**TRIAL ADVOCACY I – LAW 8700 – FALL 2023**

 ***“If we are to be successful in presenting our case we must not only discover its story, we must become good story tellers as well. Every trial, every presentation, every plea for change, every argument for justice is a story.”*** ***- Gerry Spence***

Trial Advocacy I is the first in a series of classes as part of the Trial Advocacy Program at UMKC School of Law. The goal of Trial Advocacy I is to provide you with an introduction to the trial process.

For some of you, the thought of standing up in front of your classmates is exhilarating, for others of you, the thought is terrifying. The second biggest fear in the world next to dying is public speaking. Even the most seasoned trial attorneys still get that feeling of fear in the pit of their stomach just before they open their mouth to speak. This class will teach you all of the skills you need to prepare your case ahead of time so that in the moment before you open your mouth to speak, when that feeling of fear overcomes you, you can be confident that you are prepared to try your case, and WIN!

The structure of this class will take you from trial preparation (the most important part of winning your case) through opening statements, direct exam, cross exam and closing arguments. The class is set up to meet two times each week. All students enrolled in the class will meet on Thursday afternoons from 5:00 to 6:00 p.m. in what we refer to as “Large Group.” This class will be mainly lecture on the topic for the week. The students then break out into small sections, what we refer to as “Small Group” which meets for a 50-minute session determined by the student. During the small group sessions, you will take the information learned in Large Group along with the materials you have prepared outside of the classroom and put your skills to practice. ***You are expected to give an oral presentation EVERY CLASS PERIOD (unless the small group lesson plan indicates otherwise***). There will be no excuses accepted for not being prepared for each and every class period even if time constraints prevent you from giving your presentation in that particular class.

The class syllabus is set up with two different assignments for each week, or topic. First, is the reading assignment, captioned “Read.” This should be completed prior to the Thursday night Large Group class. The second assignment is captioned “Complete.” The lesson plans set forth what homework is to be turned in through Canvas and what skill will be performed during Small Group class. This is where your hands-on (or “on your feet”) skills will be put to the test. You should take the materials you read plus the information you learned from the Large Group lecture and complete the assignment that will be presented in your small group class.

This is a TRIAL PREPARATION course. Therefore, everything we do in this course is designed to PREPARE you for what you will experience in trial. All of the rules that you will be required to adhere to in this course are by specific design and have application in the courtroom. Thus a simple way to remember the rules of this course is, "if it is allowed in the courtroom, it is allowed in this class. If it is prohibited in the courtroom then it is prohibited in this class." The "BAR" is a physical object that is in every courtroom. In order to cross the "bar" you must have permission that is either granted to you by the Court or assumed by reason of your passage of the bar. Different rules necessarily apply to you once you cross the bar. For example, while you are in the audience you will be governed by the general rules of decorum. Once you cross the bar however you are held to a much higher standard. Dress codes apply once you cross the bar. Requirements that you stand when you address the Court or speak also apply.

In the Thursday lecture portion of the class you will be on the outside of the bar. Thus you may dress as you please. In the small group portion of the class you are expected to be dressed appropriately and stand when you address the Court or speak. ***When you attend your small group, your adjunct professor may choose to change these rules.*** I merely want you to get accustomed to the idea that when you speak inside the bar you must stand and be properly dressed (suit and tie for men, appropriate professional attire for women) among many other things.

My goal is to have a semester where every student attends and participates 100% of the time. Your instructors give 100% each time and we expect the same of you. Follow the rules of Court, and you will be following the rules of this class. Learn what is expected of you in Court and in class and then do it. Ask an upper-classmen, ask a lawyer in town, call the clerk of court, go to the Courthouse and observe or even ask a judge. This is an interactive class and will require you to learn both in and out of class with equal vigor. Now don't quit because you think based upon this it is too hard. Low hanging fruit is easy to pick. To get the peach at the top of this tree will take some strategy, planning and effort.

Each week you will have a written assignment for you small group session that you will turn in through Canvas. Your small group professor may also want you to email or turn in your assignments to him or her in addition to the Canvas site. Assignments are due BEFORE your small group session meets each week. **Assignments must be turned in through Canvas by 5:00 p.m. on the day of your small group to not be considered late.** There is no way you can be prepared for your small group if you have not already completed this assignment. This necessarily means that different students have different due dates, but this cannot be avoided in a participatory class. **If you do not turn in your assignment ON TIME, it means double the work for you. If your assignment was to complete a direct examination for that week, it means you have to complete TWO direct examinations in order to pass the class.** These double assignments will be **DUE BY THE LAST DAY OF CLASSES, November 30, 2023, at 5:00pm.** This is, again, to prepare you for practice. If you are going to miss a deadline set by the court, you will have to write another motion to ask the court permission for more time, which you may or may not be granted. Do not create more work for yourself; just turn every assignment in by the due date. This is a pass/fail course. Completing all assignments and the final trial is required in order to pass the course.

I realize this seems like a lot of work, but welcome to the practice of law – it IS a lot of work! For those of you who eventually become trial attorneys, the work you do in this class will seem like a walk in the park compared to the hours you put in preparing your case to be tried in front of an actual jury. There are lots of people here to help you along your journey and I encourage all of you to take advantage of these people whenever you have any questions or concerns! Good luck in class this semester. I look forward to exploring the tenets of trial advocacy with you this year! This is a course in Advocacy through ACTION!

**PROFESSOR L. MICHAELLE TOBIN**

Office: L-026

Phone: (816) 235-2441

Email: tobinl@umkc.edu

# OFFICE HOURS:

Anytime. I will be available by email every day, so please feel free to email me. If you have any difficulty or you want to arrange a definite time to meet, please do not hesitate to send me an e-mail message and let me know. I am also available for individual in person or Zoom meetings at your request.

# FIRST CLASS:

There are no small groups the first week. As such, the first class for Trial Advocacy I is on Thursday, August 24, 2023.

# CANVAS:

The Syllabus and Lesson Plans are posted on Canvas. Important announcements and additional information will be added during the semester.

**FINAL EXAM:**

Your final exam will be a mock trial held the week of November 13 to November 17, 2023. You and your partner(s) will be trying the **criminal case of State v. Peyton**. Your small group professor will arrange your final trial date. Each trial will be 2-3 hours long. **YOU ARE RESPONSIBLE FOR RECRUITING YOUR OWN WITNESSES.**

**BOOKS:**

Title: Mastering Trial Advocacy

Edition: Second

Author: Charles H. Rose III & Laura A. Rose

ISBN: 9781684671212

Status: ***Required***

Title: State v. Peyton

Edition: Third

Author: Elizabeth I. Boals

ISBN: 9781601569523 (print) (DO NOT PURCHASE EBOOK AS YOU

CANNOT PRINT THE EBOOK)

Status: ***Required***

Title: Federal Rules of Evidence with Objections

Author: Anthony J. Bocchino and David A. Sonenshein

Edition: Fifteenth

ISBN: 9781601569226 (print)

Status: ***Recommended***

Website: <https://www.aspenpublishing.com/NITA-Bocchino-FRE2020>

ATTENDANCE:

Attendance will be taken at every class using the attendance app. This course meets two times a week, so the law school’s attendance police provides: up to 4 absences without penalty; 5th and 6th absences each result in one-step grade reductions; and 7th absence results in withdrawal from the course.

The [Law School’s attendance policy](https://catalog.umkc.edu/colleges-schools/law/academic-rules-regulations-for-juris-doctor-degree-program/attendance/) (link) is at <https://catalog.umkc.edu/colleges-schools/law/academic-rules-regulations-for-juris-doctor-degree-program/attendance/>. The policy does not distinguish between excused and unexcused absences. Absences in excess of those permitted will result in grade penalties up to and including administrative withdrawal from the class.

The Law School’s attendance policy seeks to promote the development of good professional habits and to ensure that students succeed in their classes, on the bar exam and as attorneys. For this reason, that policy requires regular and prompt attendance and engagement.

Students should continue to strive to have as few absences from classes as possible. However, if students do not feel well, have had a fever in the past 24 hours, or are ill for any reason, they should not come to the Law School, including to attend classes.

The University rules are: Students are expected to attend and participate in classes as indicated by the course modality (Classroom based, Online, etc. available on Pathway).  For more information on course modalities, please visit:  <https://www.umkc.edu/registrar/policies-procedures/classroom-scheduling.html>.

The Law School’s attendance policies go well beyond these purposes and are intended to encourage students to miss as few classes as possible. The American Bar Association requires that law school insure “regular and punctual attendance.” The School of Law attendance policy limits the number of absences students may have from any course, but makes allowances for necessary absences for illness and emergencies. Students are encouraged to plan accordingly and use the allowed absences wisely. Attendance is important. So is keeping yourself and your colleagues healthy.

### RECORDING IN THE CLASSROOM:

Please note that the use of any recording devices will not be permitted during this class. If you have concerns, please contact me.

* Students are not allowed to record classes in whole or in part unless they have a university accommodation.
* Students may not distribute any recordings, in whole or in part, provided to them.
* Students may not use any recording distributed by faculty for anything other than educational purposes.

**TRIAL ADVOCACY I - FALL 2023 CLASS SYLLABUS**

**Class Schedule SUBJECT MATTER AND ASSIGNMENTS**

**WEEK #1 INTRO TO TRIAL ADVOCACY AND STORYTELLING**

 8/24/23 to 8/30/23

Prior to Large Group: Read: Chapter 1 in *Mastering Trial Advocacy* (hereafter *MTA*) –

 How Trials Work AND Storytelling Materials posted

on Canvas

Prior to Small Group: Complete: Lesson Plan #1 – See Lesson Plan

**WEEK #2 CASE ANAYLSIS AND PREPARATION**

 8/31/23 to 9/6/23

Prior to Large Group: Read: Chapter 2 in *MTA* – Case Analysis and Preparation AND

your assigned case

Prior to Small Group: Complete: Lesson Plan #2 – See Lesson Plan

**WEEK #3 FINDING THE STORY OF YOUR CASE & OPENING STATEMENTS**

 9/7/23 to 9/13/23

Prior to Large Group: Read: Storytelling Materials posted on Canvas and

 Chapter 4 in MTA – Opening Statements

Watch: Class Presentation on Finding the Story of Your Case

posted in Canvas in Storytelling Materials

Prior to Small Group: Complete: Lesson Plan #3 – See Lesson Plan

**WEEK #4 DIRECT EXAMINATIONS**

 9/14/23 to 9/20/23

Prior to Large Group: Read: Chapter 5 and Pages 363-379 of Chapter 9 in *MTA* – Direct Examinations and Advanced Direct

Prior to Small Group: Complete: Lesson Plan #5 – See Lesson Plan

**WEEK #5 EXHIBITS**

 9/21/23 to 9/27/23

Prior to Large Group: Read: Chapter 6 in *MTA*– Exhibits

Prior to Small Group: Complete: Lesson Plan #6 – See Lesson Plan

**WEEK #6 CROSS EXAMINATION**

 9/28/23 to 10/4/23

Prior to Large Group: Read: Chapter 7 and Pages 380-400 of Chapter 9 in *MTA* – Cross Examination and Advanced Cross

Prior to Small Group: Complete: Lesson Plan #7 – See Lesson Plan

**WEEK #7 IMPEACHMENT**

 10/5/23 to 10/11/23

Prior to Large Group: Read: Chapter 8 in *MTA* – Impeachment

Prior to Small Group: Complete: Lesson Plan #8 – See Lesson Plan

**WEEK #8 CLOSING ARGUMENTS**

 10/12/23 to 10/18/23

Prior to Large Group: Read: Chapter 11 in *MTA* – Closing Argument

Prior to Small Group: Complete: Lesson Plan #4 – See Lesson Plan

**WEEK #9 EXPERT WITNESSES**

 10/19/23 to 10/25/23

Prior to Large Group: Read: Chapter 10 in *MTA* – Expert Witnesses

Prior to Small Group: Complete: Lesson Plan #9 – See Lesson Plan

**WEEK #10 MOTIONS AND OBJECTIONS**

 10/26/23 to 11/1/23

Prior to Large Group: Read: Chapter 12 in *MTA* – Motions and Objections

Prior to Small Group: Complete: Lesson Plan #10 – See Lesson Plan

**WEEK #11 JURY SELECTION**

 11/2/23 to 11/8/23

Prior to Large Group: Read: Chapter 3 in *MTA* – Jury Selection

Prior to Small Group: Complete: Lesson Plan #11 – See Lesson Plan

**WEEK #12 POST TRIAL MATTERS**

 11/9/23

Prior to Large Group: Read: Chapter 13 in *MTA* – Post Trial Matters

Prior to Small Group: Lesson Plan #12 - No small group assignment because small groups will be your final trials.

**FINAL TRIALS AS SCHEDULED BY ADJUNCT PROFESSORS**

11/13/23 to 11/17/23

**GOOD LUCK ON YOUR TRIAL!**

# UMKC RESOURCES & POLICY STATEMENTS

Except as otherwise specified herein, this course will comply with the academic policies of the School of Law, including the Attendance Policy, Examinations and Grades Policy, Appeal of Grades Policy, Withdrawal from Courses Policy, Plagiarism Policy and Guidelines, and Honor Code, all of which are available at [Academic Rules and Regulations for Juris Doctor Degree](http://catalog.umkc.edu/colleges-schools/law/academic-rules-regulations-for-juris-doctor-degree-program/) [Program](http://catalog.umkc.edu/colleges-schools/law/academic-rules-regulations-for-juris-doctor-degree-program/) (link). In addition, please note that additional resources and policy statements from the university apply to this course:

## Course Expectations, Course Policies, Requirements and Standards for Student Coursework and Student Behavior

**Course Expectations**

Academic misconduct is not acceptable behavior and will not be tolerated. Academic misconduct includes, but is not limited to cheating, fabrication and falsification, plagiarism, or facilitating academic misconduct. If a student engages in academic misconduct it will result in a failing grade for the assignment in question and possible dismissal from UMKC. See the [Student Conduct Policy](https://catalog.umkc.edu/special-notices/academic-honesty/) for full details. The Law School Honor Code can be found [here](https://catalog.umkc.edu/special-notices/academic-honesty/law-honor-codes/): [https://catalog.umkc.edu/special-](https://catalog.umkc.edu/special-notices/academic-honesty/law-honor-codes/) [notices/academic-honesty/law-honor-codes/](https://catalog.umkc.edu/special-notices/academic-honesty/law-honor-codes/)

## Policy on Late Assignments

Late work is not accepted unless documented extenuating circumstances prevent the submission by the posted deadline.

## Recommended Technology

You will need access to the computing resources necessary to complete this course through personal and/or University channels (e.g., computer labs). Our course will take place within the Canvas LMS and utilizing various software technologies that facilitate interaction and communication. Below is a list of some helpful computer requirements for full participation in this class:

* [The latest version of Java](https://www.java.com/en/)
* [The latest version of QuickTime](https://support.apple.com/quicktime)
* [The latest version of Adobe Reader](https://get.adobe.com/reader/)
* A current version of word processing software
* A headset with microphone
* A webcam
* Google Chrome, Firefox, or Edge for Windows computers Google Chrome, Firefox, or Safari for Apple computers
* Broadband Internet connection is preferred. Examples of broadband Internet connection are high-speed DSL or a Cable modem.

## Technology Assistance

The links below will connect you with answers and information for the most common technical questions and issues students experience.

[UM System Student Learning Support](https://online.missouri.edu/learning) [UM System Teaching Tools](https://teachingtools.umsystem.edu/support/home)

## Information About COVID-19 Policies

Up to date information and FAQs regarding COVID-19 may be found on the UMKC COVID website: [[](https://www.umkc.edu/news/coronavirus.html)https:/[/www.umkc.edu/coronavirus/](http://www.umkc.edu/coronavirus/)]

**Academic Calendar**

| **Date** | **Significance** |
| --- | --- |
| August 14 | 1L Orientation begins |
| August 21 | Classes begin  |
| August 25 | Last day for a 100% refund  |
| September 4 | Labor Day – University closed |
| September 18 | Last day for a 50% refund  |
| September 18 | Last day to drop a course and not have it appear on your transcript  |
| October 13 | Last day for a 25% refund  |
| October 13 | Last day to withdraw with a “W” (graduate/professional—full 16-week session) |
| October 31 | Deadline to apply for Spring 2023 graduation |
| November 20 – November 26 | Fall break |
| November 30  | Last day of classes  |
| December 4 – December 15 | Finals Weeks  |

Students are encouraged to review important add, drop or withdraw dates: <https://calendar.umkc.edu/academic-calendar/>

## Additional University-Wide Information Regarding Your Courses and Your Success:

**Basic Needs**

It can be challenging to do your best in class if you have trouble meeting basic needs like safe shelter, sleep, and nutrition. If you have difficulty affording groceries or accessing sufficient food to eat every day, or lack a safe and stable place to live, UMKC is here to help. The UMKC [Basic Needs webpage](https://www.umkc.edu/get-involved/services/basic-needs.html) has information on resources for food assistance, housing assistance and financial literacy. The Kangaroo Pantry is a free resource for all UMKC students that provides food and other items to those in need. Check out the [Kangaroo Pantry website](https://www.umkc.edu/get-involved/services/kangaroo-pantry.html) for details on hours and locations. I strongly encourage you to set up an appointment with [UMKC](https://www.umkc.edu/get-involved/services/contact-us.html) [Basic Needs](https://www.umkc.edu/get-involved/services/contact-us.html) and/or me if you have a need for this type of assistance.

## Academic Integrity

The Board of Curators of the University of Missouri recognizes that academic honesty is essential for the intellectual life of the University. Faculty members have a special obligation to expect high standards of academic honesty in all student work. Students have a special obligation to adhere to such standards. Academic dishonesty, including cheating, plagiarism or sabotage, is adjudicated through the University of Missouri Student Conduct Code and Rules of Procedures in Student Conduct Matters, and through the UMKC School of Law Honor Code. <https://catalog.umkc.edu/special-notices/academic-honesty/law-honor-codes/>.

## Academic Support and Mentoring

The department of Academic Support and Mentoring (ASM) offers a wide range of services and programs to help students meet their academic goals. ASM offers peer tutoring, writing and presentation assistance, SI study groups, instructional videos and many more resources that are valuable to your success in this class. Information can be found on the [ASM website](../../../../Downloads/umkc.edu/asm). You can use RooLearning+ for scheduling appointments and viewing when support for this class is available. Access [RooLearning+](../../../../Downloads/umkc.tedu.app/student) by downloading the app from the [App Store](https://www.apple.com/app-store/) (Apple) or [**Google**](https://play.google.com/store/)[**Play**](https://play.google.com/store/) **(Android) and sign in with your SSO. You can access the site at** [**umkc.tedu.app/student**](../../../../Downloads/umkc.tedu.app/student)**.**

## At the Law School, please see Professor Dan Weddle, Director of School of Law Analytical Strategies Program, for information on academic support and mentoring. weddled@umkc.edu

**Campus Safety**

Inclement weather, mass notification, and emergency response guide: <http://www.umkc.edu/umkcalert/>

## UMKC Connect

Important information is available to undergraduate students in [UMKC Connect](https://umkc.starfishsolutions.com/starfish-ops/support/login.html) a central location for faculty, advisors, student services and students to communicate and collaborate on a strategic plan for each student’s academic success. Throughout the term, students may receive emails regarding course grades or academic performance. Students should regularly check their Connect dashboard and are expected to address information posted in a timely manner. This information may be shared with the student’s Success Network made up of his or her academic advisor(s) and other campus resources so that UMKC may fully support the student’s

success. Students may schedule appointments to meet with members of their Success Network through UMKC Connect.

## Grade Appeal Policy

The [University grade appeal procedure](https://catalog.umkc.edu/undergraduate-academic-regulations-information/grading-options-auditing-courses/grade-appeals/) is available only for the review of allegedly capricious grading and not for review of the instructor’s evaluation of the student’s academic performance. Capricious grading, as that term is used here, comprises any of the following:

* The assignment of a grade to a particular student on some basis other than the performance in the course;
* The assignment of a grade to a particular student according to more exacting or demanding standards than were applied to other students in the course.
* The assignment of a grade by a substantial departure from the instructor’s previously announced standards.
* The School of Law grade appeal procedure is available [here](https://catalog.umkc.edu/colleges-schools/law/academic-rules-regulations-for-juris-doctor-degree-program/appeal-of-grades/): [https://catalog.umkc.edu/colleges-schools/law/academic-rules-regulations-for-](https://catalog.umkc.edu/colleges-schools/law/academic-rules-regulations-for-juris-doctor-degree-program/appeal-of-grades/) [juris-doctor-degree-program/appeal-of-grades/](https://catalog.umkc.edu/colleges-schools/law/academic-rules-regulations-for-juris-doctor-degree-program/appeal-of-grades/)

## Privacy Policies

Privacy Policy: <https://www.umkc.edu/web-policy/privacy.asp> Webcam Policy: <https://www.umsystem.edu/ums/elearning/policies>

## Student Disability Services and Accommodations

To obtain disability related accommodations and/or auxiliary aids, students with disabilities must contact Student Disability Services as soon as possible by calling 816-235-5612. Once verified, our office will notify the course instructor and outline the accommodation and/or auxiliary aids to be provided. You are also welcomed to contact Scott Laurent at the Office of Disability Services as soon as possible by calling (816) 235-5696 or via email at [laurentr@umkc.edu.](../../../../Downloads/laurentr%40umkc.edu) For more information go to: [https://info.umkc.edu/disability-services/.](https://info.umkc.edu/disability-services/)

## Counseling Services and Student Health & Wellness

UMKC students may experience many challenges in their lives while attending college—stress, depression, suicidality, trauma, relationship issues, health concerns, etc. As an institution, we care about your success and well-being, and want to make you aware of some helpful resources on campus. UMKC Counseling Services (<https://info.umkc.edu/counseling-services/>), located at Brookside 51 Building, 5110 Oak Street, Suite 201, offers a wide range of supportive services to students. Appointments can be made by calling 816-235-1635. UMKC Student Health and Wellness (<http://info.umkc.edu/studenthealth/>), located at Brookside 51 Building, 5110 Oak Street, Suite 201, offers a full range of supportive services to students. Appointments can be made by calling 816-235-1635.

UMKC Student Health and Wellness (<http://info.umkc.edu/studenthealth/>), located at Brookside 51 Building, 5110 Oak Street, Suite 237, offers a full range of health care and promotion services. Appointments can be scheduled online or by calling 816-235-6133.

The MindBody Connection ([www.umkc.edu/mindbody](http://www.umkc.edu/mindbody)) is located in the Student Union, 3rd floor, room 303G & 303H. The MindBody Connection provides space for students to learn how to relieve stress and learn more about mindfulness. Featuring massage chairs, art supplies, and a quiet space, the MindBody Connection is a great place for students to unwind and get back in touch with their minds and bodies and offers a variety of stress-reduction services.

Students are encouraged to review UMKC’s Policy on Suicide Prevention Resources (<https://info.umkc.edu/saem/wp-content/uploads/2019/10/UMKC-Suicide-Prevention-> [Policy.pdf](https://info.umkc.edu/saem/wp-content/uploads/2019/10/UMKC-Suicide-Prevention-Policy.pdf)), which provides resources, referral information, and training opportunities to help recognize signs of distress in yourself and your peers as well as how to make appropriate referrals for support and assistance.

## At the Law School, students are encouraged to contact Ashley Swanson-Hoye at swansonhoyes@umkc.edu or in her office (Room 39 in the Professional and Career Development Center) or by phone at 816-235-2391.

Students may contact the UMKC Student HelpLine (816-235-2222 or <https://info.umkc.edu/saem/helpline/>) with any questions or concerns. Students may also utilize the Complaint Policy (<https://info.umkc.edu/saem/helpline/student-complaint-policy/>) to file a complaint online.

## Equal Opportunity & Educational Access

UMKC is committed to providing equal opportunities to all students without unlawful discrimination on the basis of a protected identity, including race, color, national origin, ancestry, religion, sex, pregnancy, sexual orientation, gender identity, gender expression, age, disability, protected veteran status, or any other status protected by applicable state or federal law.

Discrimination & Harassment: Compliance with UM System Collected Rules and Regulations (CRRs) [600.000](https://www.umsystem.edu/ums/rules/collected_rules/equal_employment_educational_opportunity/ch600/600.050-equity-resolution-process-resolving-complaints-discrimination) is monitored by the Office of Equity & Title IX (<https://info.umkc.edu/title9/>), but it is the responsibility of the entire university community to provide equal opportunity through relevant practices, initiatives, and programs. If you or someone you know has experienced discrimination or harassment based on their protected identity, we encourage you to visit [Making a Report](https://info.umkc.edu/title9/makingareport/).

CRR [600.010](https://www.umsystem.edu/ums/rules/collected_rules/equal_employment_educational_opportunity/ch600/600.010-equal-employment-educational-opportunity-and-nondiscrimination) prohibits protected identity discrimination and harassment. It also prohibits sexual harassment and sexual misconduct by a student, employee, volunteer, or visitor that is not covered under CRR [600.020](https://www.umsystem.edu/ums/rules/collected_rules/equal_employment_educational_opportunity/ch600/600.020-sexual-harassment-under-title-ix-matters-involving-conduct) and Title IX (see below), that occurs within a UMKC educational program or activity, on- or off-campus, including when the conduct occurs off-campus and interferes with or limits the ability of any person to participate in or benefit from UMKC’s educational programs or activities or employment. For those who have experienced discrimination or harassment, please see the [Support](https://info.umkc.edu/title9/support/) and [Connections](https://info.umkc.edu/title9/connections/) pages of our Equity & Title IX website for a list of campus and community support services.

Sexual Harassment under Title IX: UM System Collected Rules and Regulations (CRRs)

[600.020](https://www.umsystem.edu/ums/rules/collected_rules/equal_employment_educational_opportunity/ch600/600.020-sexual-harassment-under-title-ix-matters-involving-conduct) prohibits all students, employees, volunteers, and visitors from engaging in sexual harassment, including sexual assault, dating violence, domestic violence, and stalking, in a university education program or activity against a person in the United States. If you or someone you know has experienced sexual harrassment, please visit the [Support](https://info.umkc.edu/title9/support/) and [Connections](https://info.umkc.edu/title9/connections/) pages of our Equity & Title IX website for a list of support services on campus and in the community. For information on how to make a report to the university, visit [Making a Report.](https://info.umkc.edu/title9/makingareport/)

Failure to Accommodate Students with Disabilities: UM System Collected Rules and Regulations (CRRs) [600.010](https://www.umsystem.edu/ums/rules/collected_rules/equal_employment_educational_opportunity/ch600/600.010-equal-employment-educational-opportunity-and-nondiscrimination) prohibits discrimination against students with disabilities and ensures these students receive educational accommodations as issued by [Student Disability](https://info.umkc.edu/disability-services/) [Services.](https://info.umkc.edu/disability-services/) If you believe an employee of the university has failed to accommodate your disability, visit [Making a Report](https://info.umkc.edu/title9/makingareport/) or contact the Office of Equity and Title IX at (816) 235-1771 or eqtix@umkc.edu.

Accommodating Pregnancy & Related Conditions: UMKC provides reasonable accommodations to students related to pregnancy and childbirth, including adjustments to attendance requirements, course due dates, leaves of absence, and other accommodations. If you have questions or would like to request arrangements, please visit [Pregnancy & Related](https://info.umkc.edu/title9/pregnancy-childbirth/) [Accommodations](https://info.umkc.edu/title9/pregnancy-childbirth/) or contact the Office of Equity & Title IX at (816) 235-1771 or eqtix@umkc.edu.

Mandated Reporting: Nearly all UMKC employees, including your course instructors, advisors, and other support staff, are required to report all information related to any known or suspected discrimination, harassment, or sexual misconduct to the Office of Equity & Title IX and cannot offer confidentiality. However, students may seek confidential support from [RISE: Resources,](https://info.umkc.edu/rise/) [Intervention, Support, & Education,](https://info.umkc.edu/rise/) [Counseling Services,](https://info.umkc.edu/counseling-services/) and [Student Health & Wellness](https://info.umkc.edu/studenthealth/).

Employees of these offices are exempt from mandated reporting so long as the disclosure of prohibited conduct occurs in a confidential communication while they are acting as support advocates, professional counselors, or medical personnel. An exemption does not extend to these employees when the disclosure is made in a non-confidential setting. If you have a question about confidentiality when making a disclosure to RISE, Counseling Services, or Student Health & Wellness, you should first ask whether the exemption applies.

## Right to Free Expression

It is vitally important for UMKC to foster and maintain an educational environment that promotes free discussion, inquiry and expression by students inside the classroom and beyond, without fear that their exercise of such rights will have negative repercussions in areas over which the university has responsibility. It is equally important that students understand the narrow line separating their First Amendment rights and the legal and privacy rights of others so that students can exercise those rights within appropriate boundaries.

Per UM System Collected Rules and Regulations (CRRs) [200.015](https://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.015_academic_inquiry_course_discussion_and_privacy) your instructors should encourage free discussion, inquiry, and expression in courses, conferences and meetings. Student performance shall be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

Classroom Expectations: In exercising your right to free expression, UMKC requests students adhere to these five guidelines:

* Share responsibility for including all voices in the conversation, leaving sufficient time for others to engage in the discussion. Listen respectfully, avoiding interruptions or distractions.
* Recognize how your own identity and experiences inform your opinions and reactions to others. Be open to changing your perspectives when exposed to the ideas of others.
* Speak with care, acknowledging that your words may be perceived as disrespectful, marginalizing, biased, or harmful.
* Understand that everyone makes mistakes; view these mistakes as valuable in the learning process. Notice your own defensive reactions, and channel them into furthering a productive discussion.
* Differentiate between safety and comfort; accept discomfort as necessary for learning and exploring ideas through a social justice lens.

Although your right to free expression is protected, your instructors have the authority to take action under [CRR 200.010](https://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.010_standard_of_conduct) when they believe the conduct of any student unreasonably disrupts the classroom environment and prevents others from learning or threatens or endangers the health or safety of any person. If you feel your instructor was in error in taking action under [CRR 200.010](https://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.010_standard_of_conduct) related to your right to free expression, visit [Making a Report](https://info.umkc.edu/title9/makingareport/).

## Expressions of Perceived Bias

UMKC is committed to equity, diversity, inclusion and respectful interaction. In support of our campus community, the university provides the opportunity for students, employees, volunteers, and visitors to report expressions of perceived bias and to request UMKC respond to such expressions.

An expression of perceived bias may occur when someone believes that they have been subjected to harassment, bullying, stereotyping, microaggressions, abuse, marginalization, or any other form of targeted misconduct because they identify or are associated with a particular group. If you believe you have experienced an expression of bias or you become aware of such an expression, visit [Making a Report.](https://info.umkc.edu/title9/makingareport/)

Support: If the conduct of others prevents you from fully participating in the classroom or in university activities, UMKC offers confidential support through [Counseling Services](https://info.umkc.edu/counseling-services/) and [RISE:](https://info.umkc.edu/rise/) [Resources, Intervention, Support, & Education](https://info.umkc.edu/rise/). Additional campus and community support services are listed on the [Support](https://info.umkc.edu/title9/support/) and [Connections](https://info.umkc.edu/title9/connections/) pages of our Equity & Title IX website.