled on the final day of the exam period.**
3. For take-home and floating exams, **you will be responsible to coordinate duplicating**. You will need one copy for each student enrolled and six copies for Student Affairs. UT Duplicating must be called (471-1615) for individual exam pick-up and delivery. UT Duplicating will guarantee arrival of duplicated exams within 48 hours of pick-up, so it is recommended that you duplicate any original take-home or floating exam not received a minimum of three business days prior to the assigned exam time.
4. **Initially, the SAO will need six (6) copies of the examination** to place on file. If authorized by the professor, five copies of the exam will be forwarded to the library for students' reference (after all grades have been recorded). If not authorized by the professor to go on reserve in the library, the five copies will be shredded. One copy will remain on file in the SAO for one year, then shredded.
5. **The SAO will provide you with a copy of the class roster**. Any students who get extra exam time or who have postponed the exam will be marked on the roster. This information, along with exam numbers, is confidential and should NOT be shared with other students or faculty. Please use this roster to indicate the dates/times the exam was picked up and returned by the student. **This "out/in" exam log is required to be completed and must be brought back to the SAO** immediately after the take-home or floating exam has ended. Additionally, **please bring one copy of the exam for each postponed/"no show" student**. Postponed exams for take-home and floating exams will continue to be administered by the SAO.
6. **Please identify each student** who arrives to pick up an examination by requesting a photo id or comparing student to picture on photo roster.
7. If you experience **any problems during administration** of the exam, please contact the Assistant Dean for Student Affairs (TNH 2.117, ph. 232-1313).
8. Once exam is complete, **assemble exams (as preferred by faculty member) and give to the professor for grading**. Take-home and floating exams do not need to be brought to the SAO for processing.
9. If the exam consists of an objective part with scantron answer sheets, the SAO will continue to provide the scantrons; however, **you must coordinate with the Center for Teaching & Learning's Test Scanning Services** to perform the analysis and scoring.

D. GRADING POLICY

Mean Grade Requirement; Grounds for Exception

1. The expected mean grade in all courses other than seminars shall be 3.30.
2. The Law School shall not record grades for a class in which the mean is more than .05 above or below the expected mean grade (*i.e.*, between 3.25 and 3.35), unless the professor requests an exception and submits adequate justification.

In classes with twenty or fewer students (counting only JD's if non-JD students are graded separately), faculty can request an exception from the Associate Dean for Academic Affairs on the ground that (a) the method of evaluation for the class renders it inappropriate to conform to the mean requirement or (b) the class did not generate an appropriate grade distribution. In classes of more than 20, faculty can request an exception from the Associate Dean for some other truly exceptional reason. In addition, if the average incoming GPA of the JD students who enroll in an upper-division class is above 3.5, the maximum permitted mean grade for the class rises accordingly. Student Affairs will contact you after the 12th class day if this pertains to your class.

In short, the only classes that are automatically exempt from the mean requirement are seminars. All other deviations must have the approval of the Associate Dean before the grades can be recorded.

Distribution of Grades

1. Mandatory Distribution of Grades in First-Year Large Sections

- (a) 30 to 40% of grades must be A+, A, or A-; and,
- (b) At least 5% of grades must be C+, C, D, or F.

2. Recommended Distribution of Grades in Other Courses

- (a) About 35% of grades should be A+, A, or A-;
- (b) About 55% of grades should be B+, B, or B-; and,
- (c) About 10% of grades should be C+, C, D, or F.

3. Maximum Percentage of A+ Grades

A maximum of 6% A+ grades (rounded up to the next whole number) may be awarded in most classes. In seminars, no more than 15% of the grades may be A+.

Exemption for Seminars

The rules established in Parts 1 and 2 shall not apply to seminars. However, even in seminars, there should be a distribution of grades from A+ to B or below. A maximum of 15% A+ grades (rounded up to the next whole number) may be awarded in seminars.

Treatment of First-Year Students in Upper-Class Courses and Non-J.D. Candidates

1. Professors may calculate separate curves for first-year and upper-class students in courses that enroll both. Each curve considered separately shall be subject to these rules.
2. If a class includes students who are not J.D. candidates, and if those students are graded in a way that does not place them in direct competition with J.D. candidates, then in calculating the mean grade, the grades of those students shall be disregarded.

E. SEXUAL DISCRIMINATION & SEXUAL HARASSMENT POLICY

Policy Statement

It is the policy of The University of Texas at Austin to provide an educational and working environment for its students, faculty and staff that is free from sex discrimination and sexual harassment. In accordance with federal and state law, the University prohibits discrimination on the basis of sex, including sexual harassment. Sex discrimination and sexual harassment will not be tolerated, and individuals who engage in such conduct will be subject to disciplinary action. The University encourages students, faculty, staff and visitors to promptly report sex discrimination and sexual harassment.

Scope

This policy applies to visitors, applicants for admission to or employment with the University, and students and employees of the University who allege sex discrimination, including sexual harassment, by University employees, students, visitors, or contractors.

Definitions

1. Sexual Harassment

- (a) Submission to such conduct is made an explicit or implicit term or condition of employment or status as a student in a course, program or activity;
- (b) Submission to or rejection of such conduct is used as a basis for an employment or educational decision; or
- (c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or creates an intimidating, hostile environment.

Behaviors that may constitute sexual harassment include but are not limited to:

- Demanding sexual favors in exchange for an educational benefit such as a grade, or for an employment benefit such as a position, promotion or raise. withholding an educational or employment benefit because a request for sexual favors is rejected; or
- Unwelcome and persistent behavior such as:
- Requests for dates, sexual propositions, invitations and flirtations made in person or by means of letters, notes, phone calls or e-mail;
- Verbal expressions of a sexual nature including comments about a person's body, attire, appearance, or sexual activities;

- Sexually suggestive jokes, innuendoes, sounds or gestures, including leering;
- Anecdotes, questions or comments about one's own or others' sexual activities;
- Excessive or inappropriate touching in the form of hugs, pinching, shoulder rubs, pats, brushing up against another's body;
- Use of sexually suggestive objects, articles, tapes, pictures or other materials that are unrelated to work or the subject matter of a course.

2. Sexual Misconduct

Sexual misconduct is conduct of a sexual nature that is not so serious or pervasive that it rises to the level of sexual harassment, but that is unprofessional and inappropriate for worksites and instructional situations.

Behaviors that may constitute sexual harassment include but are not limited to:

- Failure to observe the appropriate boundaries of the supervisor/subordinate or faculty/student relationship;
- Repeatedly engaging in sexually oriented conversations, comments or horseplay, for example, telling jokes or anecdotes of sexual nature in the workplace or classroom, even if those present do not object to that conduct;
- Gratuitous use of sexually oriented materials not directly related to the subject matter of work, a meeting, a class or course, even if those present do not object to the use of the material.

3. Consensual Relationships

The University considers a consensual romantic and/or sexual relationship between a University employee with supervisory teaching, evaluation or advisory authority and an employee, student or student employee who is directly supervised, taught, evaluated or advised by such employees to be a prohibited conflict of interest. Such relationships must be reported pursuant to The University's policy. Please see:

<http://www.utexas.edu/policies/hoppm/04.A.02.html>.

4. Reporting and Referral Responsibilities

Administrators, academic advisors and supervisors are responsible for promptly reporting incidents of sexual harassment or sexual misconduct that come to their attention as follows:

- (a) Employee complaints of sexual misconduct or sexual harassment by a member of the faculty or staff or vendor or visitor to the campus should be

reported, and the complainant referred, to the Equal Employment Opportunity Office, 206 Flawn Academic Center, 471-1849.

(b) Student complaints of sexual harassment or sexual misconduct by a member of the faculty or staff or by a vendor or visitor to the campus should be reported, and the complainant referred, to the Sexual Harassment Officer for Students, Office of the Dean of Students Office, Room 4.14, Student Services Building, 471-9700.

(c) Student complaints of sexual harassment or sexual misconduct by another student should be reported, and the complainant referred, to Student Judicial Services, Office of the Dean of Students, Room 4.104, Student Services Building, 471-2841.

F. Emergency Procedures

When contacting police, provide Law School Address + BUILDING NAME:
727 East Dean Keeton St. at (Connally Center, Townes Hall, Law Library or Jones Hall)

UT Police: (512) 471-4441

The University of Texas School of Law EMERGENCY PROCEDURES

FIRE

Activate the nearest fire alarm pull station immediately if you see **fire** or **smoke**. When a fire alarm is activated, the Fire Department is automatically notified. Emergency Floor Managers at the Law School will respond to assist as needed.

- ⇒ Evacuate the building immediately. Following the guidelines for the Law School Emergency Evacuation Plan.
- ⇒ Call **911** or UTPD 471.4441.
- ⇒ **DO NOT USE** elevators.
- ⇒ **MOBILITY IMPAIRED & INJURED PERSONS:** Emergency Floor Manager will escort the individual to the nearest fire stair landing. Floor Manager will exit the building and immediately notify firefighters who will then ascend the stair landing and further assist the individual.
- ⇒ Do not enter building until "All Clear" is announced by emergency staff.

IMPORTANT NUMBERS:

- *Law School Dean's Office: 232.1120
- *Police: 911 or UTPD 471.4441
- *UT Emergency Information: 232.9999
- *Building /Facilities Emergency: 471.2020
- *24-Hour Nurse Advice Line: 475.6877 (for students only)
- *ID Center: 475.9400 (problems with your ID card)
- *Elevators: 232.2244
- *Auto Assistance (LAAP): 471.4441
- *UT Campus Emergency Updates: www.utexas.edu/emergency

LOCKDOWN

The directive "lockdown" is used to protect occupants in proximity of an immediate threat by limiting access to building and rooms.

Should you discover that there is a violent or potentially violent person in your building/room, **DO NOT CONFRONT THE PERSON UNLESS THERE IS NO OTHER OPTION TO SAVE YOUR LIFE.**

Follow the 5 "OUTS":

- ⇒ **Get Out** of facility/building if possible.
- ⇒ **Call Out** - Call **911** or UTPD **471-4441**.
- ⇒ **Keep Out** - Do not lock exterior doors. Close, lock, and barricade interior doors in your office/classroom.
- ⇒ **Hide Out** - Seek shelter in the nearest secured place, i.e. classroom or office. Turn off lights and any devices that may indicate that the room is occupied. **BE QUIET**, do not respond to anyone at the door. Sit or lie on the floor or crouch behind or under desk. Law enforcement will announce themselves and release anyone in that room when it is safe.
- ⇒ **Take Out** - Last resort. Use anything to distract or disable the suspect if the suspect were to enter your classroom or space.

SEVERE WEATHER

TORNADO

If a tornado is sighted near the university: Dial **911** or **471-4441** from a campus phone to report tornado sighting to the UTPD dispatcher. Seek shelter immediately.

If tornado is imminent near you:

If you are inside the building...

- ⇒ Seek the **safest area** in the Law School:
 - *JON - Level 1
 - *TNH - Level 2: Dean's hall corridor and George's C&R (stay away from window wall)
 - *CCJ - Level 1: Take the stairs down to CCJ level 1. Seek refuge in the main corridor & Goodwin Conference Room.
- ⇒ **Avoid the most dangerous** locations in the Law School:
 - * Classrooms with windows
 - * Jamail Pavilion
 - * The southeast and north areas of The Tarlton Law Library
 - * TNH Level 2 Atrium
- ⇒ Close all doors to rooms with exterior windows.
- ⇒ Go to an interior hallway.
- ⇒ Protect yourself by going into a "drop and tuck" position.

If there is no time to get inside...

- ⇒ Lie in a ditch or low-lying area or crouch near a strong building.
- ⇒ Be aware of potential for flooding.
- ⇒ Use jacket, cap, backpack or any similar items to protect face and eyes.
- ⇒ Protect yourself by going into a drop and

MEDICAL EMERGENCIES

- ⇒ Look for a **Medic Alert** bracelet or necklace.
- ⇒ Have someone call **911**. If you are alone, yell for help. If you are unable to summon help, call 911, then return and assist the person (but if the victim is an infant, do not leave child alone at any time and begin CPR process).
- ⇒ Locate or ask for the **Law School Emergency Floor Manager** to bring the **Automatic External Defibrillator (AED)** and begin AED procedure.
- ⇒ Give **911** operator as much info as possible: type of emergency, what help is needed, exact address.
- ⇒ **DO NOT** move the victim. Give first aid until emergency personnel arrive.

EVACUATION

Evacuate when prompted by continually sounding fire alarms or by an official announcement. Evacuate the building using the nearest exit (or alternate if nearest exit is blocked).

- ⇒ When an alarm sounds, evacuate. **NEVER** second-guess or assume the alarm to be false.
- ⇒ Leave the building in an orderly manner without rushing or crowding. Take personal belongings (keys, purses, wallets, jackets, etc.) only if time and safety permit without delay.
- ⇒ Close classroom or office doors as you leave. Emergency Floor Managers will hang "evacuated" sign on outside doorknob.
- ⇒ Follow directions given by Floor Managers.
- ⇒ Go to evacuation assembly point.
- ⇒ Assist persons with disabilities or special needs.

UNKNOWN PERSON:

- ⇒ Direct **ALL** unknown persons to the Law School's **Communications Center**.
- ⇒ **DO NOT** send any visitor to the legal clinics or the Pro Bono Program - they do not accept walk-ins.
- ⇒ To report suspicious activity, contact UTPD 471.4441, or 911.

DISGRUNTLED INDIVIDUAL:

- ⇒ Listen to the concerns and try to redirect the person to the appropriate office.
- ⇒ If the person has a legal problem, refer them to the Pro Bono program: 512.232.2900 probono@law.utexas.edu
- ⇒ If you feel threatened at any time, call UTPD 471.4441 or 911 and give as much information as possible
- ⇒ Notify Dean's Office 232.1120

SHELTER IN PLACE

Shelter-in-place is the use of any classroom, office or building for the purpose of providing temporary shelter.

- ⇒ Shelter in place procedures may be in effect for any of the following reasons: tornado, severe weather conditions, pipeline rupture, terrorist attack, release of biological or chemical agents.
- ⇒ Seek the safest area in the Law School.
- ⇒ Stay away from windows.
- ⇒ Use arms to protect head and neck in "drop and tuck" position.
- ⇒ Monitor emergency communications for instructions: www.utexas.edu/emergency