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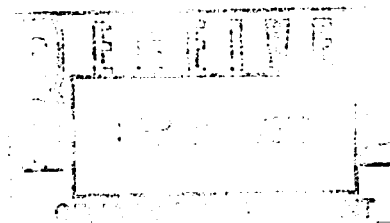
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September 19, 2008

President Nancy B. Moody
Dean Sydney A. Beckman
Lincoln Memorial University
6965 Cumberland Gap Parkway
Harrogate, TN 37752-2001



Dear President Moody and Dean Beckman:

The Board of Law Examiners has retained Dean & Professor Barry R. Vickrey, University of South Dakota School of Law, and Professor Christopher Simoni, Director of the Law Library, Drexel University Earle Mack School of Law, to assist the Board in reviewing your application for approval of your new law school. Dean Vickrey will be your primary contact for the review process.

Both Dean Vickrey and Professor Simoni have extensive experience with the American Bar Association's accreditation inspection process. While the Board's decision on your application will be based on compliance with the standards set forth in Rule 7, Article II, of the Tennessee Supreme Court Rules, every effort will be made to pattern this review after the process used by the ABA. This will permit you to proceed expeditiously with your plans to seek ABA approval while completing this review process.

Dean Vickrey earned his B.A. and J.D. degrees from Vanderbilt University. He is in his 16th year as dean at the University of South Dakota. Dean Vickrey previously was a faculty member and associate dean at the University of North Dakota School of Law. He has participated in 19 ABA inspections, chairing eight. This past spring, he chaired the sabbatical inspection of Howard School of Law. In 2006, he chaired the initial inspection of American Justice School of Law in Paducah, Kentucky.

Professor Simoni earned his A.B. from the University of Michigan; M.A. and Ph.D. from Marquette University; J.D. from Lewis and Clark College, Northwestern School of Law; and M.L.I.S. from the University of Texas at Austin. He previously was on the faculty at Willamette University College of Law, in the administration of the Tarlton Law Library at the University of Texas at Austin, and both a faculty member and in senior library administration at Marquette University Law School

President Nancy B. Moody
Dean Sydney A. Beckman
September 19, 2008
Page 2

and Northwestern University School of Law. He is currently consulting with Wilkes University in its planning for a new law school. He has participated in ABA inspections of Boston College, Vermont, Florida Coastal, Vanderbilt, and Ohio State.

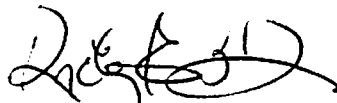
By November 21, please submit to Dean Vickrey the following materials; (1) a letter signed by each of you stating that you have read the standards set forth in Rule 7, Article II, and that you certify that, in your opinion, the new school will comply with these standards; (2) responses to the portions of the ABA site evaluation questionnaire for which you have data; (3) responses to the portions of the ABA annual questionnaire for which you have data; (4) a feasibility study evaluating the nature of the educational program and goals of the school, the profile of students who are likely to apply, and the resources necessary to create and sustain the school, including University resources; (5) a self-study; (6) financial operating statements and balance sheets for the last three fiscal years for the University; and (7) appropriate documents detailing the property interests in the land and physical facilities used by the law school. As you may know, these are all documents that will be required by the ABA for its approval process.

In early December, Dean Vickrey and Professor Simoni will conduct a site visit. Dean Vickrey will work with you on the dates and specific schedule for this site visit.

Following the review of documents and site visit, Dean Vickrey will submit on behalf of himself and Professor Simoni a written report to the Board. Dean Vickrey anticipates that the Board will receive the report in early January.

Please contact Dean Vickrey with any questions about this process. He may be contacted at brvickrey@gmail.com and 605-670-6225.

Sincerely,



Ricky E. Wilkins
Board President

**SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR
AMERICAN BAR ASSOCIATION**

**Site Evaluation Workshop for
Law School Representatives
and
New Site Evaluators**

Agenda

**Saturday, November 14, 2009
Westin O'Hare
Rosemont, Illinois**

- | | | |
|-------------------|---|---|
| 7:45 a.m. | Continental Breakfast | <u><i>LaSalle A/B Foyer - Lobby Level</i></u> |
| 8:30 – 9:00 a.m. | Welcome — Bucky Askew | <u><i>LaSalle A/B - Lobby Level</i></u> |
| | Overview — Dan Freehling | |
| | Overview of ABA accreditation process, review roles of Council and Accreditation Committee, role and scope of site visit. | |
| 9:00 – 9:10 a.m. | AALS Membership Review Process — Ginger Patterson | <u><i>LaSalle A/B - Lobby Level</i></u> |
| 9:15 – 10:00 a.m. | <u>Concurrent sessions</u> | |
| | Before the Visit [new site evaluators] — Mary Kay Kane and Curt Cichowski | <u><i>LaSalle A/B - Lobby Level</i></u> |
| | Arrangements, assignments, schedule; pre-visit; “the box” (school materials); materials from the ABA | |

Before the Visit [school representatives] — David Yellen
Executive Forum -
Lobby Level

Self-study; Site Evaluation Questionnaire; preparing the law school community for the visit; schedule and arrangements

10:00 – 10:15 a.m. **Break** **LaSalle A/B Foyer - Lobby Level**

10:15 – 11:05 a.m. **During the Visit — Pat Hetrick and Joan Howland**
LaSalle A/B - Lobby Level

Entrance/exit interviews, faculty office visits, class visits, main campus appointments, clinic site visits, student meetings, alumni gathering, crises/complaints, review of records, communication within team and between team and school

11:05 – 11:50 a.m. **Some Pervasive Issues** **LaSalle A/B - Lobby Level**

Recent Standards Revisions and Post Consent Decree
- **Bucky Askew**
“Negative and Material” – **Joan Howland**
Bar Passage – **Dan Freehling**
Professional Skills, 302(a) 4 – **Dan Freehling**
Diversity – **Camille deJorna**
Status – **Craig Smith**

11:50 am –12:45 pm **Lunch** **Grand A- Lobby Level**

1:00 – 1:45 p.m. **Discussion Groups**

A. Faculty — Ginger Patterson **Rosemont 1**
- Third Floor

adjunct faculty;
student/faculty ratio; role in governance

**B. Students [school representatives] — Peter Winograd and
Camille deJorna**
Rosemont 2
- Third Floor

Including admissions, academic support, attrition and bar passage

C. Finances and Administration — David Yellen
Rosemont 3
- Third Floor

Including review of financial resources in relation to the school's programs; more on "negative and material"

D. Program of Legal Education — Mary Kay Kane
Executive Forum - Lobby Level

Including required curriculum, legal research & writing, skills training, breadth and depth of upper class curriculum, coverage of recent Chapter 3 Standards changes ("residency" changes, skills requirement, pro bono requirement)

E. Self Study, Strategic Planning and "Reliable Plan"
— Anthony Caprio and Jay Conison

Division
- Lobby Level

F. Information Resources, Technology & Facilities
— Joan Howland *Streeter- Lower Level*

Including assessing the sufficiency of library staffing, services, collection and resources; library director status

G. Questionnaires [new site evaluators] — Gail Richmond
Rosemont 4 - Third Floor

LMU Admissions Requirements

Undergraduate Admissions

Implementation of undergraduate admissions policies is administered by the Office of Admissions, as specified on the organizational chart and the Lincoln Memorial University Undergraduate Catalog. The Office of Admissions recruits new and transfer students and maintains undergraduate admissions records.

Undergraduate admissions policies include qualitative and quantitative requirements that identify students who demonstrate reasonable potential for success in LMU's academic programs. To qualify for regular admission, the student must have a high school diploma with a minimum of: four units of English; three units of algebra, geometry or advanced math; two units of a single foreign language; two units of natural/physical sciences; one unit of social studies; one unit of U.S. history; and one unit of visual or performing arts (a unit equals one year of study). Additionally, the students must have a high school grade point average of at least 2.3, an ACT score of at least 19, or an SAT score of at least 910.¹ Those who did not graduate from high school but present the GED must have an average score of at least 45 on the GED exam and no component score below 35. Early enrollment for distinguished or talented high school students is determined by high school GPA and ACT/SAT scores.²

¹ See Exhibit 23, pp.12-13, LMU Undergraduate Catalog 2009-2010.

² See Exhibit 23, p.13, LMU Undergraduate Catalog 2009-2010.

Applicants who do not meet the minimum standards for regular admission to LMU may be enrolled on a provisional basis if they have a high school GPA of 2.0 or an ACT composite score of at least 16.³

Those who have completed twelve or more hours at an accredited/recognized post-secondary institution can apply as transfer students. Regular transfer admission requires that the student have a cumulative GPA of 2.0 or higher on all college-level course work. Transfer students may also be granted provisional admission if their cumulative GPA falls below a 2.0, but they fall within the LMU suspension scale for the number of hours earned. The provisional transfer student is restricted to twelve hours during the first semester of enrollment.⁴

Undergraduate admission guidelines are published in the LMU Undergraduate Catalog and are made available to the public.⁵ The policies may also be accessed through the LMU web page.⁶ Policies concerning the admission of transfer students, international students, students holding the international baccalaureate diploma, transient students, and senior citizens, as well as provisional admission policies and early admission, are also published in the LMU Undergraduate Catalog.⁷

Management and Leadership Studies Program Admissions Requirements

The Management and Leadership Studies Program (MLP) has special admissions requirements. Admission requirements for the B.S. in Management and Leadership Studies are as follows:

- a. Applicant must be admitted to LMU;
- b. Applicant must be at least 23 years old;
- c. Applicant must have completed at least 60 semester credit hours from an

³ See Exhibit 23, p.12-13, LMU Undergraduate Catalog 2009-2010.

⁴ *Id.* at 13.

⁵ *Id.* at 12-14.

⁶ www.lmunet.edu

⁷ *Id.*

- accredited post-secondary institution as demonstrated by official transcripts;
- d. Applicant must have a cumulative grade point average (GPA) of 2.0;
 - e. Applicant must have completed at least 33 semester credit hours of the General Education Core Curriculum for the MLP;
 - f. Applicant must submit two (2) letters of recommendation—one character reference and one employer reference;
 - g. Applicant must provide a writing sample (a minimum of two pages) to the MLP Director that includes a self-analysis and the purpose and goals for participating in the MLP;
 - h. Applicant must complete a personal interview with an MLP advisor; and
 - i. Applicant must pay a \$100.00 admission fee (applied to tuition) to reserve space in the designated cohort group (non-refundable and non-transferable).

MLP admission policies and policies related to Provisional Admission and Pre-MLP Status are published in the LMU Management and Leadership Studies Catalog.⁸

LMU Graduate Programs

Graduate programs are offered through seven academic schools:

- DeBusk College of Osteopathic Medicine (DCOM)—Doctor of Osteopathic Medicine (D.O.) degree;
- Carter and Moyers School of Education—Master of Education (M.Ed.), Educational Specialist (Ed.S.), and Doctorate in Executive Leadership (Ed.D.) degrees;
- Caylor School of Nursing—Master of Science in Nursing (M.S.N.) degree;
- DeBusk College of Osteopathic Medicine (DCOM)—Physicians Assistant (P.A.) degree;
- School of Business—Master of Business Administration (M.B.A.) degree; and
- Duncan School of Law—Doctor of Jurisprudence (J.D.) degree.

Graduate Education Programs (Admissions Requirements)

General admissions requirements for graduate M.Ed. and Ed.S. programs offered through the Carter and Moyers School of Education are published in the LMU Graduate Education Catalog 2009-2010. Admission to the graduate programs in Education is possible in four categories: Regular Graduate Student Status, Non-degree or Transient Student Status,

⁸ See Attachment, pp.22-30, LMU Management and Leadership Studies Program

Conditional Student Status, and Auditor Status. Admission categories are discussed in the LMU Graduate Education Catalog.⁹

Master of Education (M.Ed.) Admissions Requirements

Admission to Master of Education (M.Ed.) degree programs involves a two-step process:

1. **Admission to Graduate Studies**

The applicant must submit:

- an Application for Graduate Studies, with the required \$25 application fee; and
- two official transcripts of all previous undergraduate coursework from accredited institutions (indicating the attainment of a baccalaureate degree).

The Dean of the School of Education approves admission to the program (based on review of the applicant's prior academic record) and assigns an advisor.

2. **Admission to Degree Candidacy**

After having successfully completed no more than three courses (9 semester hours), the student must apply for degree candidacy. The admission to degree candidacy is based on an evaluation of all application materials submitted by the individual. Criteria used in the decision process are: employment experience, professional potential, previous academic work, recommendations, and test scores. With the assistance of the assigned advisor, students must submit:

- an Application for Degree Candidacy for the M.Ed. degree and declare a major area of emphasis;
- scores from either the Praxis Test, NTE, the GRE, or the Miller Analogy test within the last five years.

⁹ See Exhibit 24, pp.17-18, LMU Graduate Education Catalog

Equivalent score requirements are as follows:

1. Graduate Record Exam
 - Verbal 370
 - Quantitative 410
2. Miller Analogies Test
32 (paper) 388 (computer)
3. Praxis Test – Principles of Learning and Teaching (take one of the following)
 - Grades K-6 155; Grades 7-12 159; Grades 5-9 154

- three completed Graduate Program Recommendation Forms from professionals in the field who are familiar with the candidates' work and ability and can, therefore, evaluate their potential for success in the graduate program; and
- an advisor-approved Program of Study.

Upon completion of these requirements, the student's credentials will be presented to the Graduate Admission Committee for consideration for admission to degree candidacy.

A transfer applicant must follow the same procedure for admission and must be in good standing and eligible to continue in the program of the previous institution. Exception to this policy can be made only by the Graduate Admission Committee.

Students applying for readmission must apply in writing to the Carter and Moyers School of Education Office. The file will then be reviewed and submitted to the Graduate Admission Committee for appropriate action. These admissions requirements are published in the LMU Graduate Education Catalog 2009-2010.¹⁰

Educational Specialist (Ed.S) Degree Admission Requirements

Admission requirements for the Educational Specialist (Ed.S.) degree require a two-step process:

1. Admission to Advanced Graduate Studies

The applicant must submit:

¹⁰ See Exhibit 24, LMU Graduate Education Catalog 2009-2010

- The Application for Advanced Graduate Studies, with the required \$50 application fee, and two official transcripts of master's degree coursework from an accredited institution.

The Dean of the School of Education approves admission to Advanced Graduate Studies.

2. Admission to Degree Candidacy

Before the completion of three courses (9 semester hours), a degree-seeking student must apply for degree candidacy. At this level, an Advisory Committee is assigned to each student.

The student must submit:

- the Application for Degree Candidacy for the Educational Specialist degree; and
- an advisor-approved Program of Study.

Upon completion of these requirements, the student's credentials will be presented to the Graduate Admission Committee for consideration for admission to degree candidacy. These admissions requirements are published in the LMU Graduate Education Catalog 2009-2010.¹¹

Post Baccalaureate Teacher Licensure Program Admission Requirements

Admission requirements for the Post-Baccalaureate Teacher Licensure Program include:

1. An application complete with application fee;
2. Two official transcripts from each accredited college/university attended, indicating a cumulative minimum undergraduate GPA of at least 2.50;¹² and
3. One copy of pre-admission test scores.

These admissions requirements are published in the LMU Graduate Education Catalog.¹³

Executive Leadership (Ed.D.) degree Admission Requirements

Admission to the Ed.D. program is a three-stage process:

¹¹ See Exhibit 24, pp.22-23, LMU Graduate Education Catalog 2009-2010

¹² Candidates with a GPA below 2.50, and not lower than 2.25, may qualify for appeal to an admission board. Those applying through the appeal process must submit passing scores on the PPST Battery (Math, Reading, and Writing) that has been taken within the past 5 years. All students admitted through the appeal process will be placed on probation and required to earn and maintain a 3.00 GPA each semester.

¹³ See Exhibit 24, at 22-23, LMU Graduate Education Catalog 2009-2010

For stage 1, the student must submit:

1. the Application for Advanced Graduate Studies, with the required \$50 application fee;
2. official transcripts of Ed.S. degree or coursework above a master's from an accredited institution;
3. a GRE or MAT score from within the last 3 years; and
4. three letters of reference specifically addressing leadership skills.

For stage 2, the student must submit a professional portfolio adhering to the submission guidelines provided.

For stage 3, the student must complete a personal interview with the Ed.D. Selection Committee.

The Dean of the School of Education approves admission to Advanced Graduate Studies. Based on the above application process, admission to the Ed.D. program is at the discretion of the Ed.D. Selection Committee.

Admission requirements for the Ed.D. Program are found within the LMU Doctor in Executive Leadership Program Catalog.¹⁴

Graduate Nursing Programs (M.S.N.) Admissions Requirements

The Caylor School of Nursing coordinates admission to the graduate nursing (M.S.N.) program at LMU. Nursing administrative offices are located on the third floor of the DeBusk College of Osteopathic Medicine (DCOM). There are three potential categories of enrollment for graduate nursing students: full-time, part-time, and non-degree. Non-degree students are those who have not been admitted to the graduate nursing program but are granted permission from the M.S.N. Program Director to enroll (on a space available basis) in NURS 500, NURS 510, or NURS 550 courses. All other graduate nursing courses are limited to students accepted to the M.S.N. program. Persons otherwise qualifying for admission to graduate studies but not seeking admission to the degree program are classified as non-degree students. Individuals wishing to pursue graduate study at LMU in this classification must submit an application for admission for

¹⁴ See Exhibit 24, p. 11, LMU Doctor in Executive Leadership Program Catalog

review by the M.S.N. Admissions Committee. Non-degree M.S.N. student status does not guarantee admission to the graduate school of nursing. Non-degree M.S.N. students later wishing to enter the program must apply as degree-seeking students and must follow the process outlined for regular graduate student status. Course credit transferred from non-degree to degree must have a grade of at least "B" and be relevant to the degree sought and the approved program of study.

Applicants for regular admission to the M.S.N. program may request full or part-time status. Part-time graduate nursing students must meet with their advisor to plan an individualized progression plan. A change in status from part-time to full-time or vice versa must be approved by the faculty advisor and a new progression plan must be designed.

Admissions requirements for the M.S.N. degree seeking student include:

1. Graduation from an accredited baccalaureate nursing program;
2. A strong overall academic record with a cumulative average of "B" (3.0) or better;
3. An undergraduate coursework record which includes: An introductory statistics course, a nursing research course, a health assessment course, and a basic computer course (or equivalents);
4. Competitive GRE scores (A combined verbal and analytic score of 1000 is desirable);
5. A year of work experience as an RN is recommended, but exceptional new graduates may apply;
6. Recommendations from nursing professionals who can rate the applicant's Potential;
7. A three-page letter to the Admissions Committee describing professional goals; and
8. An unencumbered license to practice as a registered nurse in the state of Tennessee is required for enrollment; clinical practicum may necessitate licensure in neighboring states.

Admission requirements for the M.S.N. program are published in the LMU Master of Science in Nursing Program Catalog.¹⁵

¹⁵ See Exhibit 24, pp.18-19, LMU Master of Science in Nursing Program Catalog

Graduate Business Program (M.B.A.) Admissions Requirements

Admission to the Master of Business Administration (M.B.A.) degree program is coordinated through the Office of the School of Business. Admission to the M.B.A. program is possible in the same four categories utilized by the Carter and Moyers School of Education at LMU: Regular Graduate Student Status, Non-degree or Transient Student Status, Conditional Student Status, and Auditor Status. These categories of admission are explained in the LMU Master of Business Administration Catalog.¹⁶

Masters of Business Administration (M.B.A.) Admissions Requirements

As part of admission requirements, students must submit the application for admission, the \$25 application fee, official transcripts of all undergraduate and graduate course work from accredited institutions, and three recommendation forms from professionals in the field who are familiar with their work and ability and can, therefore, evaluate potential for success in the graduate program. In addition, the student must have:

1. a baccalaureate degree in business that meets the core requirements of the LMU Bachelor of Business;
2. Bachelor of Business Administration (B.B.A.) degree with a minimum accumulated GPA of 3.0 overall and 3.25 in the business major, or a non-business degree with a minimum 3.0 GPA and completion of prerequisite courses in accounting and economics as prescribed by the MBA Program Coordinator. These courses will not count toward the 36 semester credit hours required for completion of the MBA;
3. two years of work experience in a managerial capacity, or an overall GPA of 3.75 and recommendations indicating extraordinary academic potential; and
4. two semesters of college math including college algebra and statistics. Students without these courses will be required to take them prior to admission.

¹⁶ See Exhibit 24, p.19, LMU Master of Science in Nursing Program Catalog

Entering students must complete all requirements for admission by the end of the first regular academic semester during which they have taken graduate course work. Undergraduate prerequisite courses do not count toward the first semester of graduate course work.

International students must have a minimum score of 500 on the Test of English as a Foreign Language (TOEFL) exam. In cases where an international student is otherwise qualified for admission to the program but his/her TOEFL score indicates the need for additional English language instruction, he/she may be admitted conditionally to the program pending satisfactory completion of the necessary courses. The admission decision is based on an evaluation of all application materials submitted by the individual. The following are criteria used in the decision process:

1. Previous work experience;
2. Undergraduate GPA;
3. Graduate GPA;
4. Specific course work; and
5. Recommendation forms

Upon submission of all admission requirements and prior to the completion of nine (9) semester credit hours of graduate course work, the student's credentials will be presented to the MBA Admissions Committee for consideration for admission to degree candidacy.

These admission requirements are published in the LMU Master of Business Administration Catalog.¹⁷

Doctor of Osteopathic Medicine (D.O.) Admission Requirements

The DeBusk College of Osteopathic Medicine (DCOM) participates in a centralized application service, the American Association of Colleges of Osteopathic Medicine Application Service (AACOMAS). Following receipt of the applicant's AACOMAS profile, DCOM mails its supplemental application to the applicant (the secondary application). The secondary application

¹⁷ See Exhibit 24, p.19, LMU Master of Business Administration Catalog

is available at: www.lmunet.edu/dcom . Applicants are required to submit a \$50 non-refundable application fee, one letter of reference from an osteopathic physician, and one letter of reference from a premedical advisory committee. If the student's undergraduate institution does not have a premedical advisory committee, the student may submit letters from two science professors.

Once the secondary application and all supporting material have been received in the DCOM admissions office, the applicant's file is reviewed by the DCOM Admissions Committee.

Undergraduate Course Requirements (for admission to DCOM):

1. Completion of no less than 75 percent of the credits required for a baccalaureate degree from a regionally accredited college or university. It is recommended that the applicant has an overall GPA of at least 3.0 and a minimum 2.8 science GPA. Because of the demanding nature of the program, it is expected that most students will have cumulative and science GPAs of at least 3.2. Most candidates accepted for admission have earned a baccalaureate degree prior to matriculation. Students who have attended a foreign college must have their grades certified by a DCOM-approved vendor.
2. **Biology:** A minimum of eight semester hours, including two hours of laboratory work. It is highly recommended that students take at least some portion of the advanced coursework in the biological sciences available at their undergraduate institution. It is not necessary to take every advanced biology course, but, in the past, students who have taken at least some portion of courses from the following list have had a less difficult time making the transition to medical school: physiology, genetics, biochemistry, cell biology, neuroscience, microbiology, behavioral science, human anatomy, and immunology.
3. **General Chemistry:** A minimum of eight semester hours, including two semester hours of laboratory work.
4. **Organic Chemistry:** A minimum of eight semester hours, including two semester hours of laboratory work.
5. **Physics:** A minimum of eight semester hours, including two hours of laboratory work.
6. **English:** A minimum of six semester hours of composition and literature.

All candidates must submit their most recent scores on the Medical College Admission Test (MCAT). Scores older than three years will not be considered. The average MCAT score of successful candidates to medical school is typically 24 or greater.

International students seeking admission must meet the preceding criteria and submit the required documents. If English is not his/her native language, the international student must submit her/his official score report from the Test of English as a Foreign Language (TOEFL). Minimum acceptable scores are either 600 on the paper based version, 100 on the internet based version, or 250 on the computer based version.

Admissions requirements for DCOM are published in the DCOM Student Handbook and Catalog 2009-2010.¹⁸

¹⁸ See Exhibit 24, pp.11-14, DCOM Student Handbook and Catalog 209-2010.

1. Refunds for tuition and fees are credited to the student's account according to the refund schedule.
2. Housing and meal fees are credited to the student's account according to the refund schedule.
3. Financial Aid will be prorated to the student according to the Federal Return of Title IV Funds Policy. Withdrawal after the refund period means the student will have used an entire semester's eligibility of aid.
4. The balance of the student's account with the Finance Office will be credited or billed to the student as appropriate.
5. Once the student has completed registration, i.e., turned in the registration form to the Office of Finance, the student is liable for all registration fees even though classes have not been attended, unless the student completed an official withdrawal form.
6. Students who are suspended from LMU or ineligible to continue in an academic program because of grade deficiencies and who are registered in advance for the subsequent semester, must complete an official withdrawal form.

Refer to "Refund Policies" for detailed information.

Transfer Credits from Other Institutions

Lincoln Memorial University will evaluate, for potential transfer, credit awarded by other institutions accredited by associations (regional or national) recognized by the Council of Higher Education Accreditation and/or the U.S. Department of Education. Lincoln Memorial University must evaluate all potential transfer credit and determine if such credit is equivalent in terms of academic level, content, quality, comparability of student learning outcomes, and degree program relevance to course work offered through the University's curriculum. In all cases, student learning outcomes for course credit accepted in transfer for fulfillment of degree requirements (general education or major program) must be determined by evaluation to be equivalent to those of courses offered by Lincoln Memorial University. The University maintains direct transfer and articulation agreements with a number of two-year institutions. Other policies governing transfer credit include:

1. Developmental or remedial courses are recorded but do not apply to the degree.
2. All courses and grades are recorded and calculated in hours attempted, hours earned and cumulative G.P.A.
3. Transfer students who have earned an Associate of Arts degree or an Associate of Science degree in a university parallel program (typically consisting of 45-55 semester credit hours of general education course work in the liberal arts disciplines) from an accredited institution may be required to complete additional general education course work in order to meet the University's expected learning outcomes, core licensure or certification requirements in professional programs. If the student has the grade of "D" in a course required in the General Education Core or required in the major, the course must be repeated. The transfer grade of "D" will not apply to LMU's General Education Core or major requirements. **All students** are required to complete LNCN 100, Lincoln's Life and Legacy. Students pursuing the baccalaureate degree are also required to complete LNCN 300, American Citizenship and Civic Life.
4. Transfer students must meet all degree or program requirements for graduation as outlined in this catalog.
5. Technical or non-university parallel courses are considered for transfer credit on a course by course basis.

Approval to Apply for Coursework at Another Institution

Currently enrolled LMU students applying to take coursework at another institution must meet the following conditions before LMU will accept transfer credit.

1. Current students must gain prior approval before taking courses at another institution (the form available in the Admissions Office or major department).
2. No approval shall be granted for coursework at another institution if the equivalent course is available in the current semester and no scheduling conflict exists.
3. No approval shall be granted for coursework at another institution if the student does not have an overall "C" average at the University.
4. No approval shall be granted for coursework at another institution if the student is in his/her final 32 hours (baccalaureate) or 16 hours (associate) of LMU credits.
5. Students must complete the appropriate form which must be signed by the MLP Program Director.

Distance Education and Online Coursework

Selected MLP courses may be offered online. Other online courses offered through the University are also available to MLP students. Upon official enrollment in an online course, students may access the course(s) by using the following steps:

1. Log on to the LMU website, and click on Current Students and Faculty
2. Click on Blackboard and choose Lincoln Memorial University
3. Log on: username is the format of LMU email, firstname.lastname; password (initially) is your birthday in the mmddyy format (i.e. 6 digits); for example, for a birthday of August 11, 1963, the password would be: 081163.
4. Click on the appropriate class.

Special Credit and Credit by Examination

In approved cases Lincoln Memorial University may award special credit (SC). Special credit is defined as post-high school, pre-college learning resulting from activities such as past work and/or volunteer experiences, military service, community involvement, professional certifications, training experiences, successful self-education, and avocational pursuits. Lincoln Memorial University does not award SC for the experience itself or for the years of experience, but rather for the knowledge and skills attained as a result of the experience. Typically it is the older adult student who may qualify for SC.

The University recognizes the value of college-level prior learning as documented by University challenge exams and standardized tests, both of which may result in Credit by Examination (CE). Minimum test scores for challenge exams are established by appropriately credentialed faculty and approved by the respective school dean. If the student scores no more than 10% below the minimum score on a University challenge exam, the student may request a consultation with the faculty member. LMU utilizes the minimum test scores recommended by the American Council on Education (ACE) for Dantes Subject Standardized Tests (DSST) and College Level Examination Program (CLEP) exams. Where University approved and American Council on Education recognized standardized tests exist (e.g., CLEP, DSST, etc.), LMU will utilize such assessments and recommendations in lieu of challenge exams.

The Management & Leadership Studies Program has identified several resources recognized through the American Council on Education (ACE) through which to earn Credit by Exam (CE):

College Level Examination Program (CLEP) exams:
<http://www.collegeboard.com/student/testing/clep/exams.html>

Dantes Subject Standardized Tests (DSST)
<http://www.getcollegecredit.com/>

CPS/CAP Exams
<http://www.iaap-hq.org/prodev/certification/index.html>

Students are encouraged to consult with MLP Advisors on all Credit by Exam considerations to insure that these credits apply to their Program of Study. Additional resources are available to students through their MLP Advisors.

Evidence of documented college-level prior learning may be presented in portfolio format in pursuit of SC. The student seeking SC receives assistance from the office of the dean of the applicable school in the preparation of an application portfolio. The portfolio must include, among other documents, an expanded resume with detailed descriptions of academic goals, and verification of learning. The completed portfolio is evaluated for academic merit and credit by a faculty expert or an expert consultant in the field selected by the dean of the applicable school. The evaluation process measures the experiential learning through any or all of the following approaches: 1) product assessment, 2) oral interview, 3) written examination, and 4) skills assessment.

In approved cases, CE may be awarded for passing, at a predetermined level, an examination from the National League for Nursing (NLN), International Association of Administrative Professionals, or similar agencies. Development of a portfolio is not required in the application for CE.

Lincoln Memorial University awards SC and/or CE only if such credit contributes to or supports the student's degree program. Subject to appropriate approvals, awarded SC and/or CE may be applied to fulfill a General Education Core Curriculum requirement, a major or minor program requirement, or as a University elective. The maximum combined SC and CE that may be applied toward a baccalaureate degree is 32 credit hours; the maximum applicable toward an associate degree is 16 credit hours. (Exception: The Diploma Registered Nurse admitted to the Bachelor of Science in Nursing Completion Program may earn and apply combined SC and CE equivalent to the total credit hours required for the LMU Associate of Science in Nursing degree). The last 32 semester credit hours toward a baccalaureate degree or 16 semester credit hours toward an associate degree must be Lincoln Memorial University coursework. Neither SC nor CE is calculated in the student's grade-point average. The student considering graduate study elsewhere or undergraduate transfer to another institution should be aware that not all colleges and universities honor transcript credit designated SC or CE.

Complete information regarding SC and CE, and related fees, is available in the office of the dean of the applicable school. (See page 26 of this catalog for specific fees).

Prior Learning Assessment

A student may make application for prior learning credit (SC) by:

1. Collecting all prior learning documentation;
2. Contacting the MLP Director or an advisor in the MLP office to schedule an appointment for program planning and estimating the number of hours that may be earned through prior learning assessment (This is only an estimate and does not guarantee approval of prior learning credit hours (SC));
3. Attending a designated Prior Learning Seminar;

4. Developing a prior learning portfolio based upon the American Council on Education (ACE) and the Council on Adult and Experiential Learning (CAEL) standards and guidelines;
5. Completing the Special Credit Request Form;
6. Paying a \$50 non-refundable per course prior learning assessment fee. This fee is due when materials are submitted and paid prior to any review of prior learning and does not guarantee credit approval; and
7. Submitting the Special Credit Request Form and the Prior Learning Portfolio to the MLP Director prior to the second week of term two (2). All prior learning requests and approvals must be completed by the end of term three (3).

Evaluations, recommendations, and approvals for prior learning credit will be made by the MLP Director, MLP advisors, LMU faculty members, and school deans who teach in areas for which prior learning credit is requested. Upon assessment of prior learning, the student will be notified by an MLP advisor and informed as to the number of hours approved. At that time, if deemed necessary, the student, in consultation with an MLP advisor, will determine alternatives for completing the required LMU baccalaureate degree credit hours.

Prior Learning Assessment Portfolio Review Process

Prior Learning Assessment Portfolios should be submitted to advisors within the MLP, who will review them for adequacy in meeting preliminary requirements and the substantive supporting documentation required for Prior Learning Portfolio Special Credit. If the advisor deems a portfolio to be substandard, the student may revise the portfolio or submit it without adjustment to the MLP Director for further faculty review. If the portfolio needs further revisions, the student will be advised to make the necessary revisions and to resubmit the portfolio to the MLP Director for further processing.

The MLP Director submits the portfolio to the appropriate school dean who will identify and secure the services of a faculty member qualified to review the portfolio for learning as it relates to learning outcomes and competencies. In situations where requested prior learning credit is not approved, the faculty member reviewing the portfolio will provide a list of deficiencies and suggestions for improvement. The faculty member will return the portfolio, with a written feedback letter and a signed Special Credit Request Form (noting credit assessment and any specific deficiencies and suggestions for how the student may improve the submittal) to the school dean for review and eventual transfer back to the MLP Director who will convey the results to the student. Upon receiving the results, students may make the suggested revisions and resubmit the portfolio for review using the same process as noted above.

Once credit is added to a student's record or transcript, it becomes a permanent entry on the transcript. The student must pay a \$50 per credit hour transcription fee when the prior learning credit has been fully approved and prior to the Registrar placing the approved credit on the student's academic transcript.

Academic Integrity

It is the aim of the faculty of Lincoln Memorial University to foster a spirit of complete honesty and a high standard of academic integrity. The attempt to present as one's own the work of others is regarded by the faculty and administration as a very serious offense and renders the offender liable to severe consequences and possible suspension.

1. **Cheating:** dishonesty of any kind on examinations or written assignments, unauthorized possession of examination questions, the use of unauthorized notes during an examination, obtaining information during an examination from

another student, assisting others to cheat, altering grade records, or illegally entering an office are instances of cheating.

2. **Plagiarism:** offering the work of another as one's own without proper acknowledgment is plagiarism; therefore, any student who fails to give credit for quotations or essentially identical material taken from books, magazines, encyclopedias, web sources or other reference works, or from the themes, reports, or other writing of a fellow student has committed plagiarism.

Academic Grievance Procedure

Grievances concerning any aspect of academics should first be taken to the instructor of the class if a classroom situation is in dispute. If a student feels he/she needs to take the matter further, the chair of the department offering the course should be consulted no later than two weeks following the first day of classes for the next semester (including summer terms). The next appeal source is the dean of the applicable school. A final decision may be rendered by the Vice President for Academic Affairs.

If the dispute involves an academic program, the academic advisor or the chair of the department should be consulted first.

All academic and grade appeals must be submitted in writing

Application for Graduation

Each candidate for graduation must make a formal application (complete Intent to Graduate form) to the Registrar no later than the last day of the Term 2. Students completing requirements during May mini-term or summer term participate in the following December commencement ceremony. If six or less credits are needed to graduate in May, a student may participate in the commencement ceremony but will not receive a diploma until graduation requirements are met. A graduation fee of \$50 is charged. This fee covers cost of the degree audit (i.e., determining that all academic requirements have been met) and the cost of the diploma and academic regalia.

Family Educational Rights and Privacy Act (FERPA)

The University complies with the provisions of the Family Educational Rights and Privacy Act, 1974, as amended. This law maintains that the institution will provide for the confidentiality of student education records.

No one outside the institution shall have access to nor will LMU disclose any information from students' education records without the written consent of students except to personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

At its discretion LMU may provide directory information in accordance with the provision of the Act to include: student name, address, telephone number, major field of study, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, and weight and height of members of athletic teams. Currently enrolled students may withhold disclosure in writing to the attention of the Registrar.

Students may not inspect and review financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or

education records containing information about more than one student, in which case LMU will permit access only to that part of the record which pertains to the inquiring student.

Lincoln Memorial University maintains a list of all persons except other college officials who have received a copy of the student's education record. A copy of the LMU institutional policy on the release of education records is on file in the President's Office and the Office of the Registrar.

Criminal Background Check Policy

If a student is assigned for clinical experiences/practicum at a clinical affiliate, other affiliate agency, organization, or school requiring a criminal background check, the student will be required to provide the requested information. Students are allowed in the facility at the clinical affiliates, other affiliate agency, organization, or school's discretion. If the agency denies the student's acceptance into the facility, the student will not be able to complete the clinical/practicum/field experience and will be withdrawn from the program.

In certain situations, investigative background reports are ongoing and may be conducted at any time. Access to the program may be denied at any time by the agency or Lincoln Memorial University.

Change of Name or Address

A student who changes name, residence, or mailing address is expected to notify immediately, in writing, the Office of the Registrar regarding the change. Any communication from the University which is mailed to the name and address on record is considered to have been properly delivered.

BACHELOR OF SCIENCE DEGREE IN MANAGEMENT AND LEADERSHIP STUDIES

The Management and Leadership Studies Program (MLP) is designed to assist adults, age 23 and over, who have a minimum 60 semester credit hours of college credit and prior learning experiences, in obtaining a bachelor's degree. The MLP uses the cohort-group approach and includes:

- Attending classes one (1) night per week for core modules
- Completing one (1) core module at a time
- Completing 12 core modules and one online module over a 66-week period that defines 42 semester credit hours of study.

The curriculum includes components to enhance the student's knowledge of human relations, leadership and general management concepts. Upon completion of the degree requirements, students are prepared for numerous management and leadership positions that require meaningful business decision making.

ADMISSION, EXPENSES, AND FINANCIAL AID

Applicants may be admitted to the Management and Leadership Studies Program at Lincoln Memorial University according to the following detailed classifications, policies, and procedures. In addition to submitting a completed application form and a \$25 non-refundable application fee, the applicant must have the appropriate source/agency mail the required documents (official academic transcripts, examination scores, etc.) directly to:

Director of Admissions
Lincoln Memorial University
6965 Cumberland Gap Parkway
Harrogate, TN 37752

Admission Requirements

Admission requirements for the B.S. in Management and Leadership Studies are as follows:

1. Admission to Lincoln Memorial University:
 - a. Submit an LMU admission application and \$25 application fee (non-refundable).
 - b. Request all official transcripts from accredited institutions be sent to the LMU Admissions Office.
2. Admission to Management and Leadership Studies Program:
 - a. Admission to LMU;
 - b. Attaining the age of 23;
 - c. Completing at least 60 semester credit hours from a post-secondary institution as evidenced by official transcripts sent directly from the college or university to the Admissions Office;
 - d. Having earned a grade point average (GPA) of 2.0 on all academic work completed;
 - e. Completing at least 26 semester credit hours of the General Education Core Curriculum for the MLP;
 - f. Submitting two (2) letters of recommendation—one (1) character reference and one (1) employer reference;
 - g. Providing a writing sample (a minimum of two (2) pages) to the MLP Director that includes a self-analysis and the purpose and goals for participating in the MLP;
 - h. Completing a personal interview with an MLP advisor; and
 - i. Paying a \$100.00 admission fee (applied to tuition) to reserve space in the designated cohort group (non-refundable and non-transferable).

Provisional Admission and Pre-MLP Status

Students not meeting the stated MLP admission requirements may be granted either provisional admission or Pre-MLP status, upon review by the MLP Admissions Committee. Provisional admission or Pre-MLP status is determined by the MLP Admissions Committee based on the following: prior work experiences, leadership and teamwork experiences, undergraduate GPA and coursework, letters of recommendation, writing sample, and personal interview. Students granted Provisional admittance into the program must sign a waiver of understanding prior to beginning their initial coursework. Pre-MLP status allows a student to take MLP electives and other coursework in order to fulfill MLP course prerequisites, fulfill the 60 semester credit hour admission requirement, and/or the 26 semester credit hour General Education admission requirement. Students granted

provisional admission or designated as Pre-MLP status may be required to complete additional coursework and writing requirements. Students should consult with an MLP advisor to complete any remaining admission requirements and to develop a program plan. With provisional admission, the student may register for no more than 12 semester credit hours and must obtain a GPA of 3.5 in the first term of enrollment in the MLP. Pre-MLP status does not ensure admission into the MLP.

Tuition and Fees

The tuition cost to attend Lincoln Memorial University is substantially below the national average. The amounts included in the cost of each semester's registration are placed on the student's account in the Finance Office. Interest charges are added to unpaid balances at the end of each month. All charges are subject to audit and verification. The University reserves the right to correct any error by appropriate additional charges or credits. The following tuition and fees for the MLP are effective fall semester 2009:

MLP Tuition (for three terms).....	\$13,110
Additional Classes	\$370 per credit hour
Special Credit Application Fee.....	\$50 per course (non-refundable)
Special Credit Transcription Fee	\$50 per credit hour (non-refundable)
Change of Schedule Fee	\$15 per course
University Challenge Exams	\$50 per exam (non-refundable)
Credit by Exam Transcription Fee.....	\$50 per credit hour (non-refundable)
Late Registration Fee.....	\$100, refer to <i>Schedule of Courses</i>
Cohort Change Fee.....	\$100
Readmission Fee.....	\$250 (after readmission has been approved)
Directed/Independent Study Fee.....	\$25 plus course tuition
Graduation Fee	\$50
Non-sufficient Funds (NSF)	\$30

Failure to pay tuition and fees may lead to professional collection agency efforts to enforce payment. In such cases the student is responsible for ALL collection costs and expenses incurred by the University, including reasonable attorney fees.

Program Specific Policies

Student Course Load

Students in the MLP should not exceed 18 semester credit hours within an MLP term. Students registering for more than 18 semester credit hours must have approval of the MLP Program Director and Dean of the School of Business. Students may, however, pursue special credit (SC) and credit by examination (CE) in addition to the 18 hours. Students may take MLP electives during the program with the approval of an MLP advisor.

It is the student's responsibility to acquire approval from an MLP advisor before pursuing coursework that will be applied toward the Bachelor of Science Degree in Management and Leadership Studies. Transient coursework and documentation may be necessary (see "Approval to Apply for Coursework at Another Institution").

Attendance

Due to a restrictive sequence, compressed time frames, cohort-learning environment, and University regulations, attendance is closely monitored. Module instructors report attendance records to the MLP office on a weekly basis. Absences that are absolutely unavoidable must be arranged with the instructor prior to beginning a module. Only one absence will be allowed for which the module instructor will be obligated to provide make-up arrangements. Make-up assignments can be made up but the absence is still counted in

the student's attendance records. Two absences within an individual module require student withdrawal from that module. Late arrivals and early departures are considered against the student's attendance record. Upon missing two (2) classes, students will be notified by an MLP advisor and provided guidance regarding withdrawal from the module. Students having a total of six (6) accumulated absences will be subject to dismissal from the MLP.

MLP-Specific Grade Policies

The following grade policies are specific to the MLP:

1. Repeating a module is necessary if the student receives a grade of "F"; see "Repeating Modules";
2. A grade of "I" must be removed within five (5) weeks or the grade becomes an "F;"
3. A grade of "IP" must be approved by the instructor and the MLP Director. An "IP" must be removed within five (5) weeks or the grade becomes an "F";
4. Students receiving an "IP" or having to repeat a module must complete additional registration procedures and pay all appropriate fees;
5. A "WD" may be applied to any module prior to the third class meeting;
6. The grade for a repeated course will be applied to the GPA if the repeated grade is higher than the previous grade; and
7. Students withdrawing from a module or the entire program must contact the MLP office at the appropriate teaching site and must complete and sign all official LMU/MLP withdrawal forms and meet requirements (see "Withdrawal from the University"). Failure to do so will result in a grade of "F" being recorded for each class in which the student was registered, and the student will receive no reimbursement of fees paid.

Repeating Modules

With the approval of the MLP Director, a student may repeat a module a maximum of three (3) times in an effort to improve her/his grade point average. A repeated module requires registration and payment of standard tuition and fees. A repeated module does not increase the total credit hours earned, but does increase the grade point average if a higher grade is earned. The lowest grades are not included in the revised calculation of GPA. However, all course registrations maintained beyond the fourth week of classes of the given term and the resulting grade notations remain a part of the student's permanent record and appear on her/his academic transcript. Students may repeat modules by joining another cohort group provided that space is available. A student who must repeat a module due to a previous withdrawal may continue with the module sequence upon completion but in any case will be with another cohort group. The repeat module grade is recorded as part of the student's grade point average. Students who repeat modules are subject to tuition and fees according to the LMU fee schedule in the most current MLP Catalog.

Program and Module Withdrawal Policy

Upon missing two (2) classes in any one module, students will be notified by an MLP advisor and provided guidance regarding withdrawal from the module. A student who must withdraw from a module may proceed to the next module while waiting to repeat the module from which withdrawal occurred. Student may exercise this option one time in the program and must officially register for the module they withdrew from and take it at the next available date it is offered. Students must meet with the MLP Director and complete and sign the official University withdrawal forms when withdrawing from a module or the program. Failure to do so will result in "F"s in the classes the student is registered for and no

1. Refunds for tuition and fees are credited to the student's account according to the refund schedule.
2. Housing and meal fees are credited to the student's account according to the refund schedule.
3. Financial Aid will be prorated to the student according to the Federal Return of Title IV Funds Policy. Withdrawal after the refund period means the student will have used an entire semester's eligibility of aid.
4. The balance of the student's account with the Finance Office will be credited or billed to the student as appropriate.
5. Once the student has completed registration, i.e., turned in the registration form to the Office of Finance, the student is liable for all registration fees even though classes have not been attended, unless the student completed an official withdrawal form.
6. Students who are suspended from LMU or ineligible to continue in an academic program because of grade deficiencies and who are registered in advance for the subsequent semester, must complete an official withdrawal form.

Refer to "Refund Policies" for detailed information.

Transfer Credits from Other Institutions

Lincoln Memorial University will evaluate, for potential transfer, credit awarded by other institutions accredited by associations (regional or national) recognized by the Council of Higher Education Accreditation and/or the U.S. Department of Education. Lincoln Memorial University must evaluate all potential transfer credit and determine if such credit is equivalent in terms of academic level, content, quality, comparability of student learning outcomes, and degree program relevance to course work offered through the University's curriculum. In all cases, student learning outcomes for course credit accepted in transfer for fulfillment of degree requirements (general education or major program) must be determined by evaluation to be equivalent to those of courses offered by Lincoln Memorial University. The University maintains direct transfer and articulation agreements with a number of two-year institutions. Other policies governing transfer credit include:

1. Developmental or remedial courses are recorded but do not apply to the degree.
2. All courses and grades are recorded and calculated in hours attempted, hours earned and cumulative G.P.A.
3. Transfer students who have earned an Associate of Arts degree or an Associate of Science degree in a university parallel program (typically consisting of 45-55 semester credit hours of general education course work in the liberal arts disciplines) from an accredited institution may be required to complete additional general education course work in order to meet the University's expected learning outcomes, core licensure or certification requirements in professional programs. If the student has the grade of "D" in a course required in the General Education Core or required in the major, the course must be repeated. The transfer grade of "D" will not apply to LMU's General Education Core or major requirements. **All students** are required to complete LNCN 100, Lincoln's Life and Legacy. Students pursuing the baccalaureate degree are also required to complete LNCN 300, American Citizenship and Civic Life.
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2. No approval shall be granted for coursework at another institution if the equivalent course is available in the current semester and no scheduling conflict exists.
3. No approval shall be granted for coursework at another institution if the student does not have an overall "C" average at the University.
4. No approval shall be granted for coursework at another institution if the student is in his/her final 32 hours (baccalaureate) or 16 hours (associate) of LMU credits.
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1. Log on to the LMU website, and click on Current Students and Faculty
2. Click on Blackboard and choose Lincoln Memorial University
3. Log on: username is the format of LMU email, firstname.lastname; password (initially) is your birthday in the mmddyy format (i.e. 6 digits); for example, for a birthday of August 11, 1963, the password would be: 081163.
4. Click on the appropriate class.

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CPS/CAP Exams
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Complete information regarding SC and CE, and related fees, is available in the office of the dean of the applicable school. (See page 26 of this catalog for specific fees).

Prior Learning Assessment

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1. Collecting all prior learning documentation;
2. Contacting the MLP Director or an advisor in the MLP office to schedule an appointment for program planning and estimating the number of hours that may be earned through prior learning assessment (This is only an estimate and does not guarantee approval of prior learning credit hours (SC));
3. Attending a designated Prior Learning Seminar;

4. Developing a prior learning portfolio based upon the American Council on Education (ACE) and the Council on Adult and Experiential Learning (CAEL) standards and guidelines;
5. Completing the Special Credit Request Form;
6. Paying a \$50 non-refundable per course prior learning assessment fee. This fee is due when materials are submitted and paid prior to any review of prior learning and does not guarantee credit approval; and
7. Submitting the Special Credit Request Form and the Prior Learning Portfolio to the MLP Director prior to the second week of term two (2). All prior learning requests and approvals must be completed by the end of term three (3).

Evaluations, recommendations, and approvals for prior learning credit will be made by the MLP Director, MLP advisors, LMU faculty members, and school deans who teach in areas for which prior learning credit is requested. Upon assessment of prior learning, the student will be notified by an MLP advisor and informed as to the number of hours approved. At that time, if deemed necessary, the student, in consultation with an MLP advisor, will determine alternatives for completing the required LMU baccalaureate degree credit hours.

Prior Learning Assessment Portfolio Review Process

Prior Learning Assessment Portfolios should be submitted to advisors within the MLP, who will review them for adequacy in meeting preliminary requirements and the substantive supporting documentation required for Prior Learning Portfolio Special Credit. If the advisor deems a portfolio to be substandard, the student may revise the portfolio or submit it without adjustment to the MLP Director for further faculty review. If the portfolio needs further revisions, the student will be advised to make the necessary revisions and to resubmit the portfolio to the MLP Director for further processing.

The MLP Director submits the portfolio to the appropriate school dean who will identify and secure the services of a faculty member qualified to review the portfolio for learning as it relates to learning outcomes and competencies. In situations where requested prior learning credit is not approved, the faculty member reviewing the portfolio will provide a list of deficiencies and suggestions for improvement. The faculty member will return the portfolio, with a written feedback letter and a signed Special Credit Request Form (noting credit assessment and any specific deficiencies and suggestions for how the student may improve the submittal) to the school dean for review and eventual transfer back to the MLP Director who will convey the results to the student. Upon receiving the results, students may make the suggested revisions and resubmit the portfolio for review using the same process as noted above.

Once credit is added to a student's record or transcript, it becomes a permanent entry on the transcript. The student must pay a \$50 per credit hour transcription fee when the prior learning credit has been fully approved and prior to the Registrar placing the approved credit on the student's academic transcript.

Academic Integrity

It is the aim of the faculty of Lincoln Memorial University to foster a spirit of complete honesty and a high standard of academic integrity. The attempt to present as one's own the work of others is regarded by the faculty and administration as a very serious offense and renders the offender liable to severe consequences and possible suspension.

1. **Cheating:** dishonesty of any kind on examinations or written assignments, unauthorized possession of examination questions, the use of unauthorized notes during an examination, obtaining information during an examination from

another student, assisting others to cheat, altering grade records, or illegally entering an office are instances of cheating.

2. **Plagiarism:** offering the work of another as one's own without proper acknowledgment is plagiarism; therefore, any student who fails to give credit for quotations or essentially identical material taken from books, magazines, encyclopedias, web sources or other reference works, or from the themes, reports, or other writing of a fellow student has committed plagiarism.

Academic Grievance Procedure

Grievances concerning any aspect of academics should first be taken to the instructor of the class if a classroom situation is in dispute. If a student feels he/she needs to take the matter further, the chair of the department offering the course should be consulted no later than two weeks following the first day of classes for the next semester (including summer terms). The next appeal source is the dean of the applicable school. A final decision may be rendered by the Vice President for Academic Affairs.

If the dispute involves an academic program, the academic advisor or the chair of the department should be consulted first.

All academic and grade appeals must be submitted in writing

Application for Graduation

Each candidate for graduation must make a formal application (complete Intent to Graduate form) to the Registrar no later than the last day of the Term 2. Students completing requirements during May mini-term or summer term participate in the following December commencement ceremony. If six or less credits are needed to graduate in May, a student may participate in the commencement ceremony but will not receive a diploma until graduation requirements are met. A graduation fee of \$50 is charged. This fee covers cost of the degree audit (i.e., determining that all academic requirements have been met) and the cost of the diploma and academic regalia.

Family Educational Rights and Privacy Act (FERPA)

The University complies with the provisions of the Family Educational Rights and Privacy Act, 1974, as amended. This law maintains that the institution will provide for the confidentiality of student education records.

No one outside the institution shall have access to nor will LMU disclose any information from students' education records without the written consent of students except to personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

At its discretion LMU may provide directory information in accordance with the provision of the Act to include: student name, address, telephone number, major field of study, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, and weight and height of members of athletic teams. Currently enrolled students may withhold disclosure in writing to the attention of the Registrar.

Students may not inspect and review financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or

education records containing information about more than one student, in which case LMU will permit access only to that part of the record which pertains to the inquiring student.

Lincoln Memorial University maintains a list of all persons except other college officials who have received a copy of the student's education record. A copy of the LMU institutional policy on the release of education records is on file in the President's Office and the Office of the Registrar.

Criminal Background Check Policy

If a student is assigned for clinical experiences/practicum at a clinical affiliate, other affiliate agency, organization, or school requiring a criminal background check, the student will be required to provide the requested information. Students are allowed in the facility at the clinical affiliates, other affiliate agency, organization, or school's discretion. If the agency denies the student's acceptance into the facility, the student will not be able to complete the clinical/practicum/field experience and will be withdrawn from the program.

In certain situations, investigative background reports are ongoing and may be conducted at any time. Access to the program may be denied at any time by the agency or Lincoln Memorial University.

Change of Name or Address

A student who changes name, residence, or mailing address is expected to notify immediately, in writing, the Office of the Registrar regarding the change. Any communication from the University which is mailed to the name and address on record is considered to have been properly delivered.

BACHELOR OF SCIENCE DEGREE IN MANAGEMENT AND LEADERSHIP STUDIES

The Management and Leadership Studies Program (MLP) is designed to assist adults, age 23 and over, who have a minimum 60 semester credit hours of college credit and prior learning experiences, in obtaining a bachelor's degree. The MLP uses the cohort-group approach and includes:

- Attending classes one (1) night per week for core modules
- Completing one (1) core module at a time
- Completing 12 core modules and one online module over a 66-week period that defines 42 semester credit hours of study.

The curriculum includes components to enhance the student's knowledge of human relations, leadership and general management concepts. Upon completion of the degree requirements, students are prepared for numerous management and leadership positions that require meaningful business decision making.

ADMISSION, EXPENSES, AND FINANCIAL AID

Applicants may be admitted to the Management and Leadership Studies Program at Lincoln Memorial University according to the following detailed classifications, policies, and procedures. In addition to submitting a completed application form and a \$25 non-refundable application fee, the applicant must have the appropriate source/agency mail the required documents (official academic transcripts, examination scores, etc.) directly to:

Director of Admissions
Lincoln Memorial University
6965 Cumberland Gap Parkway
Harrogate, TN 37752

Admission Requirements

Admission requirements for the B.S. in Management and Leadership Studies are as follows:

1. Admission to Lincoln Memorial University:
 - a. Submit an LMU admission application and \$25 application fee (non-refundable).
 - b. Request all official transcripts from accredited institutions be sent to the LMU Admissions Office.
2. Admission to Management and Leadership Studies Program:
 - a. Admission to LMU;
 - b. Attaining the age of 23;
 - c. Completing at least 60 semester credit hours from a post-secondary institution as evidenced by official transcripts sent directly from the college or university to the Admissions Office;
 - d. Having earned a grade point average (GPA) of 2.0 on all academic work completed;
 - e. Completing at least 26 semester credit hours of the General Education Core Curriculum for the MLP;
 - f. Submitting two (2) letters of recommendation—one (1) character reference and one (1) employer reference;
 - g. Providing a writing sample (a minimum of two (2) pages) to the MLP Director that includes a self-analysis and the purpose and goals for participating in the MLP;
 - h. Completing a personal interview with an MLP advisor; and
 - i. Paying a \$100.00 admission fee (applied to tuition) to reserve space in the designated cohort group (non-refundable and non-transferable).

Provisional Admission and Pre-MLP Status

Students not meeting the stated MLP admission requirements may be granted either provisional admission or Pre-MLP status, upon review by the MLP Admissions Committee. Provisional admission or Pre-MLP status is determined by the MLP Admissions Committee based on the following: prior work experiences, leadership and teamwork experiences, undergraduate GPA and coursework, letters of recommendation, writing sample, and personal interview. Students granted Provisional admittance into the program must sign a waiver of understanding prior to beginning their initial coursework. Pre-MLP status allows a student to take MLP electives and other coursework in order to fulfill MLP course prerequisites, fulfill the 60 semester credit hour admission requirement, and/or the 26 semester credit hour General Education admission requirement. Students granted

provisional admission or designated as Pre-MLP status may be required to complete additional coursework and writing requirements. Students should consult with an MLP advisor to complete any remaining admission requirements and to develop a program plan. With provisional admission, the student may register for no more than 12 semester credit hours and must obtain a GPA of 3.5 in the first term of enrollment in the MLP. Pre-MLP status does not ensure admission into the MLP.

Tuition and Fees

The tuition cost to attend Lincoln Memorial University is substantially below the national average. The amounts included in the cost of each semester's registration are placed on the student's account in the Finance Office. Interest charges are added to unpaid balances at the end of each month. All charges are subject to audit and verification. The University reserves the right to correct any error by appropriate additional charges or credits. The following tuition and fees for the MLP are effective fall semester 2009:

MLP Tuition (for three terms).....	\$13,110
Additional Classes	\$370 per credit hour
Special Credit Application Fee.....	\$50 per course (non-refundable)
Special Credit Transcription Fee	\$50 per credit hour (non-refundable)
Change of Schedule Fee	\$15 per course
University Challenge Exams	\$50 per exam (non-refundable)
Credit by Exam Transcription Fee.....	\$50 per credit hour (non-refundable)
Late Registration Fee.....	\$100, refer to <i>Schedule of Courses</i>
Cohort Change Fee.....	\$100
Readmission Fee.....	\$250 (after readmission has been approved)
Directed/Independent Study Fee.....	\$25 plus course tuition
Graduation Fee	\$50
Non-sufficient Funds (NSF)	\$30

Failure to pay tuition and fees may lead to professional collection agency efforts to enforce payment. In such cases the student is responsible for ALL collection costs and expenses incurred by the University, including reasonable attorney fees.

Program Specific Policies

Student Course Load

Students in the MLP should not exceed 18 semester credit hours within an MLP term. Students registering for more than 18 semester credit hours must have approval of the MLP Program Director and Dean of the School of Business. Students may, however, pursue special credit (SC) and credit by examination (CE) in addition to the 18 hours. Students may take MLP electives during the program with the approval of an MLP advisor.

It is the student's responsibility to acquire approval from an MLP advisor before pursuing coursework that will be applied toward the Bachelor of Science Degree in Management and Leadership Studies. Transient coursework and documentation may be necessary (see "Approval to Apply for Coursework at Another Institution").

Attendance

Due to a restrictive sequence, compressed time frames, cohort-learning environment, and University regulations, attendance is closely monitored. Module instructors report attendance records to the MLP office on a weekly basis. Absences that are absolutely unavoidable must be arranged with the instructor prior to beginning a module. Only one absence will be allowed for which the module instructor will be obligated to provide make-up arrangements. Make-up assignments can be made up but the absence is still counted in

the student's attendance records. Two absences within an individual module require student withdrawal from that module. Late arrivals and early departures are considered against the student's attendance record. Upon missing two (2) classes, students will be notified by an MLP advisor and provided guidance regarding withdrawal from the module. Students having a total of six (6) accumulated absences will be subject to dismissal from the MLP.

MLP-Specific Grade Policies

The following grade policies are specific to the MLP:

1. Repeating a module is necessary if the student receives a grade of "F"; see "Repeating Modules";
2. A grade of "I" must be removed within five (5) weeks or the grade becomes an "F;"
3. A grade of "IP" must be approved by the instructor and the MLP Director. An "IP" must be removed within five (5) weeks or the grade becomes an "F";
4. Students receiving an "IP" or having to repeat a module must complete additional registration procedures and pay all appropriate fees;
5. A "WD" may be applied to any module prior to the third class meeting;
6. The grade for a repeated course will be applied to the GPA if the repeated grade is higher than the previous grade; and
7. Students withdrawing from a module or the entire program must contact the MLP office at the appropriate teaching site and must complete and sign all official LMU/MLP withdrawal forms and meet requirements (see "Withdrawal from the University"). Failure to do so will result in a grade of "F" being recorded for each class in which the student was registered, and the student will receive no reimbursement of fees paid.

Repeating Modules

With the approval of the MLP Director, a student may repeat a module a maximum of three (3) times in an effort to improve her/his grade point average. A repeated module requires registration and payment of standard tuition and fees. A repeated module does not increase the total credit hours earned, but does increase the grade point average if a higher grade is earned. The lowest grades are not included in the revised calculation of GPA. However, all course registrations maintained beyond the fourth week of classes of the given term and the resulting grade notations remain a part of the student's permanent record and appear on her/his academic transcript. Students may repeat modules by joining another cohort group provided that space is available. A student who must repeat a module due to a previous withdrawal may continue with the module sequence upon completion but in any case will be with another cohort group. The repeat module grade is recorded as part of the student's grade point average. Students who repeat modules are subject to tuition and fees according to the LMU fee schedule in the most current MLP Catalog.

Program and Module Withdrawal Policy

Upon missing two (2) classes in any one module, students will be notified by an MLP advisor and provided guidance regarding withdrawal from the module. A student who must withdraw from a module may proceed to the next module while waiting to repeat the module from which withdrawal occurred. Student may exercise this option one time in the program and must officially register for the module they withdrew from and take it at the next available date it is offered. Students must meet with the MLP Director and complete and sign the official University withdrawal forms when withdrawing from a module or the program. Failure to do so will result in "F"s in the classes the student is registered for and no

Lincoln Memorial University - Duncan School of Law
Office of Admissions 601 Summit Hill Drive Knoxville, Tennessee 37902 (865) 524-5286

Application for Admission — the part-time, evening Juris Doctor Program

Class of 2014 – Starting August 2010

The priority application deadline is January 31, 2010 for enrollment in into the Class of 2014. The application processing fee is waived if the application is completed in its entirety and post-marked by this date. The application deadline is July 1, 2010. Applications postmarked between February 1, 2010 and July 1, 2010 must be accompanied by an application processing fee. Please attach a non-refundable application processing fee in the amount of fifty-dollars (\$50 USD by personal check, money order or cashier's check) and made payable to Lincoln Memorial University

Full Name: _____
Last or Family Name First Name Middle Name Former/Maiden Last Name (if applicable)

Title: Mr. Ms. Dr. _____ Social Security Number:* _____ / _____ / _____

Law School Admission Council (LSAC) Account Number: L _____
(if you are already registered with the Law School Admission Council)

Gender:* Male Female

Date of Birth (MM/DD/YYYY): ____ / ____ / ____

Federal Racial/Ethnic Category:*

Citizenship:

- 1) Nonresident Alien
- 2) Race and Ethnicity unknown
- 3) Hispanics of any race

Citizen of the United States of America

Non-citizens, including permanent resident aliens:

For non-Hispanics only (please check all that apply):

- 4) American Indian or Alaska Native
- 5) Asian
- 6) Black or African American
- 7) Native Hawaiian or Other Pacific Islander
- 8) White

U.S. Permanent Resident Alien
Alien Registration Number _____

Non-Resident Alien:
Non-Immigrant Visa _____

Country of Citizenship _____

Current Mailing Address:

Permanent/Home Mailing Address:

Street or Box _____

Street or Box _____

City State Zip Code _____

City State Zip Code _____

Preferred Telephone Number (including area code) _____

Preferred Telephone Number (including area code) _____

Is this your cellular work land line/home number?

Is this your cellular work land line/home number?

Alternate Telephone Number _____

Alternate Telephone Number _____

Is this your cellular work land line/home number?

Is this your cellular work land line/home number?

Email address: _____

Will this email address remain valid until August 1, 2010? Yes No

*Providing this information is voluntary. If you would prefer not to provide your Social Security Number (SSN) or if you do not have one, then an identification number will be generated for you. Your SSN will be used for purposes of verification and will help avoid errors of identity which might cause problems and delays in the processing of your application. Lincoln Memorial University requests information about your race and ethnicity in reporting to the United States Department of Education. Information collected from you on this application is protected by the Federal Educational Rights and Privacy Act of 1974 and will not be released to third parties without your written consent.

High School: _____
Name Location Dates Attended (MM/YY - MM/YY)

Have you ever attended any law school, including any conditional entry programs? Yes No
If you answered yes, provide the following information:

Name of the Institution Dates Attended Reason for Leaving

Have you ever been dropped, suspended, warned, placed on scholastic or disciplinary probation, expelled, requested to resign, allowed to resign in lieu of discipline from any college or university (including law school), or otherwise subjected to discipline by any such institution or requested or advised by any such institution to discontinue your studies therein?

Yes No

If you answered yes, provide the following information:

Name of the Institution

Type of Action Date Action Taken

Explanation of Institution Action

(If necessary, attach additional sheets with disciplinary information.)

List any academic honors you have received after high school, including membership in honor societies, scholarships, fellowships, prizes, etc:

List any community and extracurricular activities, including your level and length of involvement, and any leadership positions held:

List any intercollegiate sports/athletics in which you participated, including your level and length of involvement, and any leadership positions held:

Military History

Have you ever been a member of the armed forces of the United States, its reserve components, or the National Guard? Yes No

If yes: I am presently a member of the armed forces. I was a member of the armed forces.

Regular armed forces: Air Force Army Coast Guard Marine Corps Navy
 Reserve components: Air Force Army Coast Guard Marine Corps Navy
 National Guard: Air Force Army

My serial Number was/is _____ My rank was/is _____

Dates of Service: Active Duty: From MM/YYYY _____ To MM/YYYY _____
 Reserve Duty: From MM/YYYY _____ To MM/YYYY _____
 Nat'l Guard: From MM/YYYY _____ To MM/YYYY _____

Did you receive an honorable discharge? Yes No Not Applicable
 Were you ever court-martialed? Yes No Not Applicable
 Were you ever awarded non-judicial punishment? Yes No Not Applicable
 Were you allowed to resign in lieu of court-martial? Yes No Not Applicable
 Were you administratively discharged? Yes No Not Applicable

Employment History

Provide your employment information for the last ten years or since age 18, *whichever period of time is shorter*. If you have an extensive employment history, then please feel free to attach a résumé.

Current Employer/Profession: *Currently Unemployed* — Since Mo/Yr _____

Employer/Profession	Location	Position	Start Date (mm/yy)

Previous Professional Employment Experience:

Employer/Profession	Location	Position	Start Date (mm/yy)/End Date (mm/yy)

Were you employed during any academic year while an undergraduate? Yes No

If yes, describe positions held and hours worked per week during each academic year:

Character and Fitness

Anyone wishing to practice law in any jurisdiction must register for and take a bar examination in the jurisdiction in which one seeks to practice. Each jurisdiction establishes its own bar registration and admissions standards. An important component of the privilege to practice in any jurisdiction is a thorough evaluation of one's character and fitness for admission to the bar.

The Section of Legal Education and Admission to the Bar of the American Bar Association (ABA), in Standard 504 of the 2009-2010 Standards, Interpretations and Rules of Procedure for Approval of Law Schools, states that "a law school shall advise each applicant that there are character, fitness and other qualifications for admission to the bar and encourage the applicant, prior to matriculation, to determine what those requirements are in the state(s) in which the applicant intends to practice. The law school should, as soon after matriculation as is practicable, take additional steps to apprise entering students of the importance of determining the applicable character, fitness and other qualifications."

Because of the stringent character and fitness qualifications for admission to the Bar, the Lincoln Memorial University Duncan School of Law requires applicants for admission to fully disclose responses to questions pertaining to character and fitness throughout this application for admission. In addition to questions that you have already been asked throughout this application, you are also required to answer the questions below.

If you answer affirmatively to any of the following questions, you must explain fully the nature of each incident. Answering "Yes" to any question does not automatically disqualify an applicant from consideration for admission. The admissions committee would like the opportunity to review all relevant facts including (but not limited to) the issue, the offense, the date of the offense, the law enforcement agency involved and disposition, including fine, court costs or other penalties, etc. The ABA precludes the admission of applicants who do not appear capable of satisfactorily completing its educational program *and* being admitted to the bar. Similar questions to the ones listed below will be asked of you at the time of application for admission to the Bar.

- Yes No Have you ever been arrested?
- Yes No Have you ever been convicted of a crime, including any misdemeanor other than a minor traffic violation?
- Yes No Are there any criminal charges pending against you which, if you were to be convicted, would cause you to answer affirmatively to the previous question?
- Yes No Have you ever entered a guilty plea or a no contest plea to a criminal offense?
- Yes No Have you ever had a criminal conviction expunged or set aside?
- Yes No Are you currently on probation, parole or under court restriction?
- Yes No Have you ever been delinquent or in default of any financial obligation including student loans?
- Yes No Have you ever held a professional license which has been subject to disciplinary action, probation, suspension or revocation?
- Yes No Have you ever been accused of a violation of trust?
- Yes No Have you ever been a party to legal proceedings?
- Yes No Have you ever been a party to proceedings before an administrative agency?
- Yes No Have you ever been, or are you currently, addicted to the use of narcotics?
- Yes No Have you ever been, or are you currently, addicted to the use of intoxicating liquors?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for emotional disturbance?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for mental disorder?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for nervous disorder?
- Yes No Have you ever been denied admission to the Bar of any other jurisdiction?

Personal Statement

Please attach a personal statement detailing why you want to be a lawyer, why you are interested in attending the Lincoln Memorial University Duncan School of Law and any experience that you may have in the legal profession. You may also wish to describe any particular areas of the law which interest you. Please address what you hope to contribute to the legal profession and to the needs of the people of the southern Appalachian region. Additionally, describe your personal and cultural background, any obstacles that you have overcome and any extenuating circumstances that may have had an impact on your academic performance. Please elucidate for the admissions committee anything that you feel is not adequately covered in the information that you provided in the previous sections of this application.

Letters of Recommendation

The Lincoln Memorial University Duncan School of Law requires each applicant to submit two letters of recommendation from individuals who are familiar with your academic abilities, work ethic and personal character. An application file will not be considered complete until these have been received. Please list the names and contact information of these individuals, and method of submission:

Name and Title

Relationship to You

Street or Box

City State Zip Code

Email Address Telephone Number (including area code)

1) LSDAS Recommendation Service
 2) Enclosed with application materials
 3) Submitted directly to the law school by the recommender

Name and Title

Relationship to You

Street or Box

City State Zip Code

Email Address Telephone Number (including area code)

1) LSDAS Recommendation Service
 2) Enclosed with application materials
 3) Submitted directly to the law school by the recommender

Additional Information

*The following information is being requested to get a better understanding of our applicant pool and is completely voluntary.

To which other law schools are you applying for admission? _____

Parental Information:

Father's Name Living? Yes No

Street or Box

City State Zip Code

Occupation College Degrees Earned?

Mother's Name Living? Yes No

Street or Box

City State Zip Code

Occupation College Degrees Earned?

How did you hear about the Lincoln Memorial University Duncan School of Law in Knoxville, Tennessee?

Please help us evaluate our marketing and recruitment efforts by checking all that apply to the above question.

- | | |
|---|--|
| 1) <input type="checkbox"/> Relative attended LMU | 8) <input type="checkbox"/> An ad in my local newspaper |
| 2) <input type="checkbox"/> LMU Admissions representative visited my college | 9) <input type="checkbox"/> A news story in my local newspaper |
| 3) <input type="checkbox"/> LMU Admissions representative visited my worksite | 10) <input type="checkbox"/> A news story on my local television station |
| 4) <input type="checkbox"/> LMU Faculty Member | 11) <input type="checkbox"/> A commercial on my local television station |
| 5) <input type="checkbox"/> LMU Staff Member | 12) <input type="checkbox"/> A news story on my local radio station |
| 6) <input type="checkbox"/> LMU Coach | 13) <input type="checkbox"/> A commercial on my local radio station |
| 7) <input type="checkbox"/> Information I received in the mail | 14) <input type="checkbox"/> A news story on my local radio station |

- 15) A billboard
16) College Pre-Law Advisor
17) Attorney or Judge

- 18) Internet
19) Other _____

In an effort to gain a better understanding of your standardized test-taking history, please provide information (if easily obtainable) about the following test, including the month, year and score:

Scholastic Aptitude Test (SAT)

American College Test (ACT)

Graduate Record Examination (GRE)

Other (MCAT, GMAT, TOEFL, CPA, etc.)

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

Certification

I hereby certify that I have read the foregoing document, understand all questions asked, and have answered all questions fully and forthrightly to the best of my knowledge, belief and ability. All information, including the personal statement, is my own. I understand that it is my responsibility to promptly notify the Director of Admissions of any changes with regard to the information that I have provided in answer to any questions on this application for admission throughout the admissions process. Any omission, falsification or misstatement of a material fact on the application, or any of its supplemental information or attachments, could be the basis for denial of admission or, if admitted, disciplinary action up to and including rescission of an offer of admission, suspension, dismissal from the Lincoln Memorial University Duncan School of Law or revocation of a degree.

Additionally, I understand that should an offer of admission be extended to me and I accept said offer of admission, I will, once matriculated, promptly notify the Dean or Associate Dean for Academics of any changes with regard to the information that I have provided in answer to any questions on this application for admission throughout my tenure as a student at the Lincoln Memorial University Duncan School of Law.

Finally, I understand that should an offer of admission be extended to me and I accept said offer of admission, I will, at the point of matriculation, read and fully understand the Lincoln Memorial University Duncan School of Law Catalog and Student Handbook. I will adhere to all rules and policies found therein, and I will keep abreast of any changes and updates to those publications.

Signature

Date

Statement on Discrimination

Lincoln Memorial University admits students of any race, sex, handicap, religion, nationality and ethnic origin to all rights, privileges, programs and activities generally accorded or made available to its students. It does not discriminate on the basis of race, sex, sexual orientation, handicap, religion, national or ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs, or athletic and other college-administered programs.

Statement on Campus Security

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Tennessee College and University Security Information Act, the Lincoln Memorial University-School of Law will provide you, upon request, an annual Security Report on university-wide security and safety, including related policies, procedures, and crime statistics. A copy of this report may be obtained in writing or calling the Dean of Students, Lincoln Memorial University, 6965 Cumberland Gap Parkway, Harrogate, Tennessee 37752 or by telephone at (423) 869-7088. You may also obtain this report on our Website at <http://www.lmunet.edu/campuslife/safety/index.html>.

High School: _____
Name Location Dates Attended (MM/YY - MM/YY)

Have you ever attended any law school, including any conditional entry programs? Yes No
If you answered yes, provide the following information:

Name of the Institution Dates Attended Reason for Leaving

Have you ever been dropped, suspended, warned, placed on scholastic or disciplinary probation, expelled, requested to resign, allowed to resign in lieu of discipline from any college or university (including law school), or otherwise subjected to discipline by any such institution or requested or advised by any such institution to discontinue your studies therein?

Yes No

If you answered yes, provide the following information:

Name of the Institution

Type of Action Date Action Taken

Explanation of Institution Action

(If necessary, attach additional sheets with disciplinary information.)

List any academic honors you have received after high school, including membership in honor societies, scholarships, fellowships, prizes, etc:

List any community and extracurricular activities, including your level and length of involvement, and any leadership positions held:

List any intercollegiate sports/athletics in which you participated, including your level and length of involvement, and any leadership positions held:

Military History

Have you ever been a member of the armed forces of the United States, its reserve components, or the National Guard? Yes No

If yes: I am presently a member of the armed forces. I was a member of the armed forces.

Regular armed forces: Air Force Army Coast Guard Marine Corps Navy
Reserve components: Air Force Army Coast Guard Marine Corps Navy
National Guard: Air Force Army

My serial Number was/is _____ My rank was/is _____

Dates of Service: Active Duty: From MM/YYYY _____ To MM/YYYY _____
Reserve Duty: From MM/YYYY _____ To MM/YYYY _____
Nat'l Guard: From MM/YYYY _____ To MM/YYYY _____

Did you receive an honorable discharge? Yes No Not Applicable
Were you ever court-martialed? Yes No Not Applicable
Were you ever awarded non-judicial punishment? Yes No Not Applicable
Were you allowed to resign in lieu of court-martial? Yes No Not Applicable
Were you administratively discharged? Yes No Not Applicable

Employment History

Provide your employment information for the last ten years or since age 18, *whichever period of time is shorter*. If you have an extensive employment history, then please feel free to attach a résumé.

Current Employer/Profession: *Currently Unemployed* — Since Mo/Yr _____

Employer/Profession	Location	Position	Start Date (mm/yy)

Previous Professional Employment Experience:

Employer/Profession	Location	Position	Start Date (mm/yy)/End Date (mm/yy)

Were you employed during any academic year while an undergraduate? Yes No
If yes, describe positions held and hours worked per week during each academic year:

Character and Fitness

Anyone wishing to practice law in any jurisdiction must register for and take a bar examination in the jurisdiction in which one seeks to practice. Each jurisdiction establishes its own bar registration and admissions standards. An important component of the privilege to practice in any jurisdiction is a thorough evaluation of one's character and fitness for admission to the bar.

The Section of Legal Education and Admission to the Bar of the American Bar Association (ABA), in Standard 504 of the 2009-2010 Standards, Interpretations and Rules of Procedure for Approval of Law Schools, states that "a law school shall advise each applicant that there are character, fitness and other qualifications for admission to the bar and encourage the applicant, prior to matriculation, to determine what those requirements are in the state(s) in which the applicant intends to practice. The law school should, as soon after matriculation as is practicable, take additional steps to apprise entering students of the importance of determining the applicable character, fitness and other qualifications."

Because of the stringent character and fitness qualifications for admission to the Bar, the Lincoln Memorial University Duncan School of Law requires applicants for admission to fully disclose responses to questions pertaining to character and fitness throughout this application for admission. In addition to questions that you have already been asked throughout this application, you are also required to answer the questions below.

If you answer affirmatively to any of the following questions, you must explain fully the nature of each incident. Answering "Yes" to any question does not automatically disqualify an applicant from consideration for admission. The admissions committee would like the opportunity to review all relevant facts including (but not limited to) the issue, the offense, the date of the offense, the law enforcement agency involved and disposition, including fine, court costs or other penalties, etc. The ABA precludes the admission of applicants who do not appear capable of satisfactorily completing its educational program *and* being admitted to the bar. Similar questions to the ones listed below will be asked of you at the time of application for admission to the Bar.

- Yes No Have you ever been arrested?
- Yes No Have you ever been convicted of a crime, including any misdemeanor other than a minor traffic violation?
- Yes No Are there any criminal charges pending against you which, if you were to be convicted, would cause you to answer affirmatively to the previous question?
- Yes No Have you ever entered a guilty plea or a no contest plea to a criminal offense?
- Yes No Have you ever had a criminal conviction expunged or set aside?
- Yes No Are you currently on probation, parole or under court restriction?
- Yes No Have you ever been delinquent or in default of any financial obligation including student loans?
- Yes No Have you ever held a professional license which has been subject to disciplinary action, probation, suspension or revocation?
- Yes No Have you ever been accused of a violation of trust?
- Yes No Have you ever been a party to legal proceedings?
- Yes No Have you ever been a party to proceedings before an administrative agency?
- Yes No Have you ever been, or are you currently, addicted to the use of narcotics?
- Yes No Have you ever been, or are you currently, addicted to the use of intoxicating liquors?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for emotional disturbance?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for mental disorder?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for nervous disorder?
- Yes No Have you ever been denied admission to the Bar of any other jurisdiction?

- 17) Attorney or Judge
18) Internet

19) Other _____

In an effort to gain a better understanding of your standardized test-taking history, please provide information (if easily obtainable) about the following test, including the month, year and score:

Scholastic Aptitude Test (SAT)

American College Test (ACT)

Graduate Record Examination (GRE)

Other (MCAT, GMAT, TOEFL, CPA, etc.)

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

Certification

I hereby certify that I have read the foregoing document, understand all questions asked, and have answered all questions fully and forthrightly to the best of my knowledge, belief and ability. All information, including the personal statement, is my own. I understand that it is my responsibility to promptly notify the Director of Admissions of any changes with regard to the information that I have provided in answer to any questions on this application for admission throughout the admissions process. Any omission, falsification or misstatement of a material fact on the application, or any of its supplemental information or attachments, could be the basis for denial of admission or, if admitted, disciplinary action up to and including rescission of an offer of admission, suspension, dismissal from the Lincoln Memorial University Duncan School of Law or revocation of a degree.

Additionally, I understand that should an offer of admission be extended to me and I accept said offer of admission, I will, once matriculated, promptly notify the Dean or Associate Dean for Academics of any changes with regard to the information that I have provided in answer to any questions on this application for admission throughout my tenure as a student at the Lincoln Memorial University Duncan School of Law.

Finally, I understand that should an offer of admission be extended to me and I accept said offer of admission, I will, at the point of matriculation, read and fully understand the Lincoln Memorial University Duncan School of Law Catalog and Student Handbook. I will adhere to all rules and policies found therein, and I will keep abreast of any changes and updates to those publications.

Signature

Date

Statement on Discrimination

Lincoln Memorial University admits students of any race, sex, handicap, religion, nationality and ethnic origin to all rights, privileges, programs and activities generally accorded or made available to its students. It does not discriminate on the basis of race, sex, sexual orientation, handicap, religion, national or ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs, or athletic and other college-administered programs.

Statement on Campus Security

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Tennessee College and University Security Information Act, the Lincoln Memorial University-School of Law will provide you, upon request, an annual Security Report on university-wide security and safety, including related policies, procedures, and crime statistics. A copy of this report may be obtained in writing or calling the Dean of Students, Lincoln Memorial University, 6965 Cumberland Gap Parkway, Harrogate, Tennessee 37752 or by telephone at (423) 869-7088. You may also obtain this report on our Website at <http://www.lmunet.edu/campuslife/safety/index.html>.

DSOL Targeted Demographics Plan

When making any considerations for our *Targeted Demographics Plan* we will employ the mission statement of Lincoln Memorial University and of the Duncan School of Law. The mission statement for LMU is as follows:

Mission and Purpose

Lincoln Memorial University is a values-based learning community dedicated to providing educational experiences in the liberal arts and professional studies. The University strives to give students a foundation for a more productive life by upholding the principles of Abraham Lincoln's life: a dedication to individual liberty, responsibility, and improvement; a respect for citizenship; recognition of the intrinsic value of high moral and ethical standards; and a belief in a personal God.

The University is committed to teaching, research, and service. The University's curriculum and commitment to quality instruction at every level are based on the beliefs that graduates must be able to communicate clearly and effectively in an era of rapidly and continuously expanding communication technology, must have an appreciable depth of learning in a field of knowledge, must appreciate and understand the various ways by which we come to know ourselves and the world around us, and must be able to exercise informed judgments.

The University believes that one of the major cornerstones of meaningful existence is service to humanity. By making educational and research opportunities available to students where they live and through various recreational and cultural events open to the community, Lincoln Memorial University seeks to advance life in the Cumberland Gap area and throughout the region through its teaching, research, and service mission.

(Reaffirmed by the Board of Trustees 5 May 2006)

The mission statement of the school of law is as follows:

The Lincoln Memorial University Duncan School of Law builds upon a foundation that upholds the principles of Abraham Lincoln's life: a dedication to individual liberty, responsibility, and improvement; a respect for citizenship; recognition of the intrinsic value of high moral and ethical standards; and a belief in a personal God.

Through teaching, research and service, the LMU School of Law will prepare graduates:

- who are committed to the premise that the cornerstone of meaningful existence is service to humanity;
- who understand their professional responsibilities as representatives of clients, officers of the courts, and public citizens responsible for the quality and availability of justice under the law; and
- who have an understanding of the fundamental principles of public and private law, an understanding of the nature, basis and role of the law and its institutions, and the skills of legal analysis and writing, issue recognition, reasoning, problem solving, organization, and oral and written communication necessary to participate effectively in the legal profession.

The Lincoln Memorial University Duncan School of Law will:

- graduate Doctors of Jurisprudence;
- provide a values-based learning community as the context for teaching, research, and service, that supports student achievement;
- provide an educational program that prepares graduates for admission to the bar, and for effective and responsible participation in the legal profession; and
- enhance access to quality legal counsel for the underserved rural communities of Appalachia.

Targeted Demographics Plan

From its founding, Lincoln Memorial University has had as its mission outreach to underserved and underrepresented populations within the "Cumberland Gap Area" for the enrichment of life in the region. By extension, the Duncan School of Law has an interest in recruiting and retaining students who reflect the ever-changing, rich diversity of the region and nation. This diversity may include – but not limited to – such

characteristics as race and ethnicity, sexual orientation, physical disabilities, socioeconomic status and overcoming barriers to educational success.

The law school embraces diversity in all its endeavors. We do not view diversity as an externally imposed requirement. Rather, we seek to foster intellectual development, reduce racial prejudice, and increase tolerance of differences and the exploration of diverse perspectives in service to humanity. We will celebrate our diversity as one of our strengths.

In order to have a representative body of diverse students, the law school will engage in vigorous, aggressive, innovative and long-term recruiting efforts. We will constantly evaluate our efforts to see which practices work best for attracting underrepresented students. We will “fish where the fish are” by focusing outreach and awareness campaign programs where underrepresented students are located. To achieve our goals, we will:

- Participate in recruiting events at Historically Black Colleges and Universities (including two-year institutions), Hispanic Association of Colleges and Universities, and other venues and events within and without our mission region designed to prepare underrepresented students for law school
- Develop recruitment and marketing materials and publications that reflect diversity
- Send admissions information to minority organizations
- Send information to minority student organizations prior to visits by law school representatives
- Advertise in minority-oriented media
- Support minority student organizations
- Reaching out to students in middle and secondary schools, community, professional and social groups and organizations, fraternities, sororities and other groups
- Encourage currently-enrolled students to assist at recruiting events
- Continually examine our admissions criteria to see if current admissions standards are helping to achieve desired goals
- Consider non-cognitive variables when making admissions decisions

We will focus our recruiting efforts on those institutions within our mission region:

Historically Black Colleges and Universities (HBCUs)

2-Year HBCUs

Bishop State (Public-Alabama)
Clinton Junior College (Private-South Carolina)
Clinton Junior College Main Page (Private-South Carolina)
Coahoma Community College (Public-Mississippi)
Denmark Technical College (Public-South Carolina)
Gadsden State Community College (Public-Alabama)
Hinds Community College (Public-Mississippi)
J. F. Drake State Technical College (Public-Alabama)
Lawson State Community College (Public-Alabama)
Shelton State Community College (Public-Alabama)
Trenholm State Technical College (Public-Alabama)

Alabama

Alabama A&M University (Public)
Alabama State University (Public)
Concordia College of Selma, Alabama (Private)
Miles College (Private)
Oakwood University (Private)
Stillman College (Private)
Talladega College (Private)
Tuskegee University (Private)

Georgia

Clark Atlanta University (Private)
Fort Valley State University (Public)
Morehouse College (Private)
Morris Brown College (Private)
Paine College (Private)
Savannah State University (Public)
Spelman College (Private)

Kentucky

Kentucky State University (Public)

Mississippi

Alcorn State University (Public)
Jackson State University (Public)
Mississippi Valley State University (Public)
Rust College (Private)
Tougaloo College (Private)

North Carolina

Bennett College for Women (Private)
Elizabeth City State University (Public)
Fayetteville State University (Public)
Johnson C. SMITH University (Private)
Livingstone College (Private)
North Carolina Agricultural and Technical State University (Public)
North Carolina Central University (Public)
Saint Augustine's College
Shaw University (Private)
Winston Salem State University (Public)

South Carolina

Allen University (Private)
Benedict College (Private)
Claflin University (Private)
Morris College (Private)
South Carolina State University (Public)
Voorhees College (Private)

Tennessee

Fisk University (Private)
Knoxville College (Private)
Lane College (Private)
LeMoyne-Owen College (Private)
Tennessee State University (Public)

Virginia

Hampton University (Private)
Norfolk State University (Public)
Saint Paul's College (Private)
Virginia State University (Public)
Virginia Union University (Private)
Virginia University of Lynchburg (Private)

West Virginia

Bluefield State College (Public)
West Virginia State University (Public)

We will visit each of these institutions at least once every three-to-five years. We will attempt to visit other HBCU's and HACU's outside of our mission region whenever we are near one of these institutions in the future.

DSOL Recruiting Strategy and Targeted Demographics Plan

When making any considerations for our recruiting strategy we will employ the mission statement of Lincoln Memorial University and of the Duncan School of Law. The mission statement for LMU is as follows:

Mission and Purpose

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- who have an understanding of the fundamental principles of public and private law, an understanding of the nature, basis and role of the law and its institutions, and the skills of legal analysis and writing, issue recognition, reasoning, problem solving, organization, and oral and written communication necessary to participate effectively in the legal profession.

The Lincoln Memorial University Duncan School of Law will:

- graduate Doctors of Jurisprudence;
- provide a values-based learning community as the context for teaching, research, and service, that supports student achievement;
- provide an educational program that prepares graduates for admission to the bar, and for effective and responsible participation in the legal profession; and
- enhance access to quality legal counsel for the underserved rural communities of Appalachia.

With these parameters in mind, we will narrowly define our primary recruitment area (the "Cumberland Gap area") as the counties within the tri-state region of Tennessee, Kentucky and Virginia that are designated by the Appalachian Regional Commission (<http://www.arc.gov/index.jsp>) as Appalachian counties. This would encompass the following counties:

Tennessee: Anderson, Bledsoe, Blount, Bradley, Campbell, Cannon, Carter, Claiborne, Clay, Cocke, Coffee, Cumberland, De Kalb, Fentress, Franklin, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Lawrence, Lewis, Loudon, McMinn, Macon, Marion, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Sevier, Smith, Sullivan, Unicoi, Union, Van Buren, Warren, Washington, and White

Kentucky: Adair, Bath, Bell, Boyd, Breathitt, Carter, Casey, Clark, Clay, Clinton, Cumberland, Edmonson, Elliott, Estill, Fleming, Floyd, Garrard, Green, Greenup, Harlan, Hart, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, McCreary, Madison, Magoffin, Martin, Menifee, Metcalfe, Monroe, Montgomery, Morgan, Nicholas, Owsley, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Russell, Wayne, Whitley, and Wolfe

Virginia: Alleghany, Bath, Bland, Botetourt, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Henry, Highland, Lee, Montgomery, Patrick, Pulaski, Rockbridge, Russell, Scott, Smyth, Tazewell, Washington, Wise/Norton, and Wythe

The following independent cities in Virginia are also within the Appalachian Region: Bristol, Buena Vista, Covington, Galax, Lexington, Martinsville, Norton, and Radford

We will more broadly define our mission region (the “underserved rural communities of Appalachia”) to include the southern Appalachian region; that is, those counties south of the “Mason-Dixon” line that are designated as Appalachian by the Appalachian Regional Commission in the following states:

Ohio, West Virginia, Maryland, North Carolina, South Carolina, Georgia, Alabama and Mississippi

Alabama: Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, De Kalb, Elmore, Etowah, Fayette, Franklin, Hale, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Macon, Madison, Marion, Marshall, Morgan, Pickens, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston

Georgia: Banks, Barrow, Bartow, Carroll, Catoosa, Chattooga, Cherokee, Dade, Dawson, Douglas, Elbert, Fannin, Floyd, Forsyth, Franklin, Gilmer, Gordon, Gwinnett, Habersham, Hall, Haralson, Hart, Heard, Jackson, Lumpkin, Madison, Murray, Paulding, Pickens, Polk, Rabun, Stephens, Towns, Union, Walker, White, and Whitfield

Maryland: Allegany, Garrett, and Washington

Mississippi: Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Itawamba, Kemper, Lee, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster, Winston, and Yalobusha

North Carolina: Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Davie, Forsyth, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Stokes, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey

Ohio: Adams, Ashtabula, Athens, Belmont, Brown, Carroll, Clermont, Columbiana, Coshocton, Gallia, Guernsey, Harrison, Highland, Hocking, Holmes, Jackson, Jefferson, Lawrence, Mahoning, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Ross, Scioto, Trumbull, Tuscarawas, Vinton, and Washington

South Carolina: Anderson, Cherokee, Greenville, Oconee, Pickens, and Spartanburg

West Virginia: *All counties:* Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Hardy, Harrison, Jackson, Jefferson, Kanawha, Lewis, Lincoln, Logan, Marion, Marshall, Mason, McDowell, Mercer, Mineral, Mingo, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzel, Wirt, Wood, and Wyoming

Additionally we will include in our mission region those counties that are non-Appalachian in the following states:

Tennessee, Kentucky, Virginia, North Carolina, South Carolina, Georgia, Alabama and Mississippi

With these parameters in mind, we will focus our recruiting efforts on the four-year colleges and universities within the abovementioned areas. The intuitions included are:

Alabama

Southern Appalachian Area

Alabama A&M University
Athens State University
Birmingham-Southern College
Jacksonville State University
Miles College
Oakwood University
Samford University
Stillman College
Talladega College
Tuskegee University
University of Alabama
University of Alabama at Birmingham
University of Alabama at Huntsville
University of Montevallo
University of North Alabama

Other Colleges and Universities

Alabama State University
Auburn University
Auburn University at Montgomery
Concordia College of Selma, Alabama
Faulkner University
Huntingdon College
Judson College
Regions University (Amridge University)
Spring Hill College
Troy University - Dothan Campus
Troy University - Montgomery Campus
University of Mobile
University of South Alabama
University of West Alabama

Georgia

Appalachian Area

Berry College
Brenau University
Covenant College
Dalton State College
Emmanuel College
Gainesville State College
Georgia Gwinnett College

Georgia Highlands College
North Georgia College and State University
Reinhardt College
Shorter College
Toccoa Falls College
Truett-McConnell College
University of West Georgia
Young Harris College

Other Colleges and Universities

Abraham Baldwin Agricultural College
Agnes Scott College
Albany State University
American InterContinental University
Armstrong Atlantic State University
Atlanta Metropolitan College
Augusta State University
Bainbridge College
Bauder College
Brewton-Parker College
Clark Atlanta University
Clayton State University
College of Coastal Georgia
Columbus State University
Darton College
East Georgia College
Emory University
Fort Valley State University
Georgia College and State University
Georgia Institute of Technology
Georgia Military College
Georgia Perimeter College
Georgia Southern University
Georgia Southwestern State University
Georgia State University
Gordon College
Kennesaw State University
LaGrange College
Life University
Macon State College
Mercer University
Middle Georgia College
Morehouse College
Morris Brown College
Oglethorpe University
Oxford College
Savannah State University
South Georgia College
Southern Polytechnic State University
Spelman College
Thomas College
University of Georgia
Valdosta State University
Waycross College
Wesleyan College

Kentucky

Appalachian Area

Alice Lloyd College
Berea College
Clear Creek Baptist Bible College
Eastern Kentucky University
Frontier School of Midwifery and Family Nursing
Kentucky Mountain Bible College
Lindsey Wilson College
Morehead State University
Union College
University of the Cumberlands

Other Colleges and Universities

Asbury College
Bellarmine College
Brescia University
Campbellsville University
Centre College
Georgetown College
Kentucky Christian University
Kentucky State University
Kentucky Wesleyan College
Mid-Continent University
Midway College
Murray State University
Northern Kentucky University
Pikeville College
Simmons College
Spalding University
St. Catherine College
Sullivan University
Thomas More College
Transylvania University
University of Kentucky
University of Louisville
Western Kentucky University

Mississippi

Appalachian Area

Blue Mountain College
Mississippi State University
Mississippi University for Women

Other Colleges and Universities

Alcorn State University
Belhaven College

Delta State University
Jackson State University
Millsaps College
Mississippi College
Mississippi Valley State University
Tougaloo College
University of Mississippi
University of Southern Mississippi
William Carey University

North Carolina

Appalachian Area

Appalachian State University
Brevard College
Lees-McRae College
Mars Hill College
Montreat College
North Carolina School of the Arts
Piedmont Baptist College
Salem College
University of North Carolina at Asheville
Wake Forest University
Warren Wilson College
Western Carolina University
Winston-Salem State University

Other Colleges and Universities

Barber-Scotia College
Barton College
Belmont Abbey College
Bennett College for Women
Campbell University
Catawba College
Chowan College
Davidson College
Duke University
East Carolina University
Elizabeth City State University
Elon College
Fayetteville State University
Gardener-Webb University
Greensboro College
Guilford College
High Point University
Johnson C. Smith University
Lenior-Rhyne College
Livingstone College
Louisburg College
Meredith College
Methodist College
Mount Olive College
North Carolina A&T State University

North Carolina Central University
North Carolina State University
North Carolina Wesleyan College
Peace College
Pfeiffer University
Queens University of Charlotte
Roanoke Bible College
Shaw University
St. Andrews Presbyterian College
St. Augustine's College
University of North Carolina at Chapel Hill
University of North Carolina at Charlotte
University of North Carolina at Greensboro
University of North Carolina at Pembroke
University of North Carolina at Wilmington
Wingate University

Ohio

Appalachian Area

Antioch College
Franciscan University of Steubenville
Marietta College
Muskingum College
Ohio University-Athens
Ohio University-Chillicothe
Ohio University-Eastern
Ohio University-Southern
Ohio University-Zanesville
Shawnee State University

South Carolina

Appalachian Area

Anderson University
Bob Jones University
Clemson University
Converse College
Furman University
Limestone College
North Greenville University
Southern Wesleyan University
University of South Carolina-Upstate (Spartanburg)
Wofford College

Other Colleges and Universities

Allen University
Benedict College
Charleston Southern University
Claflin University
Coastal Carolina University

Coker College
College of Charleston
Columbia College
Columbia International University
Erskine College
Francis Marion University
Lander University
Morris College
Newberry College
Presbyterian College
South Carolina State University
Southern Methodist College
The Citadel (The Military College of South Carolina)
University of South Carolina-Aiken
University of South Carolina-Beaufort
University of South Carolina-Columbia
Voorhees College
Winthrop University

Tennessee

Appalachian Area

Bryan College
Carson-Newman College
East Tennessee State University
Hiwassee College
Johnson Bible College
King College
Knoxville College
Lee University
Maryville College
Milligan College
South College
Southern Adventist University
Tennessee Technological University
Tennessee Temple University
Tennessee Wesleyan College
Tusculum College
University of Tennessee at Chattanooga
University of Tennessee at Knoxville
University of the South (Sewanee)

Other Colleges and Universities

American Baptist College
Aquinas College
Austin Peay State University
Baptist College of Health Sciences
Belmont University
Bethel College
Christian Brothers University
Crichton College
Cumberland University
Fisk University

Free Will Baptist Bible College
Freed-Hardeman University
John A. Gupton College
Lambuth University
Lane College
LeMoyne-Owen College
Lipscomb University
Martin Methodist College
MeHarry Medical College
Memphis College of Art
Middle Tennessee School of Anesthesia
Middle Tennessee State University
Rhodes College
Tennessee State University
Trevecca Nazarene College
Union University
University of Memphis
University of Tennessee at Martin
University of Tennessee at Memphis (College of Health Sciences)
Vanderbilt University

Virginia

Appalachian Area

Bluefield College
Emory and Henry College
Radford University
Southern Virginia University
University of Virginia College at Wise
Virginia Intermont College
Virginia Military Institute
Virginia Polytechnic Institute and State University
Washington and Lee University

Other Colleges and Universities

Bridgewater College
Christendom College
Christopher Newport University
College of William and Mary
Eastern Mennonite University
Ferrum College
George Mason University
Hampden-Sydney College
Hampton University
Hollins University
James Madison University
Jefferson College of Health Sciences
Liberty University
Longwood University
Lynchburg College
Mary Baldwin College
Marymount University
Norfolk State University

Old Dominion University
Patrick Henry College
Randolph College
Randolph-Macon College
Regent University
Roanoke College
Saint Paul's College
Shenandoah University
Sweet Briar College
University of Mary Washington
University of Richmond
University of Virginia
Virginia Commonwealth University
Virginia State University
Virginia Union University
Virginia Wesleyan College

West Virginia

Northern Appalachian Area

Bethany College
West Liberty State College
Wheeling Jesuit University

Southern Appalachian Area

Alderson-Broaddus College
Bluefield State College
Concord University
Davis and Elkins College
Fairmont State College
Glennville State College
Marshall University
Mountain State University
Ohio Valley University
Salem International University
Shepherd University
University of Charleston
West Virginia State University
West Virginia University
West Virginia University Institute of Technology
West Virginia Wesleyan College

We will also develop relationships with two-year schools in the immediate area near the law school in Knoxville and the main campus in Harrogate. They include:

Pellissippi State Community College
Roane State Community College
Walters State Community College
Southeastern Kentucky Community College

Because we offer a traditional three-year law program that will appeal to a more-traditional law school cohort and a part-time program that will appeal (primarily) to a non-traditional applicant pool, we will employ traditional and non-traditional recruitment methods to recruit our classes.

The Law School's prospect database consists of prospects that are identified at recruitment fairs, contact the Law School by phone, email or the website, send LSAT scores or additional supportive documents (e.g. letters of recommendation, transcripts, etc.) to us, or contact others at LMU for additional information. Additionally, we purchase names and contact information of LSAT test takers within our mission region throughout the year. We will follow up on these leads by entering the prospect's personal information into Datatel, send any information requested to the prospect and conduct a number of direct mail and email activities with prospects culled from the abovementioned sources.

Daily activities will include processing applications, mailing requested items, responding to inquiries and answering questions, meeting with prospective students and other interested individuals and groups. We will also conduct open house programs in the fall and spring semesters.

We will use email and phone calls to notify students about missing components of their applications. We will also notify all applicants in a timely manner of the status of their applications throughout the admissions cycle.

We will visit all colleges and universities within our narrowly-defined mission region every three-to-five years. We will attempt to visit every institution within our more broadly-defined mission region every five-to-ten years.

FACULTY TRAINING SESSIONS

Mon 7/13/2009

Faculty Meeting

Rm. 325

Training and Introduction to Turning Point – Stephen Sheely

- Faculty were taught practical use and application of the Turning Point program for use in mandatory classroom testing requirement.

Tues 7/14/2009

Faculty Meeting

Rm. 201

Using Sympodium, One Note – LMU IT

- Faculty were taught use of extensive smart hardware and software contained in classroom lecture podiums, including document camera use, white board, class capture system, touch screens, wireless microphones, laptop interface and podium PC, camera and microphone systems.

Tues 7/21/2009

Faculty Meeting

Rm. 201

AspenDesk Study Desk Training – John Chatelaine

- Training on use of AspenLaw Study Desk
- Faculty were taught how to use the Aspen Study Desk software that was provided to all DSOL students and faculty. The faculty were given access to all of the books available through Study Desk. The software allows for students to brief cases and take notes.

Thurs 7/30/2009

Faculty Meeting

Rm. 201

FastCase Training – Michael Al-Megdad

- Faculty were provided training on FastCase. Fastcase is provided to all members of the Tennessee Bar for free. It is available to DSOL faculty and students. FastCase provides access to primary law cases, statutes and constitutions.

Fri 8/07/2009

Faculty Meeting

Rm. 308

Effective Multiple Choice Question Writing – Dr. Susan Case

- Lecture presented to faculty by multistate bar examination preparer and expert on the creation of fair, accurate and unbiased multiple choice questions involving legal subjects based upon empirical data and research into the best format for multiple choice questions.

Fri 8/14/2009

Faculty Meeting

Rm. 325

TWEN training – Wayne Luethmers

- Faculty training on the use of West's online student/faculty interface for posting of syllabi, discussion forums, assignments, and research portals.

Mon 8/17/2009

Faculty Meeting

Dean's Conference Room

Regarding Turning Point

- Faculty discussed and learned expanded use of Turning Point as collaborative tool to evaluate and share educational challenges of specifically identified students

Mon 9/21/2009

Faculty Meeting

Dean's Conference Room

Turning Point problems

Tue 9/29/2009

Faculty Meeting

Dean's Conference Room

Get the Turning Point together

- Faculty training on creating detailed reports from Turning Point data to allow collaboration between faculty on problem students.

Wed 9/30/2009

Faculty Meeting

Dean's Conference Room

Turning Point Follow-up

Tues 10/27/2009

Faculty Meeting

Rm. 201

Video Conference with David Bogen

Using Critical Review Exam System (CRES), faculty brownbag luncheon

- David Bogen presented to the faculty his Critical Review Exam system that is designed as an online decision tree that allows the students to walk through the process that leads the students to a model answer for their review.

APRIL CARROLL MELDRUM

1225 Eagle Bend Road, Clinton, TN 37716
865.457.1410 865.659.2347
april_meldrum@hotmail.com

CURRICULUM VITAE

Education

JURIS DOCTORATE

August 1994 - May 1997

Samford University, Cumberland School of Law
Birmingham, Alabama

- ~Tennessee Bar Association, President
- ~Future Trial Lawyers Association, President
- ~Trial Advocacy Board
- ~Parham Williams Freshman Trial Competition, Haley Federal Trial Competition, Senior Trial Competition, Donworth Moot Court Competition
- ~Armstrong Scholarship for Trial Advocacy
- ~Corbett Scholarship
- ~Dean's List
- ~Who's Who Among American Law School Students
- ~Street Law Instructor for the AL Center for Law & Civic Ed.

University of Tennessee College of Law

August 1996 - December 1996

Knoxville, Tennessee

- ~Merit based "visiting status" granted for semester

BACHELOR OF ARTS IN ENGLISH

ASSOCIATE OF BUSINESS ADMINISTRATION

June 1991 - May 1994

Lincoln Memorial University

Harrogate, Tennessee

- ~Upward Bound graduate
- ~University Tutor
- ~Lincoln Scholar
- ~Dean's List
- ~University Dance Team and Softball Team

Professional
Experience

**ASSOCIATE DEAN OF ACADEMICS
DIRECTOR OF LAWYERING SKILLS
ASSISTANT PROFESSOR OF LAW**

Lincoln Memorial University, Duncan School of Law

January 2010 – present

Knoxville, Tennessee

ANDERSON COUNTY JUVENILE COURT JUDGE

September 2006 – January 2010

Clinton, Tennessee

- ~Campaigned in a contested primary and general election, defeating eighteen year incumbent
- ~Elected as youngest judge in the state on September 1, 2006
- ~Presiding over a Court of Record with varied jurisdiction including: child abuse and neglect, child support, custody and visitation for children born out of wedlock, juvenile delinquent matters, adult criminal matters with child as alleged victim, establishment of paternity, and emergency medical care for juveniles
- ~Oversight of Court building project, including function, efficiency, technology and security
- ~Preparation and administration of a half million dollar annual budget
- ~Writing and administering grants related to services for children and families
- ~Supervision of Child Support Referee and twelve staff members and court clerks
- ~Frequent television, radio and newspaper interviews related to the Court and other topics concerning children and families
- ~Instructor and facilitator of CLE
- ~Speaker for many local schools, colleges and civic organizations

Owner, Attorney

The Law Office of April Carroll Meldrum

September 2002 –February 2007

Clinton, Tennessee

- ~Attorney and firm owner engaged in general trial practice
- ~Supervised one associate attorney and five staff members

- ~Engaged in all aspects of law office management including accounting, payroll, property and employment taxes
- ~Focused practice in areas involving domestic relations, personal injury, employment discrimination, workers' compensation, social security disability and criminal defense
- ~Accepted cases prepared for trial by other attorneys
- ~Deposed parties, witnesses, retained experts and physicians frequently
- ~Participated routinely in jury trials, bench trials, mediations and arbitrations

ASSOCIATE ATTORNEY
Ridenour, Ridenour & Fox

May 1996 – September 2002

Clinton, Tennessee

- ~Law Clerk (May 1996 – April 1997)
- ~Associate attorney (December 1997 – September 2002)
- ~Drafted all Appellate and Trial Briefs for firm and performed all legal research related thereto
- ~Prepared all pleadings and made all court appearances related to personal injury litigation, including: products liability, premises liability, motor vehicle accidents, ADA/FMLA discrimination, workers' compensation and social security disability
- ~Participated frequently in jury trials, bench trials, mediation and arbitrations
- ~Maintained caseload of 225-250 matters

EXTERN/LAW CLERK
The Honorable O.L. "Pete" Johnson

Presiding Judge of the Criminal Division of the District Court of Jefferson County

August 1995 – January 1996

Birmingham, Alabama

- ~Extern for Judge Johnson
- ~Assisted Judge in researching and preparing protocol for the Jefferson County Drug Court, one of the first and most successful in the nation
- ~Facilitated appointment of counsel for indigent criminal defendants
- ~Prepared Orders or letters at request of Judge and performed other general clerk functions
- ~Observed trials and hearings

Appellate
Experience

Brittingham v. Abner, 2005 WL 3454318, E.D.Tenn., December 16, 2005

Emerson v. Oak Ridge Research, Inc., 187 S.W.3d 364, 96 Fair Empl.Prac.Cas. (BNA) 1845, Tenn.Ct.App., October 05, 2005

Plemons v. Union Carbide Corp., 2005 WL 372605, Tenn.Workers Comp.Panel, February 17, 2005

Bridges v. Bridges, 168 S.W.3d 158, Tenn.Ct.App., November 23, 2004

Jones v. Eagle Bend Mfg., Inc., 2004 WL 2070994, Tenn.Workers Comp.Panel, April 19, 2004

Battle v. Methodist Medical Center, 2003 WL 22859979, Tenn. Workers Comp.Panel, December 03, 2003

McCall v. National Health Corp., 100 S.W.3d 209, Tenn., March 13, 2003

Waddell v. Ogledzinski, 2002 WL 31895580, Tenn.Ct.App., December 30, 2002

Jones v. Idles, 2002 WL 1751504, Tenn.Ct.App., July 30, 2002

Leab v. S & H Mining Co., 76 S.W.3d 344, Tenn., June 03, 2002

Stephenson v. Container Products Corp., 2002 WL 826923, Tenn.Workers Comp.Panel, April 24, 2002

Dew v. Pro-Temp, 2002 WL 732277, Tenn.Workers Comp.Panel, April 08, 2002

Adkins v. Modine Mfg. Co., Inc., 2002 WL 732279, Tenn.Workers Comp.Panel, April 08, 2002

Duncan v. Modine Mfg. Co., Inc., 2002 WL 340599, Tenn.Workers Comp.Panel, February 28, 2002

Braden v. Modine Mfg. Co., Inc., 2002 WL 205037, Tenn.Workers Comp.Panel, February 06, 2002

Jenkins v. Kemper Ins. Co., 2001 WL 1562845, Tenn.Workers Comp.Panel, December 07, 2001

Klopfenstein v. Windwood Health Rehab. Ctr., 2001 WL 1246381, Tenn.Workers Comp.Panel, October 18, 2001

Hicks v. Kroger Food Stores, Inc., 2001 WL 1018712, Tenn.Workers Comp.Panel, September 06, 2001

Scales v. City of Oak Ridge, 53 S.W.3d 649, Tenn., August 23, 2001

Brewer v. Center, 2001 WL 881392, Tenn.Workers Comp.Panel, August 06, 2001

Weather Doctor Services Co., Inc. v. Stephens, 2001 WL 849540, Tenn.Ct.App., July 27, 2001

Webber v. State Farm Mut. Auto. Ins. Co., 49 S.W.3d 265, Tenn., July 03, 2001

Burum v. BNFL, Inc., 2001 WL 708838, Tenn.Workers Comp.Panel, June 25, 2001

Eldridge v. Tri-State Comprehensive Care Ctr., 2001 WL 523372, Tenn.Workers Comp.Panel, May 16, 2001

Phillips v. County of Anderson, 2001 WL 456065, Tenn.Ct.App., April 30, 2001

Dew v. Pro-Temp, 2001 WL 12225, Tenn.Ct.App., January 05, 2001

Russell v. Modine Mfg. Co., Inc., 2000 WL 1844632, Tenn.Workers Comp.Panel, December 14, 2000

Long v. Homecrest Corp., 2000 WL 1843372, Tenn.Workers Comp.Panel, December 15, 2000

Loveday v. Food Lion, Inc., 2000 WL 1606590, Tenn.Workers Comp.Panel, October 27, 2000

Webber v. Hunt, 2000 WL 1349266, Tenn.Ct.App., September 20, 2000

Carden v. Tennessee Coal Co., 2000 WL 1339233, Tenn.Workers Comp.Panel, September 18, 2000

Harper v. Lockheed Martin Energy Systems, Inc., 2000 WL 1286439, Tenn.Workers Comp.Panel, September 12, 2000

Massengill v. Liberty Mut. Ins. Co., 2000 WL 1134475, Tenn.Workers Comp.Panel, August 11, 2000

Day v. Travelers Ins. Co., 2000 WL 711156, Tenn.Workers Comp.Panel, June 02, 2000

Floss v. Ryan's Family Steak Houses, Inc., 211 F.3d 306, 140 Lab.Cas. P 34,050, 6 Wage & Hour Cas.2d (BNA) 17, 17 NDLR P 237, 2000 Fed.App. 0154P, C.A.6 (Ky.), May 01, 2000

Spears v. Pathway Bellows, Inc., 2000 WL 311131, Tenn.Workers Comp.Panel, March 28, 2000

Cox v. Anderson County Highway Dept., 2000 WL 250126, Tenn.Ct.App., March 07, 2000

Maupin v. Methodist Medical Center of Oak Ridge, 2000 WL 246223, Tenn.Workers Comp.Panel, March 02, 2000

Loving v. Liberty Mut. Ins. Co., 1999 WL 956879, Tenn.Workers Comp.Panel, October 20, 1999

Russell v. Advance Transformer Co., 1999 WL 775763, Tenn.Workers Comp.Panel, September 24, 1999

Ford v. Tennessee Coal Co., 1999 WL 439215, Tenn.Workers Comp.Panel, June 29, 1999

Mack v. CNA Ins. Co., 1999 WL 446890, Tenn.Workers Comp.Panel, June 23, 1999

Woods v. Modine Mfg. Co., 1999 WL 421147, Tenn.Workers Comp.Panel, June 23, 1999

Lloyd v. Travelers Ins. Co., 1999 WL 398078, Tenn.Workers Comp.Panel, June 17, 1999
Jaeger v. National Linen & Uniform Service, Inc., 1999 WL 391076, Tenn.Workers Comp.Panel, June 14, 1999
Metier v. Dico Tire, Inc., 1999 WL 178371, Tenn.Workers Comp.Panel, March 29, 1999
Suerth v. Red Kap Industries, Inc., 1999 WL 165705, Tenn.Workers Comp.Panel, March 10, 1999
James v. Travelers Ins. Co., 1999 WL 112817, Tenn.Workers Comp.Panel, March 04, 1999
Freeman v. American Motorist Ins. Co., 1999 WL 77260, Tenn.Workers Comp.Panel, February 18, 1999
Rhea v. Modine Mfr. Co. & Sentry Ins. Co., 1999 WL 74210, Tenn.Workers Comp.Panel, February 16, 1999
Braden v. Modine Mfg. Co., Inc., 1999 WL 39512, Tenn.Workers Comp.Panel, January 20, 1999
Gardner v. Modine Mfg. Co., Inc., 1998 WL 846236, Tenn.Workers Comp.Panel, December 08, 1998
Powers v. Aetna Cas. & Sur. Co., 1998 WL 318743, Tenn.Workers Comp.Panel, June 18, 1998
Greenman v. Hutchins, 1998 WL 205742, Tenn.Ct.App., April 29, 1998
Jones v. Modine Mfg. Co., 1998 WL 75280, Tenn., February 18, 1998
Carden v. Modine Manufacturing Co., Inc., 1997 WL 581099, Tenn., September 19, 1997

Admitted to Practice	United States Supreme Court	2000
	United States Tax Court	1997
	United States District Court	1998
	United States Court of Appeals, Sixth Circuit	1999
	Tennessee Supreme Court	1997

Honors and Distinctions	Anderson County Bar Association	
	Member	1997 - 2006
	President	2002
	Ombudsman, United States Military	2005
	Tennessee Trial Lawyer's Association	1997 - 2007
	Amicus Committee	2005
	North Anderson County Boys & Girls Club	
	Board Member	2006-present
Community Action Committee		
Board Member	2008-present	

Tennessee Council of Juvenile & Family Court Judges

Member 2006 - 2010

Legislative Committee 2006 - 2010

National Council of Juvenile & Family Court Judges

Member 2009 - 2010

CALI LESSONS HOME

[1L - First Year Lesson Topics](#)

[2L-3L Upper Level Lesson Topics](#)

[Administrative Law](#)

[Animal Rights Law](#)

[Arbitration](#)

[Business Associations](#)

[Civil Procedure](#)

[Commercial Transactions](#)

[Conflict Resolution / Negotiation](#)

[Constitutional Law](#)

[Contracts](#)

[Copyright](#)

[Corporations](#)

[Criminal Law](#)

[Criminal Procedure](#)

[Cyberlaw](#)

[Employment Discrimination](#)

[Environmental Law](#)

[Evidence](#)

[Family Law](#)

[Federal Courts](#)

[Games](#)

[Intellectual Property](#)

[International Law](#)

[Interviewing and Counseling](#)

[Labor Law](#)

[Legal Concepts and Skills](#)

[Legal Research](#)

[Legal Writing](#)

[Patent Law](#)

[Professional Responsibility](#)

[Property Law](#)

[Real Estate Transactions](#)

[Remedies](#)

[Sales](#)

[Securities](#)

[Tax - Basic Federal Income Taxation](#)

[Tax - Corporate Taxation](#)

[Tax - Partnership Taxation](#)

[Tax - S Corporation Taxation](#)

[Tax - Taxation of Business Entities](#)

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KAREN G. CARTER, Ph.D.

KAREN.CARTER@LMUNET.EDU

ROUTE 4 BOX 4852

JONESVILLE, VA 24263

(276) 346-0299

EDUCATION:

Old Dominion University, *Ph.D. in Education, Occupational and Technical Studies ~ Science, Technology, Engineering & Math (STEM) Programs, 2009*

Bowie State University, *M.S. Management of Information Systems, 1999*

Radford University, *B. S Business Education, 1988*

COURSES TAUGHT:

- Accounting
- Business Communications & Technology
- Desktop Publishing
- Information Systems Technology
- Keyboarding
- Legal Machine Transcription
- Medical Transcription
- Office Bookkeeping
- Peachtree Accounting
- Records Management Systems
- Webpage Development
- Business Communications
- Coordinated Internship
- Editing and Proofreading
- Internet Skills and Applications
- Keyboarding for Computers
- Machine Transcription
- Microsoft Suite Applications
- Office Procedures
- Professional Development
- Telephone Techniques
- Word Processing

POSITIONS:

Instructional Technologist, Lincoln Memorial University, Office of Academic Affairs, Harrogate, Tennessee, October 2008 – Present.

Dual Enrollment/Governor's School Coordinator, Mountain Empire Community College, Office of Vice-President of Academic and Student Affairs, Big Stone Gap, Virginia, October 2006 – October 2008.

Adjunct Instructor of Administrative Support Technology and Information Technology Education, Mountain Empire Community College, Business Technology Division, Big Stone Gap, Virginia, August 2003 – October 2008.

Adjunct Instructor for Workforce Development, Mountain Empire Community College, Big Stone Gap, Virginia, January 2004 – 2008.

Adjunct Instructor, Eastern West Virginia Community and Technical College, Moorefield, West Virginia, June 2001 – May 2003.

Business Education Instructor, Stanley Technical Institute, Franklin, West Virginia, January 2000 – May 2001.

Part-Time Instructor, Central Texas College, Area Europe Division, Rota, Spain, U.S. Naval Department of Education, August 1998 – March 1999.

Part-Time Instructor, Central Texas College, Pacific Far East Campus Yokosuka, Japan, January 1990 – October 1993.

Coordinator, Program for Afloat Continuing Education (PACE) U.S. Naval Western Pacific, Central Texas College, Pacific Far East Campus, Yokosuka, Japan, December 1992 – October 1993.

Regional Student Services Officer, Central Texas College, Pacific Far East Campus, Yokosuka, Japan, March 1991 – March 1992.

Secretary--GS-05, U.S. Army Medical Activity, Veterinary Service, Camp Zama, Japan, October 1990 – March 1991.

Business Education Instructor, Monroe County School Board, Monroeville, Alabama, December 1988 – January 1990.

Computer Operator/Night Office Manager, T.T. Todd Food Distributor, Pensacola, Florida, July 1988 – December 1988.

GRANT EXPERIENCE:

Administer the Virginia's Department of Education Gifted and Talented \$33,000 grant for the development, monitoring, and reporting of the Governor's School budgetary items to Wise County School Board, Virginia Department of Education, and Mountain Empire Community College 2006 – 2008.

PUBLICATIONS:

Carter, K. (2009). Book Review: *A Whole New Mind: Why Right-Brainers Will Rule the Future* by Pink, Daniel H. (2006). New York, NY Penguin Group (USA) Inc. in *Journal for Workforce Education* (1)2, 30-33.

PRESENTATIONS:

Carter, K. (2009, October 17). *Taking Note with OneNote 2007*. Appalachian College Association Education Summit 2009, Abington, Virginia.

RESEARCH INTERESTS:

I have interests in best practices of how P-16 education levels will integrate curriculum avenues that include Career Pathways, STEM resources, and workplace skills readiness. Additionally, my interests lay in increased opportunities of access to a post-secondary education or training can be made available to a wider range of students, especially those in rural America.

HONORS:

- Old Dominion University's Occupational Technology Education Dissertation Fellowship 2007-08.
- Workforce Development Services Chancellor's Award Outstanding Trainer/Instructor, May 2006.
- Girl Scout Leader, 1999 - 2009
- VCCA Virginia Master Teacher Seminar scholarship, July 2004
- Who's Who in American Universities and Colleges -1989
- Virginia State PBL first-place team member for Parliamentary Procedures -1989
- National PBL eighth-place team member for Parliamentary Procedures - 1989
- Radford University's PBL President -1989
- FBLA Virginia State Vice-President -1984
- FBLA Virginia Regional President -1984

CERTIFICATIONS:

- Current State of Virginia Teaching Certificate—Office Procedures/Data Processing/Technology Endorsements
- MOS Certifications in Word and Excel
- IC3
- Online Teaching
- Dragon Naturally Speaking

- Virginia Master Teacher
- Advanced Learning Communities Development
- Survival Skills for Women
- Survival Skills for Youth
- West Virginia Basic Skills
- Texas Basic Skills/GED
- 1000 Hour Certificate/Diploma from Lee County Vocational-Technical School in Secretarial Skills and Data Processing

ORGANIZATION MEMBERSHIPS:

- American Career and Technical Education Association
- Epsilon Pi Tau Honor Society
- Golden Key Society
- International Technology Education Association
- Iota Lambda Sigma Honor Society
- National Career Pathways Network
- Virginia Technology Education Association

Zoomerang Survey Results

Lincoln Memorial University Graduating Student Survey-GRADUATE-Fall 2009

Response Status: Completes

Filter: No filter applied

Dec 31, 2009 6:46 AM PST

1. Gender

Female	87	74%
Male	30	26%
Total	117	100%

2. Select your appropriate age category.

21-24 years	15	13%
25-35 years	61	52%
36-45 years	27	23%
46-55 years	12	10%
56-65 years	2	2%
66 or older	0	0%
Total	117	100%

3. Indicate the graduate degree in which you are currently enrolled.

Ed.S.	2	2%
M.B.A.	8	7%
M.Ed.	92	79%
M.S.N.	15	13%
Total	117	100%

4. Indicate the location of your academic program.

Cleveland, TN	33	28%
Ducktown, TN	0	0%
Harrogate, TN	31	26%
Kingsport, TN	0	0%
Knoxville, TN (St. Mary's)	0	0%
Knoxville, TN (West Knox)	7	6%
Maryville, TN	25	21%
Morristown, TN	21	18%
Sevierville, TN	0	0%
Total	117	100%

5. Indicate your major area of concentration in which you are currently enrolled at LMU.

C&G	10	9%
C&I	38	32%
EA&S	47	40%
MBA	7	6%
MSN	15	13%
Total	117	100%

6. What is your anticipated year of graduation from this program? (e.g. 2009)

117 Responses

7. In what term is your anticipated graduation date?

Fall Semester	115	98%
Spring Semester	2	2%
Total	117	100%

8. What are your current employment plans following graduation?

I am currently employed in a position related to my studies at LMU and plan to continue in that position.	73	63%
I am currently employed in a field unrelated to my studies at LMU and plan to seek employment in the area of my discipline.	15	13%
I am not currently employed but am seeking employment related to my studies at LMU.	17	15%
I will be continuing my education within one year upon graduating from LMU.	8	7%
I do not have any definite plans concerning employment.	3	3%
Total	116	100%

9. Select the category that describes your race/ethnicity. (Check only one response.)

African American/Black	2	2%
Asian American, Asian, Pacific Islander	0	0%
Caucasian/White	111	95%
Mexican American, Mexican Origin	0	0%
Native American (Indian, Alaskan, Hawaiian)	0	0%
Puerto Rican, Cuban, Other Latino or Hispanic Origin	0	0%
Multiracial	1	1%
Other, please specify	3	3%
Total	117	100%

10. What was your residence classification at the time you enrolled in the graduate program you are currently completing at LMU?

U.S. citizen	115	98%
Resident alien/immigrant	1	1%
Non-resident alien/non-immigrant	1	1%
Total	117	100%

11. Would you recommend LMU's graduate program to other students?

Definitely yes	85	73%
Probably yes	25	21%

Maybe	4	3%
Probably not	3	3%
Definitely not	0	0%
Total	117	100%

12. Overall, how satisfied have you been with your graduate education at LMU?

Very satisfied	72	62%
Generally satisfied	43	37%
Generally dissatisfied	2	2%
Very dissatisfied	0	0%
Total	117	100%

13. What is the highest degree you plan to achieve in your education?

Master's	42	36%
Education specialist	42	36%
Doctorate	31	26%
First professional degree (law, medicine)	0	0%
Other, please specify	2	2%
Total	117	100%

14. If you were to begin your graduate program again, would you choose to attend LMU?

Definitely yes	75	64%
Probably yes	32	27%
Not sure	6	5%
Probably not	4	3%
Definitely not	0	0%
Total	117	100%

15. Is Lincoln Memorial University a good value for the education that students receive?

Yes	101	86%
Not sure	16	14%
No	0	0%
Total	117	100%

16. Indicate your level of satisfaction with the following aspects of the graduate program at LMU:

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very dissatisfied
Quality of academic advising	66 56%	34 29%	14 12%	2 2%	1 1%
Accessibility of faculty	80 68%	32 27%	4 3%	1 1%	0 0%
Quality of instruction	61 52%	44 38%	11 9%	1 1%	0 0%
Interaction between faculty and students	79 68%	32 27%	6 5%	0 0%	0 0%
Quality of preparation for employment	63 54%	37 32%	14 12%	3 3%	0 0%
Encouragement for lifelong learning	77 66%	35 30%	4 3%	1 1%	0 0%
Appreciation of culture diversity	73 62%	35 30%	8 7%	1 1%	0 0%
Responsiveness of graduate office staff	76 65%	26 22%	12 10%	3 3%	0 0%
Responsiveness of library staff	71 61%	27 23%	19 16%	0 0%	0 0%

17. Indicate your level of satisfaction with the following programs and services at LMU:

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very dissatisfied
Bookstore	42 36%	25 21%	42 36%	6 5%	2 2%
Classroom facilities	58 50%	42 36%	15 13%	2 2%	0 0%

Classroom equipment/technology	58 50%	39 33%	17 15%	2 2%	1 1%
Financial aid services	51 44%	31 26%	29 25%	6 5%	0 0%
Library holdings (books, journals)	43 37%	36 31%	37 32%	1 1%	0 0%
Library hours	44 38%	26 22%	45 38%	2 2%	0 0%
Registrar's office	53 45%	31 26%	31 26%	2 2%	0 0%
Finance office	47 40%	32 27%	32 27%	4 3%	2 2%
Computer services	42 36%	32 27%	41 35%	2 2%	0 0%

18. Indicate how effective your education at LMU has been in enabling you to do the following activities:

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very effective	Effective	Neutral	Ineffective	Very ineffective
Broaden your intellectual interests	64 55%	45 38%	7 6%	1 1%	0 0%
Analyze written arguments	55 47%	51 44%	10 9%	1 1%	0 0%
Use research findings to answer questions	72 62%	36 31%	8 7%	1 1%	0 0%
Develop your leadership skills	75 64%	35 30%	5 4%	2 2%	0 0%
Reason mathematically and logically	51 44%	30 26%	34 29%	2 2%	0 0%
Develop, implement, and evaluate a plan	75 64%	36 31%	5 4%	1 1%	0 0%
Speak to groups	80 68%	33 28%	2 2%	2 2%	0 0%
Work collaboratively	82 70%	32 27%	2 2%	1 1%	0 0%
Write clearly	68 58%	42 36%	7 6%	0 0%	0 0%
Examine personal, social, and civic values	72 62%	39 33%	6 5%	0 0%	0 0%
Utilize information technology	68 58%	40 34%	9 8%	0 0%	0 0%
Appreciate diversity	70 60%	34 29%	12 10%	1 1%	0 0%
Foster a sense of mission and purpose	74 63%	34 29%	9 8%	0 0%	0 0%
Promote success in self and others	82 70%	31 26%	4 3%	0 0%	0 0%

Resolve conflicts in a timely manner	62 53%	39 33%	16 14%	0 0%	0 0%
Treat all people fairly	76 65%	33 28%	8 7%	0 0%	0 0%
Interact with individuals or groups	84 72%	29 25%	4 3%	0 0%	0 0%
Grow professionally	87 74%	25 21%	5 4%	0 0%	0 0%
Set high expectations for self	83 71%	28 24%	5 4%	0 0%	1 1%
Explore and synthesize knowledge from a variety of means to make decisions	80 68%	30 26%	6 5%	0 0%	1 1%

19. Compare yourself with peers at other institutions in the following categories:

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Top 10%	Above average	Average	Below average	Lowest 10%
Academic ability	43 37%	60 51%	13 11%	1 1%	0 0%
Critical analysis and logical thinking skills	44 38%	54 46%	19 16%	0 0%	0 0%
Research and statistical ability	30 26%	58 50%	28 24%	1 1%	0 0%
Leadership ability	55 47%	50 43%	11 9%	1 1%	0 0%
Scientific or quantitative reasoning ability	36 31%	55 47%	24 21%	1 1%	1 1%
Planning and organizational skills	63 54%	37 32%	15 13%	2 2%	0 0%
Public speaking ability	56 48%	42 36%	16 14%	3 3%	0 0%
Teamwork ability	71 61%	39 33%	7 6%	0 0%	0 0%
Writing ability	46 39%	51 44%	17 15%	3 3%	0 0%
Interest in current events (civic or social)	42 36%	50 43%	21 18%	4 3%	0 0%
Technological ability	39 33%	54 46%	23 20%	1 1%	0 0%
Ability to respond to diverse needs	49 42%	50 43%	17 15%	0 0%	1 1%
Visionary thinking	48 41%	47 40%	20 17%	2 2%	0 0%
Empowerment of self and others	55 47%	50 43%	12 10%	0 0%	0 0%
Conflict resolution skills	58 50%	48 41%	11 9%	0 0%	0 0%

Serve as a role model	69 59%	40 34%	7 6%	1 1%	0 0%
Interpersonal skills	67 57%	39 33%	10 9%	1 1%	0 0%
Interest in professional growth	64 55%	45 38%	8 7%	0 0%	0 0%
Interest in personal development	68 58%	40 34%	8 7%	1 1%	0 0%
Ability to use a variety of information to make decisions	60 51%	49 42%	7 6%	0 0%	1 1%

20. Identify two things that you like about LMU that make it unique when compared to other universities.

105 Responses

21. If you could change two things about LMU to make it better, what would they be?

97 Responses

22. Other comments:

38 Responses

Zoomerang Survey Results

Lincoln Memorial University GRADUATE Student Opinion Spring 2007

Response Status: Completes

Filter: No filter applied

Jun 01, 2007 5:53 AM PST

1. Gender		
Female	342	77%
Male	102	23%
Total	444	100%

2. Indicate your expected year of graduation from your current degree program at LMU.		
2007	401	90%
2008	36	8%
2009	4	1%
2010 or later	3	1%
Total	444	100%

3. Indicate the degree program in which you are currently enrolled at LMU.		
M.B.A.	22	5%
M.Ed.	65	15%
Ed.S.	327	74%
Post Baccalaureate	30	7%
Total	444	100%

4. List your major area of study in which you are currently enrolled at LMU.		
C&G	15	3%
C&I	54	12%
EA&S	351	79%
MBA	22	5%
MSN	2	0%
Total	444	100%

5. Select the category that describes your race/ethnicity. (Check only one response.)

African American/Black	44	10%
Asian American, Asian, Pacific Islander	1	0%
Caucasian/White	394	89%
Mexican American, Mexican Origin	0	0%
Native American (Indian, Alaskan, Hawaiian)	0	0%
Puerto Rican, Cuban, Other Latino or Hispanic Origin	1	0%
Multiracial	3	1%
Other, please specify	1	0%
Total	444	100%

6. Indicate your citizenship status for the majority of the time during which you attended LMU.

U.S. citizen	441	99%
Resident alien/immigrant	0	0%
Non-resident alien/non-immigrant	3	1%
Total	444	100%

7. Indicate the location of your academic program.

Cleveland, TN	149	34%
Ducktown, TN	46	10%
Harrogate, TN	73	16%
Knoxville, TN (St. Mary's)	2	0%
Knoxville, TN (West Knox)	44	10%
Maryville, TN	71	16%
Morristown, TN	59	13%
Total	444	100%

8. On the average, how many hours per week do you spend studying and completing out-of-class assignments?

0-6 hours	105	24%
7-12 hours	185	42%
13-18 hours	98	22%

19-24 hours	35	8%
25-30 hours	17	4%
31-36 hours	3	1%
37 or more hours	1	0%
Total	444	100%

9. How often do you study with other students?

Most of the time	62	14%
Fairly often	181	41%
Occasionally	127	29%
Rarely	60	14%
Never	14	3%
Total	444	100%

10. How many hours do you spend reading material not directly related to school assignments (e.g. newspapers, novels) weekly?

0 hours	22	5%
1-2 hours	198	45%
3-5 hours	142	32%
6-10 hours	60	14%
11-15 hours	14	3%
16 or more hours	8	2%
Total	444	100%

11. My experiences at LMU are developing my ability to work/study with persons of diverse ethnic/racial backgrounds.

Uncertain	9	2%
Strongly disagree	17	4%
Disagree	45	10%
Neutral	144	32%
Agree	184	41%
Strongly agree	45	10%
Total	444	100%

12. Since entering LMU, which one of the following activities has contributed most to your overall academic learning? (Choose only one response.)

Attendance in class	175	39%
Out-of-class assignments	183	41%
Interaction with faculty or staff	63	14%
Interaction with academic advisor	1	0%
Use of library	2	0%
Other, please specify	20	5%
Total	444	100%

13. Over the past year, how many hours have you contributed to charitable, religious, civic, or social organizations on a monthly basis?

	0	50	11%
1-8 hours per month	267	60%	
9-20 hours per month	84	19%	
21 or more hours per month	43	10%	
Total	444	100%	

14. Do you feel that your experiences at LMU have contributed to your interest and motivation in becoming involved in community activities or service?

Not at all	140	32%
Minimally	223	50%
Greatly	81	18%
Total	444	100%

15. Have you been encouraged to learn about and participate in professional associations or organizations related to your field of study while a student at LMU?

Yes	286	64%
No	158	36%
Total	444	100%

16. Do you think the quality of the academic programs at LMU has changed since you became a student?

Yes, the quality of the academic programs is much higher.	58	13%
Yes, the quality of the academic programs is a little higher.	85	19%
Yes, the quality of the academic programs is lower.	6	1%

Yes, the quality of the academic programs much lower.	5	1%
No, the quality is about the same.	206	46%
I am uncertain.	84	19%
Total	444	100%

17. Library databases are being used in:

all assignments.	25	6%
most assignments.	174	39%
some assignments.	221	50%
no assignments.	24	5%
Total	444	100%

18. In your opinion, which one of the following is the most important benefit of having attended LMU?

The opportunity to make new friends	3	1%
The opportunity for professional advancement	220	50%
The opportunity for financial success	39	9%
The opportunity for a more interesting and challenging job	27	6%
The opportunity to be of service to others	13	3%
The opportunity for a stable, reliable job	11	2%
The opportunity for personal growth or understanding	112	25%
world	19	4%
Total	444	100%

19. In general, are the individuals who work with registration at LMU courteous and helpful?

Yes	412	93%
Somewhat	26	6%
No	6	1%
Total	444	100%

20. In general, are the individuals who work in the LMU financial aid office courteous and helpful?

Yes	407	92%
Somewhat	30	7%
No	7	2%
Total	444	100%

21. In general, are the individuals who work in the LMU library courteous and helpful?

Yes	390	88%
Somewhat	45	10%
No	9	2%
Total	444	100%

22. Do you feel that there is intense academic pressure at LMU?

Yes	128	29%
Somewhat	194	44%
No	122	27%
Total	444	100%

23. Please evaluate the following aspects of the LMU Graduate Program:

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Excellent	Good	Fair	Poor
the quality of instruction.	259 58%	151 34%	28 6%	6 1%
technology included/required in all courses.	190 43%	187 42%	56 13%	11 2%
the accessibility of the faculty.	274 62%	139 31%	26 6%	5 1%
the helpfulness of support from the office staff.	275 62%	150 34%	18 4%	1 0%
the organization of the program.	257 58%	140 32%	34 8%	13 3%
the convenience of schedules.	293 66%	117 26%	28 6%	6 1%
the relevance of program to your professional goals.	319 72%	106 24%	17 4%	2 0%
the adequacy of library resources.	237 53%	175 39%	27 6%	5 1%

the adequacy of classroom and facilities.	205	179	49	11
	46%	40%	11%	2%
the overall impression of the program.	269	146	24	5
	61%	33%	5%	1%

24. If you had it to do again, would you choose Lincoln Memorial University for a graduate degree?

Yes	390	88%
No	18	4%
Not Sure	36	8%
Total	444	100%

25. Would you recommend LMU to a prospective graduate student?

Yes	399	90%
No	12	3%
Not Sure	33	7%
Total	444	100%

26. Do you feel that LMU's personnel are caring, warm people who are willing to help individual students?

Yes	419	94%
No	7	2%
Not Sure	18	4%
Total	444	100%

27. How would you rate the overall communication?

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

	Very good	Good	Average	Poor	Very poor	No opinion
Between students and graduate faculty at LMU?	256	130	46	9	2	1
	58%	29%	10%	2%	0%	0%
Between students and administrators at LMU?	164	151	68	11	9	41
	37%	34%	15%	2%	2%	9%

28. The LMU graduate or post baccalaureate faculty members at LMU show concern about research.

Strongly agree	288	65%
Somewhat agree	106	24%
Neutral	32	7%
Somewhat disagree	3	1%
Strongly disagree	2	0%
Not Sure	13	3%
Total	444	100%

29. Your comments and suggestions regarding the LMU Graduate Program (to this point) are important to the continuous improvement of the program. Give brief and candid responses to the overall value and positive elements of the program.

239 Responses

30. Give brief and candid responses for suggestions for improvement of the LMU Graduate Program.

208 Responses

ACT Alumni Outcomes Survey Results Stored in Zoomerang

Alumni Outcomes Survey-2002 Graduates

Response Status: Completes

Filter: No filter applied

Sep 03, 2008 4:48 PM PST

1. Your Birth Year (e.g. 1975)
53 Responses

2. Racial/Ethnic Group		
African American or Black	4	8%
Native American (Indian, Alaskan, Hawaiian)	0	0%
Caucasian or White	48	91%
Mexican American, Mexican Origin	0	0%
Asian American, Oriental, Pacific Islander	0	0%
Puerto Rican, Cuban, Other Latino or Hispanic	0	0%
I prefer not to respond	1	2%
Other, please specify	0	0%
Total	53	100%

3. Gender

Male	12	23%
Female	41	77%
Total	53	100%

4. Which one of the following best describes your primary work status at this time?

Employed full time	44	83%
Caring for my family/home full time	1	2%
Serving in the military	0	0%
Employed part time	1	2%
Continuing my education part time and employed	2	4%
Continuing my education part time	1	2%
Continuing my education full time	1	2%
Unemployed, seeking employment	1	2%
Unemployed, not seeking employment	1	2%
Other, please specify	1	2%
Total	53	100%

5. For each degree/certificate/diploma listed below, indicate if you completed it at Lincoln Memorial University.

Vocational/technical certificate/diploma	1	2%
Associate or other two-year degree	1	2%

Bachelor's or other four-year degree	18	34%
Master's or other five-year degree	10	19%
Specialist or other six-year degree	28	53%
Doctorate (PhD, EdD, etc)	0	0%
Professional (MD, JD, etc	0	0%

6. For each degree/certificate/diploma listed below, indicate if you completed it at an institution other than Lincoln Memorial University.

Vocational/technical certificate/diploma	2	4%
Associate or other two-year degree	17	38%
Bachelor's or other four-year degree	33	73%
Master's or other five-year degree	32	71%
Specialist or other six-year degree	0	0%
Doctorate (PhD, EdD, etc.)	1	2%
Professional (MD, JD, etc.)	1	2%

7. In what major/field did you earn your first degree/certificate/diploma from this school?

49 Responses

8. If you have earned (or are pursuing) any degree beyond your first degree/certificate/diploma from this school, in what major/field was (is) it?

22 Responses

9. In what year did you receive your most recent degree/certificate/diploma from Lincoln Memorial University?

53 Responses

10. What is the largest, total, student loan debt you have had?

None	19	36%
\$2,500 or less	0	0%
\$2,501-\$5,000	2	4%
\$5,001-\$7,500	3	6%
\$7,501-\$10,000	9	17%
\$10,001-\$15,000	9	17%
\$15,001-\$20,000	1	2%
\$20,001-\$25,000	2	4%
\$25,001-\$30,000	4	8%
\$30,001 or more	4	8%
Total	53	100%

11. Indicate your overall college grade point average(GPA) at Lincoln Memorial University.

A- to A (3.50-4.00)	40	75%
B to A- (3.00-3.49)	12	23%
B- to B (2.50-2.99)	0	0%
C to B- (2.00-2.49)	1	2%

C- to C (1.50-1.99)	0	0%
D to C- (1.00-1.49)	0	0%
Below D (0.00-0.99)	0	0%
Does not apply	0	0%
Total	53	100%

12. Indicate your citizenship status for the majority of the time during which you attended this school.

U.S. citizen	53	100%
Resident alien/immigrant	0	0%
Non-resident alien/Non-immigrant	0	0%
Total	53	100%

13. How many transfer hours/credits were accepted by Lincoln Memorial University toward completion of your most recent program at this school?

I did not attempt to transfer any.	31	58%
None were accepted.	3	6%
15-Jan	6	11%
16-30	1	2%
31-45	1	2%
46-60	2	4%
Over 60	9	17%
Total	53	100%

14. What is the highest lifetime educational goal you now have?

Vocational/technical certificate or diploma	0	0%
Associate or other two-year degree	0	0%
Bachelor's or other four-year degree	3	6%
Master's or other five-year degree	12	23%
Specialist or other six-year degree	18	34%
Doctorate (PhD, EdD, etc)	18	34%
Professional (MD, JD, etc)	2	4%
Total	53	100%

15. What was the highest lifetime, educational goal you had at the time you completed high school?

No clear goal	5	9%
Vocational/technical certificate or diploma	0	0%
Associate or other two-year degree	1	2%
Bachelor's or other four-year degree	27	51%
Master's or other five-year degree	10	19%
Specialist or other six-year degree	3	6%
Doctorate (PhD, EdD, etc)	5	9%
Professional (MD, JD, etc)	2	4%
Total	53	100%

16. In what field/major is your current job?

48 Responses

17. How closely related is your current job to the major/field in which you received your most recent degree/certificate/diploma?

Highly related	27	55%
Moderately related	9	18%
Slightly related	11	22%
Not at all related	2	4%
Total	49	100%

18. For the most recent year, what was the annual income/salary of your current job?

\$14,999 or less	3	6%
\$15,000-\$19,999	1	2%
\$20,000-\$24,999	1	2%
\$25,000-\$29,999	5	10%
\$30,000-\$39,999	9	19%
\$40,000-\$49,999	8	17%
\$50,000-\$59,999	7	15%
\$60,000-\$69,999	8	17%
\$70,000 or more	6	12%
Total	48	100%

19. How did your experiences at Lincoln Memorial University prepare you for your current job?

Exceptionally well	19	39%
More than adequate	21	43%
Adequately	5	10%
Less than adequately	1	2%
Very poor	0	0%
Not at all	3	6%
I am not presently employed.	0	0%
Total	49	100%

20. Indicate your level of satisfaction with each of the following aspects of your current job.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied
Challenging	21 43%	22 45%	3 6%	1 2%	2 4%
Job security	28 57%	14 29%	4 8%	1 2%	2 4%
Salary	11 22%	13 27%	8 16%	13 27%	4 8%
Fringe benefits (insurance, vacation, etc.)	14 29%	15 31%	8 16%	9 18%	3 6%
Potential for career or professional advancement	8 16%	24 49%	9 18%	3 6%	5 10%
Support for continuing education or in service programs	15 31%	17 35%	8 16%	4 8%	5 10%
Accessibility/proximity of childcare services	4	9	24	5	3

	9%	20%	53%	11%	7%
Quality of service or product provided/produced	8	23	9	3	3
	17%	50%	20%	7%	7%
Opportunity to be creative	18	16	9	2	4
	37%	33%	18%	4%	8%
Human diversity (e.g. racial, religious, etc.)	11	23	10	3	2
	22%	47%	20%	6%	4%
Organization's ethical standards	16	23	4	4	2
	33%	47%	8%	8%	4%

21. In what field/major was your first, full-time job after completing your first program at this school?

51 Responses

22. How closely related was your first, full-time job to the the major/field in which you received your first degree/certificate/diploma from this school?

Highly related	23	46%
Moderately related	13	26%
Slightly related	7	14%
Not at all	7	14%
Total	50	100%

23. What was your annual salary or income in your first, full-time job after completing your program at this school?

\$14,999 or less	4	8%
\$15,000-\$19,999	3	6%
\$20,000-\$24,999	4	8%
\$25,000-\$29,999	11	21%
\$30,000-\$39,999	7	13%
\$40,000-\$49,999	7	13%
\$50,000-\$59,999	6	12%
\$60,000-\$69,999	6	12%
\$70,000 or more	4	8%
Total	52	100%

24. Below is a list of abilities or skills one might expect to develop while pursuing a postsecondary education. Indicate your opinion of the importance of the skill in an individual's efforts to be personally/professionally successful in today's world.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Major Importance	Moderate Importance	Minor Importance	No Importance
Developing original ideas and/or products	28 56%	22 44%	0 0%	0 0%
Thinking objectively about beliefs, attitudes, and values	39 78%	11 22%	0 0%	0 0%
Making and exercising a lifelong commitment to learning	38 76%	12 24%	0 0%	0 0%
Living my personal and professional life according to my own standard/ethic	45 90%	5 10%	0 0%	0 0%
Defining and solving problems	30 60%	17 34%	3 6%	0 0%
Appreciating and exercising my rights, responsibilities, and privileges as a citizen	33 67%	13 27%	3 6%	0 0%
Accessing and using a variety of information sources	32 64%	15 30%	3 6%	0 0%
Getting along with people from various cultures,	35	12	3	0

racess, backgrounds, etc.	70%	24%	6%	0%
Recognizing and using effective verbal communication skills	44 88%	5 10%	1 2%	0 0%
Developing and using effective leadership skills	37 74%	11 22%	2 4%	0 0%
Understanding and appreciating cultural and ethnic differences between people	31 62%	15 30%	4 8%	0 0%
Learning about existing and emerging career options	23 46%	14 28%	11 22%	2 4%
Understanding the interaction of human beings and the environment	23 46%	21 42%	4 8%	2 4%
Analyzing and drawing conclusions from various types of data	25 50%	18 36%	6 12%	1 2%
Recognizing and using effective written communication skills	38 76%	8 16%	4 8%	0 0%
Understanding and appreciating art, music, literature, etc.	18 36%	19 38%	10 20%	3 6%
Getting along with people whose attitudes and opinions are different from mine	36 73%	11 22%	2 4%	0 0%
Working cooperatively in groups; working as a team member	39 80%	9 18%	1 2%	0 0%
Understanding international issues (political, economics, etc.)	14 28%	24 48%	11 22%	1 2%

25. Below is a list of abilities or skills one might expect to develop while pursuing a postsecondary education. Indicate the impact of your experiences at this school on your attainment of each skill.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Major Impact	Moderate Impact	Minor Impact	No Impact
Developing original ideas and/or products	17 34%	26 52%	5 10%	2 4%

Thinking objectively about beliefs, attitudes, and values	23 47%	18 37%	6 12%	2 4%
Making and exercising a lifelong commitment to learning	29 59%	13 27%	4 8%	3 6%
Living my personal and professional life according to my own standard/ethic	20 41%	18 37%	8 16%	3 6%
Defining and solving problems	23 47%	19 39%	5 10%	2 4%
Appreciating and exercising my rights, responsibility, and privileges as a citizen	23 48%	12 25%	8 17%	5 10%
Accessing and using a variety of information sources	32 65%	12 24%	2 4%	3 6%
Getting along with people from various cultures, races, backgrounds, etc.	27 55%	14 29%	5 10%	3 6%
Recognizing and using effective verbal communication skills	29 59%	14 29%	4 8%	2 4%
Developing and using effective leadership skills	28 57%	14 29%	5 10%	2 4%
Understanding and appreciating cultural and ethnic differences between people	23 47%	18 37%	3 6%	5 10%
Learning about existing and emerging career options	18 37%	11 22%	10 20%	10 20%
Understanding the interactions of human beings and the environment	19 39%	17 35%	9 18%	4 8%
Analyzing and drawing conclusions from various types of data	24 50%	17 35%	4 8%	3 6%
Recognizing and using effective written communication skills	31 63%	13 27%	2 4%	3 6%
Understanding and appreciating art, music, literature, etc.	14 29%	17 35%	9 19%	8 17%
Getting along with people whose attitudes and opinions are different from mine	24 49%	18 37%	4 8%	3 6%
Working cooperatively in groups; working as a team member	33 67%	11 22%	3 6%	2 4%
Understanding international issues (political,	9	19	14	7

economics, etc.)	18%	39%	29%	14%
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26. On a scale of 1 to 5 where 1 represents the lowest and 5 represents the highest, rate Lincoln Memorial University on each of the factors listed below.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	1	2	3	4	5
Quality of academic programs (1=low; 5=high)	0 0%	1 2%	8 15%	14 27%	29 56%
Sense of individual belonging on this campus (1=weak; 5=strong)	4 8%	3 6%	17 35%	13 27%	12 24%
Cost for attendance (1=low; 5=high)	3 6%	1 2%	13 25%	14 27%	21 40%
Opportunities for student involvement (1=few; 5=many)	5 11%	3 7%	19 41%	12 26%	7 15%
Cultural/Ethnic diversity in student body (1=few; 5=much)	0 0%	2 4%	12 25%	18 38%	16 33%
Computer system services, equipment, labs, etc. (1=limited; 5=extensive)	4 9%	1 2%	18 38%	19 40%	5 11%
Opportunities for student/faculty interaction (1=few; 5=many)	0 0%	2 4%	8 16%	21 42%	19 38%
Degree requirements (1=rigid; 5=flexible)	2 4%	2 4%	18 36%	16 32%	12 24%
Cultural/fine arts/speaker programs (1=few; 5=many)	2 5%	5 11%	25 57%	7 16%	5 11%

27. Indicate your level of satisfaction with each aspect of Lincoln Memorial University listed below.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	No Opinion/Not Applicable	Very Satisfied	Satisfied	Neutral (Neither Satisfied nor Dissatisfied)	Dissatisfied	Very Dissatisfied
Variety of instructional approaches used in the classroom	0 0%	24 48%	18 36%	7 14%	1 2%	0 0%
Campus response to needs of physically challenged individuals	25 51%	5 10%	6 12%	11 22%	2 4%	0 0%
Variety of courses offered	2 4%	20 41%	16 33%	7 14%	4 8%	0 0%
Preparation for further academic study	0 0%	24 49%	13 27%	9 18%	2 4%	1 2%
Overall quality of instruction	0 0%	27 54%	16 32%	7 14%	0 0%	0 0%
Concern for me as an individual	1 2%	21 43%	18 37%	6 12%	3 6%	0 0%
College response to older/traditional students	6 12%	25 51%	13 27%	2 4%	2 4%	1 2%
Transfer of course credits from other colleges, schools to this college	23 47%	14 29%	7 14%	5 10%	0 0%	0 0%
Class size relative to the type of course	0 0%	30 60%	18 36%	2 4%	0 0%	0 0%
Multicultural content of courses	8 16%	16 33%	12 24%	13 27%	0 0%	0 0%
Campus acceptance of individuals regardless of their sexual orientation	21 43%	10 20%	9 18%	8 16%	1 2%	0 0%
General condition of buildings and grounds	7 15%	16 34%	10 21%	5 11%	6 13%	3 6%
Quality of the program in my major/field	0 0%	30 60%	12 24%	5 10%	3 6%	0 0%

28. If you could begin again, would you attend this school?

Definitely yes	29	55%
Probably yes	18	34%
Uncertain	4	8%
Probably no	1	2%
Definitely no	1	2%
Total	53	100%

29. Overall, how would you rate this school (for the time during which you were attending it)?

Excellent	32	60%
Good	14	26%
Average	5	9%
Poor	2	4%
Total	53	100%

30. Would you recommend this school to a friend or acquaintance who asked your opinion?

Yes, without reservation	41	77%
Yes, with some reservations	10	19%
No	2	4%
Total	53	100%

31. Indicate the extent to which you agree/disagree with each of the following statements about this school.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Strongly Agree	Agree	Neutral (Neither Agree nor Disagree)	Disagree	Strongly Disagree
The General Education or core requirement at the school were valuable components of my education.	13 27%	17 35%	15 31%	3 6%	1 2%
Most faculty were readily available to students outside of the class.	21 41%	22 43%	4 8%	4 8%	0 0%
Overall, there was a campus atmosphere of ethnic, political, and religious understanding and acceptance.	16 32%	20 40%	12 24%	2 4%	0 0%
There was a sense of personal safety/security on the campus.	15 30%	20 40%	14 28%	1 2%	0 0%
The financial aid available to me was adequate for my needs.	17 35%	9 18%	13 27%	7 14%	3 6%
School policies and practices provided adequate and appropriate support for victims of harassment, crime, etc.	6 12%	9 19%	31 65%	2 4%	0 0%
Overall, the school had an intellectually stimulating atmosphere.	18 36%	23 46%	6 12%	3 6%	0 0%
The campus was, generally, free from harassment (e.g. sexual, racial, etc.)	14 29%	16 33%	19 39%	0 0%	0 0%
Administrators at the campus respected and were responsive to student input.	18 35%	20 39%	10 20%	3 6%	0 0%
Academic success was encouraged and supported at this school.	27 53%	20 39%	2 4%	2 4%	0 0%
I encountered few course scheduling or course availability problems.	19 39%	20 41%	4 8%	3 6%	3 6%

32. Indicate your level of satisfaction with the student services/programs offered by Lincoln Memorial University during the time that you attended.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	No Opinion/No Experience with Services/Programs	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied
Library services and materials	9 18%	22 43%	10 20%	5 10%	5 10%	0 0%
Academic advising	4 8%	30 59%	11 22%	4 8%	1 2%	1 2%
Registration procedures	1 2%	26 51%	16 31%	6 12%	1 2%	1 2%
Academic support services (e.g. tutoring, study skills)	22 43%	13 25%	10 20%	5 10%	1 2%	0 0%
Personal counseling services	29 58%	11 22%	2 4%	6 12%	1 2%	1 2%
Health and wellness programs/services for students	32 64%	5 10%	5 10%	7 14%	1 2%	0 0%
Orientation to and instruction in use of campus computer system	15 30%	18 36%	10 20%	2 4%	5 10%	0 0%
Financial aid counseling and related services	15 30%	14 28%	8 16%	6 12%	6 12%	1 2%
Career planning and placement services	25 50%	6 12%	6 12%	7 14%	5 10%	1 2%

33. For each of type of activity or organization listed below, indicate your level of involvement while you were attending Lincoln Memorial University. A = No involvement B = Low involvement C = Average involvement (member, attend some meetings/activities, serve as on committees, etc.) D = High level of involvement (attend most meetings/activities, active leadership role, etc.)

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	1	2	3	4

Professional	14 31%	10 22%	7 16%	14 31%
Religious	11 24%	8 18%	12 27%	14 31%
Service	17 39%	15 34%	6 14%	6 14%
Environmental	29 66%	9 20%	1 2%	5 11%
Political	27 61%	10 23%	2 5%	5 11%
Social	17 39%	12 27%	6 14%	9 20%
Cultural	22 49%	10 22%	7 16%	6 13%
Youth-oriented (including sports)	22 50%	4 9%	4 9%	14 32%
Sports/athletics (adult level)	30 68%	6 14%	3 7%	5 11%
K-12 level school (e.g. PTA)	17 39%	1 2%	10 23%	16 36%
Community	15 35%	13 30%	5 12%	10 23%

34. For each type of activity or organization listed below, indicate your level of involvement in that activity or organization at the current time.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.

	1	2	3	4
Professional	7 16%	6 14%	10 23%	21 48%
Religious	8	10	11	15

	18%	23%	25%	34%
Service	10	11	11	10
	24%	26%	26%	24%
Environmental	22	9	6	5
	52%	21%	14%	12%
Political	20	12	5	6
	47%	28%	12%	14%
Social	11	10	10	11
	26%	24%	24%	26%
Cultural	16	11	7	8
	38%	26%	17%	19%
Youth-oriented (including sports)	20	7	6	11
	45%	16%	14%	25%
Sports/athletics (adult level)	29	5	5	3
	69%	12%	12%	7%
K-12 level schools (e.g. PTA)	10	4	7	22
	23%	9%	16%	51%
Community	7	13	9	13
	17%	31%	21%	31%

35. How many years did you attend Lincoln Memorial University?

Less than 1 year	0	0%
One year	21	47%
Two years	11	24%
Three years	3	7%
Four years	6	13%
Five years or more	4	9%
Total	45	100%

36. Do you plan to attend LMU again in the future?

Yes	8	18%
Undecided	14	31%
No	23	51%
Total	45	100%

37. What is the major reason you continued your education?

To satisfy job/career requirements	8	20%
To learn a new occupation	6	15%
To obtain/maintain license/certification	9	22%
For general self-improvement	1	2%
To increase earning power	17	41%
Other, please specify	0	0%
Total	41	100%

38. What is the highest degree you plan to attain?

Associate's degree	2	6%
Bachelor's degree	4	12%
Master's degree	6	18%
Education Specialist's degree	7	21%
Doctoral degree	15	44%
Professional degree	0	0%

Other, please specify	0	0%
Total	34	100%

39. Indicate your rating of LMU at the time you applied for admission. LMU was my:

First choice	41	91%
Second choice	3	7%
Third choice	0	0%
Fourth or lower choice	1	2%
Total	45	100%

40. Please indicate the teaching site from which you received your LMU degree. If you received more than one LMU degree, indicate the site you last attended.

Harrogate, TN (Main Campus)	21	40%
Alcoa, TN (Blount Memorial, Alcoa City Center)	0	0%
Knoxville, TN (St. Mary's Medical Center)	1	2%
West Knoxville, TN (Knoxville Center)	0	0%
Maryville, TN (Maryville High School Center)	19	37%
Cleveland, TN (Cleveland State Community College Center)	7	13%
Ducktown, TN (Copper Basin High School)	4	8%
Madisonville, TN (Hiwassee College Center)	0	0%
Morristown, TN (Walter State Community College)	0	0%
Cumberland, KY (Southeast Community & Technical College)	0	0%
Corbin, KY (Baptist Regional Medical Center)	0	0%
Other, or I did not receive a degree from LMU	0	0%
Total	52	100%

41. Has your college education improved the quality of your life?

Definitely yes	29	64%
Probably yes	10	22%
Uncertain	3	7%
Probably no	2	4%
Definitely no	1	2%
Total	45	100%

42. What was your primary reason for attending LMU?

Cost	2	5%
Admission	2	5%
Size	0	0%
Social atmosphere	0	0%
To be with friends	3	8%
Program available	15	41%
Academic reputation	4	11%
Location	9	24%
Advice-parents or relatives	1	3%
Advice-high school official	0	0%
Scholarship/financial aid	1	3%
Other, please specify	0	0%
Total	37	100%

43. Indicate which of the following was the major source of funding for your college education.

Parents or relatives	7	16%
Personal savings	13	30%
Spouse	1	2%
Social Security benefits	0	0%
Summer employment	0	0%
College employment	0	0%
VA benefits	1	2%
Scholarships	8	18%
Student loans (Perkins, etc)	11	25%
Educational grants (Pell, SEOG, etc)	3	7%
Tennessee lottery	0	0%
Total	44	100%

44. Indicate which of the following was the second major source of funding for your college education.

Parents or relatives	9	21%
Personal savings	17	40%
Spouse	9	21%
Social Security benefits	0	0%
Summer employment	0	0%
College employment	1	2%
VA benefits	0	0%
Scholarships	2	5%
Student loans (Perkins, etc)	1	2%
Educational grants (Pell, SEOG, etc)	3	7%
Tennessee lottery	0	0%
Total	42	100%

45. Indicate your satisfaction with the level of communication between LMU and the alumni community.

Excellent	15	34%
Good	19	43%
Fair	10	23%
Poor	0	0%
Total	44	100%

46. Indicate how you would rate the quality of alumni publications from LMU.

Excellent	14	32%
Good	23	52%
Fair	7	16%
Poor	0	0%
Total	44	100%

47. Indicate your rating of LMU homecoming activities.

Excellent	6	18%
Good	21	64%
Fair	6	18%
Poor	0	0%
Total	33	100%

48. Indicate your rating of LMU alumni chapter meetings and activities.

Excellent	6	19%
Good	18	56%
Fair	7	22%
Poor	1	3%
Total	32	100%

49. Indicate how much you agree with the following statement: "Increased mailings about the accomplishments of fellow alumni, students, faculties, and the University would strengthen my connection with LMU."

Strongly agree	4	9%
Agree	21	49%
Disagree	13	30%
Strongly disagree	5	12%
Total	43	100%

50. Indicate how much you agree with the following statement: "I would like to have more personal contact (visits, phone calls, letters, e-mail) with the University."

Strongly agree	5	12%
Agree	11	26%
Disagree	23	53%
Strongly disagree	4	9%
Total	43	100%

51. Indicate how much you agree with the following statement: "I feel a degree of personal satisfaction when I hear about the accomplishments of the University, current LMU students, and other alumni."

Strongly agree	10	23%
Agree	25	57%
Disagree	7	16%
Strongly disagree	2	5%
Total	44	100%

52. Indicate how much you agree with the following statement: "I feel a sense of responsibility to help maintain the quality of education and services to LMU students."

Strongly	5	12%
Agree	17	40%
Disagree	19	45%
Strongly disagree	1	2%
Total	42	100%

53. Indicate how much you agree with the following statement: "I am happy with the availability of LMU merchandise to show my support of the university."

Strongly agree	3	8%
Agree	19	48%
Disagree	13	32%
Strongly disagree	5	12%
Total	40	100%

54. From which source did you learn about the first job you held after graduation from Lincoln Memorial University?

Career placement	0	0%
LMU faculty advisor	2	11%
Other LMU faculties	1	5%
Parent or relative	3	16%
Newspaper/Trade	0	0%
Professional meetings	2	11%
Another students	5	26%
Recruited-employer	6	32%
Employment agency	0	0%
Other, please specify	0	0%
Total	19	100%

55. If you experienced a problem in obtaining your first job in your field after graduation, circle the best description of that problem.

Deciding what I wanted to do	8	31%
Knowing how to find openings	1	4%
Scheduling interviews	0	0%
Writing a resume, vita, or letter of application	3	12%
Finding a job that paid enough	1	4%
Completing job applications	1	4%
Finding a job for which I was trained	1	4%
Finding a job where I wanted to live	7	27%
Finding the kind of job I wanted	1	4%
Fighting racial or sexual discrimination	3	12%
Total	26	100%

56. How long did it take you to obtain your first full-time job after leaving LMU?

I had a job prior to leaving college.	24	60%
It took less than one month.	3	8%
It took one to three months.	6	15%
It took four to six months.	4	10%
It took seven to 12 months.	0	0%
It took more than one year.	3	8%
Total	40	100%

57. Indicate the number of full-time jobs you have held since leaving LMU.

One	25	56%
Two	8	18%
Three	11	24%
Four	1	2%
Five or more	0	0%
Total	45	100%

58. Have you sought help from LMU's placement office?

Yes, and it has been helpful	2	5%
Yes, but it was not helpful	2	5%

No	39	91%
Total	43	100%

59. Do you currently support LMU through monetary gifts?

Yes, I give regularly	0	0%
I have given in the past	7	17%
No, but I plan to give	35	83%
Total	42	100%

60. Do you feel your support can play a significant role in the growth and advancement of LMU?

Strongly agree	3	8%
Agree	15	39%
Disagree	17	45%
Strongly disagree	3	8%
Total	38	100%

61. Do you believe your support of LMU can make a positive difference in the lives of students?

Strongly agree	4	11%
Agree	16	42%
Disagree	14	37%
Strongly disagree	4	11%

Total	38	100%
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62. Indicate your rating of fund-raising activities at LMU.

Excellent	1	3%
Agree	6	17%
Disagree	4	11%
Strongly disagree	2	6%
Uncertain	23	64%
Total	36	100%

63. Indicate how much you agree with the following statement: "Supporting LMU, regardless of amount given, should be a priority of the alumni community."

Strongly agree	5	13%
Agree	18	47%
Disagree	13	34%
Strongly disagree	2	5%
Total	38	100%

64. Indicate how much you agree with the following statement: "I believe that unrestricted gifts provide valuable support for the operation of the university."

Strongly agree	5	13%
Agree	22	58%
Disagree	3	8%

Strongly disagree	2	5%
Uncertain	6	16%
Total	38	100%

65. In the space that follows, write any comments or suggestions you might have concerning Lincoln Memorial University.

30 Responses

Figure 1 - Major Field Tests Percentiles Data

	2003 - 2004		2005 - 2006		2006 - 2007		2007 - 2008	
		2004 % Below LMU		2006 % Below LMU		2007 % Below LMU		2008 % Below LMU
	Mean		Mean		Mean		Mean	
Institution (LMU)								
Indicators:	236.4	5%	250.4	45%	244	20%	245	30%
Marketing	40.9	1%	55.5	35%	51	25%	51	25%
Management	42.5	5%	59.7	55%	53	25%	54	25%
Finance	32.5	1%	45.8	45%	39	15%	39	20%
Managerial Accounting	37.4	5%	51.1	40%	47	30%	48	35%
Strategic Integration	39.8	1%	53.2	40%	46	15%	47	20%

National Average (%)				
	2003 - 2004	2005 - 2006	2006 - 2007	2007 - 2008
	Mean	Mean	Mean	Mean
National				
Indicators:	251.7	249.6	249.6	249.8
Marketing	52.1	55.7	55.7	55.9
Management	49.6	57.2	57.2	57.5
Finance	42.6	45	45	45.2
Managerial Accounting	48.9	50.7	50.7	51
Strategic Integration	53.3	52.3	52.3	52.7

COURSE DESCRIPTION

Course descriptions may be revised from time to time to reflect current trends in the law and legal education.

First-Year Required Courses

Civil Procedure I

Hours: 3

Course Frequency: Each Fall

Prerequisite(s): None

This course provides a study of the rules, statutes, and principles governing the process by which courts resolve civil disputes. Specifically, it includes a study of the judicial process and of the relationship between the procedural and substantive law; pleadings; principles of jurisdiction, including jurisdiction over subject matter, persons, and service of process; and an introduction to the allocation of jurisdiction between the state and federal courts.

Civil Procedure II

Hours: 3

Course Frequency: Each Spring

Prerequisite(s): Civil Procedure I

This course focuses on pleadings, joinder of parties and claims, discovery, motions, trial, post-trial matters, disposition without trial, appellate review, and the effects of judgment.

Contracts I

Hours: 3

Course Frequency: Each Fall (Beginning with the second year of operation)

Prerequisite(s): None

This course provides a study of the basic principles of the common law of contracts. It focuses on legal theories for enforcing promises or preventing unjust enrichment and principles controlling the formation, modification, and enforceability of contracts.

Contracts II

Hours: 3

Course Frequency: Each Spring (Beginning with the second year of operation)

Prerequisite(s): Contracts I

This course focuses on the law related to the sale and lease of goods, particularly as affected by the Uniform Commercial Code and related federal statutes. This course further provides a study of the legal principles dealing with performance, remedies for nonperformance or threatened nonperformance, excuses for nonperformance, rights of nonparties to enforce contracts, assignment of rights, and delegation of duties.

Property I

Hours: 3

Course Frequency: Each Fall (Beginning with the second year of operation)

Prerequisite(s): None

This course provides a study of the fundamental concepts applicable to real property such as possessory estates and interests, as well as joint and concurrent ownership.

Property II

Hours: 3

Course Frequency: Each Spring (Beginning with the second year of operation)

Prerequisite(s): Property I

This course focuses on the rights, duties, and liabilities of landlords and tenants; acquisition, ownership, and transfer of property; rights of possession; donative transactions; issues in the conveyancing system; and governmental regulations.

Torts I

Hours: 3

Course Frequency: Each Fall

Prerequisite(s): None

This course provides a study of intentional torts against persons and property and the privileges thereto. It further focuses on the basic principles of negligence and other standards of care.

Torts II

Hours: 3

Course Frequency: Each Spring

Prerequisite(s): Torts I

This course focuses on the remaining issues in negligence, including particular duties of landowners, damages, joint and several liability, and defenses. Additionally, the class will survey the following areas: products liability, wrongful death, vicarious liability, and nuisance.

Lawyering Skills I

Hours: 3

Course Frequency: Each Fall

Prerequisite(s): None

This course provides an introduction to: the law library and basic legal research; fundamentals of legal writing; fundamentals of statutory and case analysis; oral communication skills; drafting correspondence; and trial memoranda.

Lawyering Skills II

Hours: 3

Course Frequency: Each Spring

Prerequisite(s): Lawyering Skills I

This course is a continuation of Lawyering Skills I with an increased level of sophistication in research, analysis, and communication; drafting basic pleadings; drafting basic transactional documents; drafting a memorandum of law; and oral argument.

Note: Upper-level courses will not be offered until the third year of operation.

Upper-Level Required Courses

Business Organizations

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Contracts I & Contracts II

This course provides a study of the formation, structure, and characteristics of the various business entities including unincorporated associations, partnerships, for-profit and not-for-profit business corporations, and limited liability companies. This course will additionally provide a study of agency relationships.

Commercial Transactions

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Contracts I & Contracts II

This course provides a study of Articles 1, 2, 3, and 6 of the Uniform Commercial Code and includes the sale of goods, bulk sales, and payment through negotiable instruments.

Conflict of Laws

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Civil Procedure I & II

This course provides a study of the legal policies, rules of law, and constitutional requirements for resolving disputes that have connections with: more than one state, a state and a foreign country, or both state and federal interests. It explores the principles that courts use in selecting the proper law to apply in such cases under the American system of divided sovereignty—divided both between states and between state and federal governments.

Constitutional Law

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course studies the basic principles of constitutional law, including the nature of a written constitution, the framework of the U.S. Constitution, the Marshall legacy and judicial review, theories of interpretation, and principles of interpretivism. Emphasis is given to the distribution of governmental powers in the federal system; separation of powers; the federal commerce, taxing, and foreign affairs powers; intergovernmental relations; due process; and equal protection.

Criminal Law

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the general principles, sources, and purpose of criminal law, including the act requirement, the mens rea requirement, causation, liability for attempted crimes, accomplice liability, defenses, criminal code interpretation, and a review of Tennessee criminal law.

Criminal Procedure

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Criminal Law

This course provides a study of the procedural aspects of the criminal justice system, including the law of arrest, search and seizure, police interrogation, and the privilege against self-incrimination. This course will provide particular emphasis on the impact of the fourth, fifth, and sixth amendments to the United States Constitution, as well as discuss Tennessee criminal procedure.

Domestic Relations

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of Federal and State laws affecting formal and informal family relationships: premarital disputes; antenuptial contracts; creation of common law and formal marriages; legal effects of marriage; support obligations within the family; legal separation, annulment, divorce, alimony, and property settlements; child custody and child support; abortion; and illegitimacy. The course will emphasize Tennessee law.

Evidence

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the rules regulating the admission and exclusion of oral, written, and demonstrative evidence at trials and other proceedings, including relevance, character evidence, competence, impeachment, hearsay, privileges, expert testimony, authentication, and judicial notice.

Lawyering Skills III

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Lawyering Skills I & II

Students review and then practice the major steps in the pretrial litigation process, including litigation planning, informal fact investigation, legal research, and all facets of discovery. Each student prepares requests for documents, interrogatories, and requests for admissions. Each student also conducts and defends a deposition of one of the parties or witnesses in a case.

Lawyering Skills IV

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Lawyering Skills I, II, & III

Students continue the pretrial development of a case. The focus is on drafting and arguing pretrial motions with particular emphasis on motions in limine in a civil trial and motions to dismiss in a criminal trial. Students also further develop skills of interviewing, witness preparation, examining witnesses, negotiating settlements, and pretrial agreements. The planning portion of the course focuses on drafting documents necessary for the effective establishment and operation of one or more business organizations.

Professional Responsibility

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the authority and duties of lawyers in the practice of their profession as advocates, mediators, and counselors, including discussions focusing on lawyers' responsibility to the courts, to the bar, and to their clients. This course further provides a study of the American Bar Association (ABA) Model Rules of Professional Conduct, the ABA Model Code of Judicial Conduct, controlling constitutional decisions, and generally accepted principles established in leading federal cases, state cases, and in procedural and evidentiary rules.

Remedies

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Contracts I, Contracts II, Torts I & Torts II

This course provides a study of the law of judicial remedies, both legal and equitable, focusing on the nature and scope of relief as distinguished from substantive and procedural law. The four major categories of remedies are addressed: damages, including measurement issues for both compensatory and punitive damages and limitations on the damages remedy; restitution, including measurement issues and issues related to rescission, constructive trust, and equitable lien; injunctions, including issues relating to requirements for obtaining preliminary and permanent injunctive; and declaratory relief, including ancillary remedies to effectuate the relief obtained and legal and equitable defenses.

Secured Transactions

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of Article 9 of the Uniform Commercial Code and discusses securing debt through the collateralization of personal property. The course will discuss the creation and enforcement of security interests in personal property as well as methods of determining priority between multiple secured debts on the same personal property.

Wills, Trusts and Estates

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the law governing the basic devices in gratuitous transfers, including the drafting and probate of wills, the appointment of personal representatives of decedents' estates, the administration of such estates (duties and powers of personal representatives), the appointment of testamentary trustees, and the administration of trusts generally (duties and powers of trustees).

Elective Courses

Administrative Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the processes by which policies of administrative agencies are translated into law and applied by the responsible administrative agencies. Topics include: analysis of informal and formal procedures, separation of powers, delegation, statutory construction, rule making, and adjudication.

Advanced Criminal Procedure

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Criminal Procedure; Constitutional Law

This course provides a study of the procedural problems experienced in the preparation and prosecution of a criminal proceeding. Major areas of analysis include: arraignment and bail; an examination of the problems encountered in a preliminary hearing; the scope, extent, and goals of a grand jury proceeding; pre-trial discovery, motions and suppression hearings; and the "plea bargaining" process.

Advanced Estate Planning *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Estate Planning; Estate & Gift Tax

This course provides a study of income, gift, estate, and generation-skipping transfer taxes relevant to the estate planning process through the use of hypothetical clinical problems. The problems will include comprehensive estate planning and drafting of documents to effectuate the estate plan.

Advanced Evidence

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Evidence

This class is designed to build on the foundation acquired in Evidence and to facilitate thinking about evidence in a trial setting. The focus of this course will be to "think evidentially." The course will take the student through a number of trials, both criminal and civil, using prepared fact patterns. The course will focus on the Federal Rules of Evidence and cover evidentiary law including relevance, character evidence, hearsay, impeachment, opinion evidence, expert testimony, and evidentiary privileges. It will examine the rules governing the presentation of evidence, including motions in limine, objections, and motions to suppress.

Advanced Federal Income Taxation

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Federal Income Tax

This course will provide a more in-depth look relating to the income taxation of property transactions. Subjects covered include: the effect of debt on basis and amount realized calculations, like-kind exchanges, the passive activity loss limitations, the at-risk rules, sale of a business, sale-leasebacks, and installment sales.

Alternative Dispute Resolution

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the law and methods involved in settling disputes outside of the courtroom, including arbitration, mediation, collaborative law, mini-trials, early neutral evaluation, and conciliation.

Appellate Advocacy *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Lawyering Skills I

This course provides an overview of the appellate process, building upon skills learned in Lawyering Skills II and including learning how to apply the rules of appellate procedure, as well as skills necessary for appellate brief writing and oral advocacy. Students will ultimately draft an appellate brief and present an oral argument.

Bankruptcy

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Secured Transactions

This course provides a study of the rights and remedies of debtors and creditors under the Federal Bankruptcy Code. In addition, the interplay of the Bankruptcy Code and the provisions of Article 9 of the Uniform Commercial Code and other provisions of state law are examined.

Comparative Constitutional Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Constitutional Law

This course will focus on the comparative study of the structure and content of constitutional law, primarily (though not exclusively) comparing the United States with both (a) western European civil law countries such as Germany and France and (b) other common law countries, such as Canada, the United Kingdom, and South Africa. After initial discussion of the concept of constitutionalism, students will spend the first half of the semester on issues of comparative constitutional structure, including variations in the institutions and practices of judicial review, negative and positive (social and economic) constitutional rights, the extent to which private actors are bound by constitutional norms, limits on constitutional rights, and federalism. In the second half of the semester, students will study various substantive constitutional rights, including freedom of speech and expression, freedom of religion, privacy rights, and differing conceptions of equality.

Directed Study

Hours: 1-3

Course Frequency: Offered as needed by students and faculty availability allow

Prerequisite(s): Same as the course which is represented by the Directed Study

This course is available in a limited number of subject areas. A directed study is a regular law school course offering taught to a student on an individual faculty/student basis which must be approved by the faculty member and the Associate Dean for Academics (or the Dean). In a directed study, the directing faculty member sets forth the objectives, requirements, and guidelines for earning credit in a course. A directed study syllabus for each course stating established meeting times with a faculty member, examination, readings, and a general outline of what is to be learned is provided. A directed study course will be denied if the course is available that same semester.

Drafting Transactional Documents *

Hours: 2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Commercial Transactions

Through classroom discussion, reading assignments, in-class exercises, and writing assignments students will learn to draft the "building blocks" of a commercial contract and learn to effectively allocate risk within the context of a specific business deal. The lawyer's function in the negotiating and drafting process and drafting ethics are also covered.

Education Law

Hours: 2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s):

This course provides a study of the law relating to public, private, and home education. Emphasis is placed on the legal framework for public education, the First Amendment and other Constitutional issues related to the public schools, and the nature of parental rights in the context of public education.

Employment Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the statutes, regulations, and cases dealing with a number of legal rights and concerns of employees and employers. Areas covered may include: (a) worker's compensation law and practice; (b) labor standards legislation, such as wage-and-hour laws (e.g., Fair Labor Standards Act—FLSA, public contract "prevailing wage" requirements); health-and-safety laws (e.g., Occupational Safety and Health Act—OSHA); an introduction to pension-protection laws (e.g., Employee Retirement Income Security Act—ERISA); and (c) wrongful discharge and at-will employment.

Entertainment Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of laws related to film, television, and music. Each industry is discussed from the clients' perspectives, detailing the business, legal, social, and ethical issues encountered in the development of a project from raw idea to final distributed product. Topics also include agents, managers, the studio system, new media, and careers in entertainment law.

Environmental Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of federal and state statutes, regulations, and relevant judicial and administrative decisions with respect to: major environmental control areas including air, water, solid waste, and noise pollution abatement; radioactive emission; the National Environmental Policy Act; significant land planning legislation; and the interrelation between federal and state legislation, including areas of responsibility.

Estate Planning

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Wills, Trusts and Estates

This course provides a study of estate planning techniques. Students will have an opportunity to learn how to prepare estate and gift tax returns. In addition, the course will cover practical aspects of meeting with and advising clients regarding their estate tax plans and their estate planning documents.

Estate and Gift Taxation

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Estate Planning

This course provides a study of taxation of gratuitous transfers under the federal estate and gift tax codes. The course will be primarily taught through hypothetical estate planning situations and problems highlighting the statutes and rules covered.

European Union Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides an introductory study of the law, history, and structure of the European Union, including its multilevel system of governance and the reach of its powers, both economical and political. Material will be presented through a combination of lecture, group discussion, case studies, and group and individual presentations. Material will include a survey of the origin of the European Union, the roles of Member States, noteworthy legal decisions, the draft Constitution for Europe, and the interaction between the EU and non-EU actors including states and international organizations.

Externship I & II

Hours: 1-2

Course Frequency: Will be offered every semester with limited availability

Prerequisite for Externship I: None

Prerequisite for Externship II: Externship I

Students will spend time at off-campus “sites” which have been previously approved by the Director of the Externship Program. These sites will have a supervisor which may be an attorney or judge. Each student will also have a responsible faculty sponsor to which the student will report. Weekly journals and writing assignments will be completed and reviewed by the faculty sponsor and the Director of the Externship Program. Students may participate in up to two externships for course credits of either one or two hours each.

Federal Courts

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Civil Procedure I & Civil Procedure II

This course provides a study of the constitutional and practical doctrines that define the judicial power of the United States, with particular emphasis on the role of federal courts in the American system of government, including the federal courts’ relationship to the other branches of the federal government and their relationship to the separate state systems of government.

Federal Income Taxation

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the basic principles of federal income tax, concentrating on individual taxpayers, business taxpayers, and investors as taxpayers. Particular emphasis is placed on the use of the Internal Revenue Code and federal tax regulations. Topics include items of inclusion and exclusion from gross income, deductions from gross income, capital gains and losses, basic tax accounting, and the identification of income to the appropriate taxpayer.

First Amendment Seminar *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Constitutional Law

This course provides a study of the history, theory, and jurisprudence of the First Amendment, with particular emphasis on the speech, press and religion clauses.

Healthcare Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the key concepts in health law such as the structure of health care organizations, quality of health care, and liability of health care providers. It also addresses access to health care; financing mechanisms of health care, including Medicare and Medicaid; regulation of health care; and oversight of managed health care. New developments in health care law will also be examined.

Immigration Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the legal, historical, and policy perspectives that shape U.S. law governing immigration and citizenship, including the constitutional bases for regulating immigration, the history of immigration law in the United States, and the source and scope of congressional and executive branch power with regard to immigration. The course will also examine the role of the judiciary in interpreting immigration law, citizenship and naturalization, the admission and removal of immigrants and non-immigrants, and the issue of undocumented immigration. Students will also analyze the impact of immigration in other areas, including employment, criminal law, family unification, and discrimination.

Independent Study *

Hours: 1-2

Course Frequency: Offered every semester; Requires faculty sponsor

Prerequisite(s): None

An Independent Study is appropriate for a student who wishes to study a particular area of law that is not covered in the school's existing course offerings. An independent study is supervised by a faculty member, with prior approval of the Curriculum Committee. A student wishing to conduct an independent study for credit must complete a Request for Independent Study consistent with the Guidelines for Independent Study.

Insurance Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of: various types of insurance, including life, property, health, accident, and liability insurance; regulation of the insurance industry; interpretation of insurance documents; conditions, warranties, and representations; coverage and exclusions; duties of agents; excess liability; subrogation; bad faith actions against insurers; liability insurance defense problems, including the duty to defend; notice and cooperation issues; and conflicts of interest.

Intellectual Property

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a survey of the basics of copyrights, patents, trade and service marks, and trade secrets. Additionally, a study of developments in the laws governing the protection of property interests in computer software and the Internet will be covered.

International Business Transactions

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Contracts I & Contracts II

This course provides a study of the international sale of goods and services, cross-border transfers of intellectual property, foreign direct investment, and international settlement of disputes. Topics relating to sales of goods and services include documentary and standby letters of credit, bills of lading, and distributorship and franchising agreements. Topics related to intellectual property (patents, copyright, trademarks, know-how) are viewed from the perspectives of industrialized and developing countries and antitrust policy. Topics relating to foreign direct investment include not only types of establishments but also privatizations, project finance, exchange controls, labor relations, and multilateral institutions. Topics relating to dispute settlement include arbitration, extraterritorial jurisdiction, and the enforcement of foreign judgments.

Interviewing, Negotiation and Counseling

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course will develop students' skills in the fundamentals of interviewing and counseling clients and negotiating agreements. These three skills have been identified by the *ABA Task Force on Law Schools and the Profession: Narrowing the Gap* as essential components of competent lawyering. The course will cover conceptual foundations for understanding the processes involved in interviewing, counseling, and negotiation.

Jurisprudence

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of various legal theories, concepts, philosophies and problems. Coverage may include: legal positivism, natural law theory, legal realism, idealism, historical jurisprudence, utilitarianism, sociological jurisprudence, policy science, and critical studies.

Juvenile Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the: rights and responsibilities of children in relation to parents, society, and institutions; history of the Juvenile Court; development of children's rights; and trends in juvenile justice.

Land Use Planning

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of selective governmental regulation of the use of real estate and of the land development industry. This course is fundamentally a course in applied Constitutional and administrative law. It includes the law of nuisance, zoning, density, growth, and subdivision controls.

Law Review I, II, III & IV *

Hours for Law Review I: 1

Hours for Law Review II: 1

Hours for Law Review III: 1

Hours for Law Review IV: 1

Course Frequency: After journal is fully operational, Law Review I & III will be offered each Fall and Law Review II & IV will be offered each Spring.

Prerequisite for Law Review I: None

Prerequisite for Law Review II: Law Review I

Prerequisite for Law Review III: Law Review II

Prerequisite for Law Review IV: Law Review III

The Law Review course is designed to teach techniques and research methods for legal writing in connection with practice in legal writing for the Lincoln Memorial University Law Review. Each student is required to accomplish a stated amount of writing acceptable for publication or service on the staff in order to receive credit for the course.

Mock Trial Team

Hours: 1-2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

Members of the Mock Trial Team participate in trial advocacy competitions both intra-school, regionally, and nationally.

Moot Court Board

Hours: 1-2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

Members of the Moot Court Board prepare appellate briefs and present oral arguments in intra-school, regional, and national Moot Court competitions.

Patent Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of patent law and policy. The course will examine the history of patents and the policy arguments for and against using patents as a mechanism for inducing innovation. Students will learn the basics of patent drafting and prosecution, patent claims, and claim construction. The class then addresses in depth the central patentability criteria of subject matter, utility, nonobviousness, and disclosure. Other topics may include: the relationship between patents and other forms of intellectual property protection such as trade secrets and copyright; the intersection of patent and antitrust law; the role of the Patent and Trademark Office and the Court of Appeals for the Federal Circuit.

Pleadings and Practice *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Lawyering Skills I & Lawyering Skills II

This course provides a study of pre-trial practices and procedures. Students will become familiar with the relevant Rules of Civil Procedure and other pre-trial techniques, including client interviewing and counseling, witness interviewing, informal discovery techniques, litigation planning, expert development and discovery, pleadings, interrogatories, depositions, requests for production, requests for admission, pre-trial motion practice, settlement strategies, settlement brochures, settlement conferences, pre-trial conferences, and settlement agreements.

Products Liability

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Torts I & Torts II

This course provides a study of the liability of manufacturers and distributors for defects in their products. This course provides particular focus on the origins of strict liability in tort for defective products, as well as negligence and warranty theories. The course will cover recent developments in recovery, elements of proof, available defenses, and tort reform.

Real Estate Transactions *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Property I & Property II

This course will include such skills as searching a title and drafting instruments necessary to convey interests in real property. Topics may include legal requirements for the conveyance of real property, financing real estate, title examinations, recording acts, loan closing, foreclosure practices, and planned unit developments.

Securities Regulation

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Business Organizations

This course provides a study of the law governing the issuance, distribution, and trading of securities, focusing primarily on the Securities Act of 1933, the Securities Exchange Act of 1934, and related rules and regulations. Topics include the definition of a "security," the obligation to register, the registration and disclosure requirements, the exemptions from the registration process, the insider trading and antifraud provisions, and civil remedies for violations of applicable laws.

Special Topic

Hours: 1-2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course may be designed and offered by a member of the faculty. A syllabus of the Special Topic course must be approved by the Associate Dean for Academics prior to the course offering.

Sports Law

Hours: 2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the academic (e.g., labor and antitrust) and practical (e.g., contracts and agents) aspects of professional sports and the emerging field of sports law, including rules governing Olympic competition, the NCAA, and other amateur athletics.

Technology and the Law *

Hours: 2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of how technology impacts the law and how the law affects technology. The course will cover aspects of internet and software copyright issues, trade secrets, computer crime, privacy, antitrust, and regulation of internet content. Timely issues that may arise near or during the time of the course offering may also be examined.

Trial Advocacy

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course will provide practical instruction in relation to the skills of advocacy in civil and criminal cases. Students will learn effective skills for jury selection, opening statements, direct and cross examination of witnesses (both lay and expert), objections, and closing arguments. Additionally, students will focus on case theory development and strategies best suited to jury persuasion.

Violation: Sexual Harassment Complaint**Report prepared by: Dean of Students****The following dates in which contact was made with the students involved:**

On Thursday August 27, 2009 information was received regarding a complaint of sexual harassment. A student stated she witnessed inappropriate comments that she classified as sexual harassment while at the Duncan School of Law.

On Friday August 28, 2009 The Dean of Students and Vice President of Enrollment Management and Student Services were notified and began fact finding with all parties involved. Complainant was sent a link to the student handbook that related to complaint.

On Tuesday September 1, 2009 interviewed student that filed the sexual harassment complaint.

Thursday September 3, 2009 set up dates and times to meet with the allege victim.

On Tuesday September 8, 2009 Dean of Students and Vice President of Enrollment Management and Student Services interviewed the accused male student regarding allegations of sexual harassment. Confidentiality and the sexual harassment policy and procedures stated in the student handbook were discussed with the student.

On Tuesday September 8, 2009 Dean of Students and Vice President of Enrollment Management and Student Services interviewed allege female victim regarding her allegation of sexual harassment. Confidentiality and the sexual harassment policy and procedures stated in the student handbook were discussed with the student.

On Wednesday September 9, 2009 Investigation concluded. It was determined that no need for action was required.

Smith, Frank

From: [REDACTED]
Sent: Friday, August 28, 2009 8:28 AM
To: Smith, Frank
Subject: FW: Very Serious Concern

Importance: High

-----Original Message-----

From: [REDACTED]
To: Beckman, Sydney
Sent: Thu Aug 27 23:37:34 2009
Subject: Very Serious Concern

Dean Beckman,

I have been witness to a series of events in class involving another student and have come to the conclusion that they need to be addressed by the faculty. Over the past two weeks during several different sessions of class and between classes, [REDACTED] has approached one of the female students in the class inappropriately. I'm not using her name because she hasn't given me permission to do so. I am writing because [REDACTED] comments to her have been highly inappropriate and can be classified as sexual harassment. They have been heard by myself and several others that sit with the female student and we have agreed that he is way out of line. I don't know if the female student will bring this up - she has communicated to me that, though she feels violated in class and that the comments being made are highly inappropriate, she feels like saying something to a staff member may bring even more attention to her.

The situation is as follows:

The female student is visibly engaged to be married; she wears a ring. [REDACTED] approached her the first night and asked her to lunch. She stated that she wouldn't be interested because she is engaged and thanked him for the offer. The next night he again crossed the classroom between classes to sit in the chair next to her. He again (audibly) asked her out and again she made it very clear that she wouldn't be interested in any kind of dating activity and, further, any kind of social activity with him. He has approached her between classes at least four times. Tonight, [REDACTED] again came and sat next to her. She attempted to participate in polite conversation with him and stated that she was tired because she had stomach troubles today. [REDACTED] said, (so that at least eight of those of us surrounding them could hear) "Are you pregnant?" He then turned and said more loudly, "[name]'s pregnant guys!" She stated that he should go back to his seat and then turned to me and another male student to express that she was not only mortified, but was angry that he would do something like that. She has stated to me multiple times that she is not only offended by these encounters, but that she is frustrated that he can't seem to get the point and wishes he would "leave her alone".

I am reporting this because I am angry that this kind of thing is happening and that, despite the fact that she has done nothing to fuel these advances, this young woman feels like she can't say anything without reaping negative consequences. I know that if it makes me and my classmates uncomfortable (which it certainly does), it must be awful for her. I also feel like LMU should have a ZERO tolerance policy for this if one is not in place.

Smith, Frank

From: Beckman, Sydney
Sent: Friday, August 28, 2009 9:51 AM
To: [REDACTED]
Subject: RE: Very Serious Concern

Importance: High

[REDACTED]

Thank you for your email. I have referred this matter to our Dean of Students on the main campus. He is looking into the matter and will be taking all appropriate action in conformance with the Student Handbook for the University and the Law School. Because these matters are, and must remain, confidential - I may not be able to update you on any particular actions taken by the University. However, I want to assure you that we do not take these matters lightly and will take all appropriate steps to remedy this situation in conformance with LMU's policies and procedures.

Thank you again for your email and please feel free to contact me at anytime with any concerns you have.

Sydney A. Beckman
 Dean and Professor of Law
 Duncan School of Law - Lincoln Memorial University sydney.beckman@lmunet.edu

-----Original Message-----

From: [REDACTED]
Sent: Thursday, August 27, 2009 11:38 PM
To: Beckman, Sydney
Subject: Very Serious Concern
Importance: High

Dean Beckman,

I have been witness to a series of events in class involving another student and have come to the conclusion that they need to be addressed by the faculty. Over the past two weeks during several different sessions of class and between classes, [REDACTED] has approached one of the female students in the class inappropriately. I'm not using her name because she hasn't given me permission to do so. I am writing because [REDACTED] comments to her have been highly inappropriate and can be classified as sexual harassment. They have been heard by myself and several others that sit with the female student and we have agreed that he is way out of line. I don't know if the female student will bring this up - she has communicated to me that, though she feels violated in class and that the comments being made are highly inappropriate, she feels like saying something to a staff member may bring even more attention to her.

The situation is as follows:

The female student is visibly engaged to be married; she wears a ring. [REDACTED] approached her the first night and asked her to lunch. She stated that she wouldn't be interested because she is engaged and thanked him for the offer. The next night he again crossed the classroom between classes to sit in the chair next to her. He again (audibly) asked her out and again she made it very clear that she wouldn't be interested in any kind of dating activity and, further, any kind of social activity with him. He has approached her between

classes at least four times. Tonight, [REDACTED] again came and sat next to her. She attempted to participate in polite conversation with him and stated that she was tired because she had stomach troubles today. [REDACTED] said, (so that at least eight of those of us surrounding them could hear) "Are you pregnant?" He then turned and said more loudly, "[name]'s pregnant guys!" She stated that he should go back to his seat and then turned to me and another male student to express that she was not only mortified, but was angry that he would do something like that. She has stated to me multiple times that she is not only offended by these encounters, but that she is frustrated that he can't seem to get the point and wishes he would "leave her alone".

I am reporting this because I am angry that this kind of thing is happening and that, despite the fact that she has done nothing to fuel these advances, this young woman feels like she can't say anything without reaping negative consequences. I know that if it makes me and my classmates uncomfortable (which it certainly does), it must be awful for her. I also feel like LMU should have a ZERO tolerance policy for this if one is not in place.

Thank you for your time and consideration and please feel free to contact me should you have any questions about the events I have described.

Sincerely,

[REDACTED]

Skaruppa, Cindy

From: [REDACTED]
Sent: Friday, August 28, 2009 1:19 PM
To: Skaruppa, Cindy
Subject: RE: Complaint

Alright. Thank you very much.

[REDACTED]

-----Original Message-----
From: Skaruppa, Cindy
Sent: Fri 8/28/2009 12:39 PM
To: [REDACTED]
Subject: RE: Complaint

[REDACTED],

We will meet you at the Law School next Tuesday, September 1st at 11:30. I will let you know the exact location when I have arranged it.

Dr. Skaruppa

Cindy L. Skaruppa, Ed.D.
Vice President for Enrollment Management and Student Services
423-869-6393
cindy.skaruppa@lmunet.edu

-----Original Message-----
From: [REDACTED]
Sent: Friday, August 28, 2009 11:09 AM
To: Skaruppa, Cindy
Subject: RE: Complaint

Dr. Skaruppa,

I am available at any time today after noon. I am also available next Tuesday or Thursday from 8:30 a.m. until 3:00 p.m. Does this interview need to take place in person and, if so, would I need to travel to Harrogate?

Thank You,

[REDACTED]

-----Original Message-----
From: Skaruppa, Cindy
Sent: Fri 8/28/2009 11:01 AM
To: [REDACTED]
Cc: Smith, Frank
Subject: Complaint

[REDACTED]

The Dean of Students (Frank Smith) and I received your complaint relating to observed inappropriate behavior. LMU's student handbook states:

"Students have the responsibility to bring any form of harassment they experience or observe to the immediate attention of LMU. They need not complain first to the offending person. All complaints or reports should be directed either to the Director of Human Resources or the Dean of Students. A prompt, thorough, and fair investigation will be conducted based on the individual's statement of what has occurred. In an effort to protect the individual who reports or complains of harassment, to encourage prompt reporting, and to protect the accused's interests during the pendency of an investigation, access to information related to the investigation will be maintained on a strict "need to know" basis and all individuals involved in an investigation will be instructed not to discuss the matters in question outside of the investigation. LMU will retain confidential documentation of all allegations and investigations and will take appropriate corrective action to remedy all violations of this policy."

The link to the students handbook is: http://www.lmunet.edu/pdf/handbook_08-09.pdf and the section that addresses your complaint begins on page 44.

The fact finding will begin with an interview. We will take all precautions for privacy during the interview. Please suggest dates and times that we will be able to meet. We would like to begin the investigation as quickly as possible. We take this matter very seriously. Please contact me as soon as possible.

Sincerely,

Dr. Skaruppa

Skaruppa, Cindy

From: Smith, Frank
Sent: Friday, September 04, 2009 8:20 AM
To: Skaruppa, Cindy
Subject: FW:

Just some info for you.fs

-----Original Message-----

From: [redacted] [mailto:[redacted]]
Sent: Thursday, September 03, 2009 4:17 PM
To: Smith, Frank
Cc: Beckman, Sydney; Carney, Paul
Subject: Re:

Dean Smith,

I am looking forward to meeting you in person at 3pm on Tuesday, September 8th at the Law School in Knoxville. I apologize for not recognizing you on the phone earlier. I was at the Downtown Knoxville Post Office when we spoke and it was difficult to hear.

If I can answer any questions or address any issue in advance of our meeting, I hope you call me directly at [redacted].

Respectfully yours,
[redacted]

Sent from my iPhone

[redacted]

"This correspondence may be a public record and subject to public inspection pursuant to the Tennessee Public Records Act."

On Sep 3, 2009, at 3:00 PM, "Smith, Frank" <frank.smith@lmunet.edu> wrote:

- > [redacted]
- >
- > I am trying to get in contact with you about setting up a meeting
- > time.
- >
- > Frank

Smith, Frank

From: Skaruppa, Cindy
Sent: Wednesday, September 09, 2009 10:49 PM
To: Beckman, Sydney
Cc: Emberton, Sherilyn; Smith, Frank
Subject: Alleged Sexual Harrassment Case

Syd,

Frank Smith and I concluded our fact finding on the alleged sexual harassment issue on Tuesday, September 8, 2009. Our investigation resulted in no need for any action. We will inform all parties interviewed as to our findings. If you should require further information, do not hesitate to contact me. Thank you for the accommodations provided during this fact finding.

Cindy

Cindy L. Skaruppa, Ed.D.
Vice President for Enrollment Management and Student Services
423-869-6393
cindy.skaruppa@lmunet.edu

Violation: Alcohol Misconduct

Report prepared by: Dean of Students

The following dates in which contact was made with the student:

On Friday April 24, 2009 information about a possible incident involving use of alcohol in a class room setting was presented to the Dean of Students.

April 27, 2009 MBA Director started his investigation.

April 29, 2009 the student met in the Dean of Students office and was informed on the alcohol policy and appeal procedures. The student was informed of the possible consequences of violation of the alcohol policy.

April 29, 2009 the student met with the Director of the MBA Program regarding the violations of the alcohol policy that occurred.

May 5, 2009 the student was sent a letter informing her of the consequences of the violation and compliance procedure.

December 2, 2009 complied with sanctions and was re-instated into the MBA Program.

On April 22, 2009 I conducted an MBA graduate exit interview with [REDACTED] in Knoxville. During the interview [REDACTED] informed that some unprofessional behavior and activities took place in The MBA 580 International Business class. He said it took place in Harrogate while Dr. McCarren was teaching in Knoxville.

According to [REDACTED] he said that [REDACTED] has brought beer to class on at least two occasions and proceeded to drink the beer during class time. He believed there was another individual drinking as well.

After discussing the matter with Jack McCann on April 24, I composed an email and sent it to all students in the Harrogate section of MBA 580. The email stated that I had been informed about unprofessional and disturbing conduct that took place during the class, and I was giving each of them one week to make a statement or discuss things that have gone on in the class. The email was sent to the students on Monday April 27.

JAN-20-2010(WED) 14:08

P. 012/022

From: Dillon, Michael E
Sent: Mon 4/27/2009 7:37 PM
To: [REDACTED]

Subject: MBA 580 International Business

Ladies and Gentlemen:

It has come to my attention that some unprofessional and upsetting conduct has taken place several times during your class time on Thursday evenings. It has occurred while Dr. McCarren was teaching from Knoxville.

The conduct is very disturbing and I am disappointed I even need to investigate the matter.

I am writing this email to allow each of you an opportunity to make a statement or discuss anything you have seen that I should know about.

I will if necessary, meet with each one of you individually if necessary.

As you can surmise, I am very upset about this.

If I have not heard from you within a week, I will begin to schedule individual meetings.

MED

Michael E. Dillon, Jr., PhD

Received Time Jan. 20. 2010 1:15PM No. 3178

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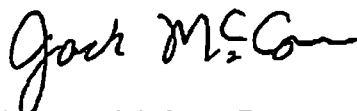
6965 Cumberland Gap Parkway
Harrogate, Tennessee 37752
423.869.3611
www.lmunet.edu

May 5, 2009

Dear [REDACTED]

I have reviewed the letter that you sent me regarding your misconduct (drinking in the classroom) during the MBA 580 Class of the SP 2009 Semester and I have given it consideration in regard to my decision about your future in the MBA Program. Although, your drinking in the classroom clearly violated the "Drug and Alcohol Policy" (see attached policy) of the 2008-2009 *LMU Student Handbook*, I am amenable to a one semester suspension along with the requirement that you attend and complete a drug prevention program conducted through the Office of Counseling and Lifestyle Management within the Office of Student Services before you are allowed to make application to the program for the SP 2010 Semester. A letter of completion of the drug prevention approval must be provided to me and you must re-apply to the program and be accepted before you can begin classes again in the MBA Program. We must have your assurance that you will not repeat this behavior or you may be permanently suspended from the program.

Regards,



Dr. Jack McCann, Dean
LMU School of Business
6965 Cumberland Gap Parkway
Harrogate, TN 37752
Office: 423.869.6298
Cell: 606.269.4544

Enclosure: A portion of the Drug and Alcohol Policy

cc: Dr. Sheryllyn Emberton, Vice President for Academic Affairs
Mr. Frank Smith, Dean of Students
Dr. Michael Dillon, MBA Program Director

Dear Dr. McCann,

This letter is to inform you of the status of our student, [REDACTED]. [REDACTED] was asked by your department to attend counseling sessions throughout the Fall 2009 semester to be considered for readmission to the MBA program. [REDACTED] came to each scheduled appointment and participated eagerly and actively in the counseling process. It is my opinion that [REDACTED] has completed the necessary steps to be considered for enrollment in Spring 2010. If you have any further questions, please feel free to contact me at (423) 869-6251. You may also contact Frank Smith, Dean of Students at (423) 869-7088.

Regards,

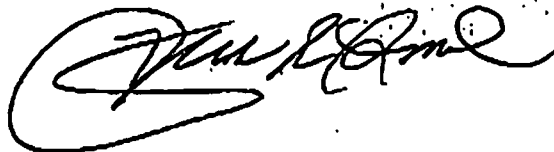
Donna Treece-Paul



Director of Counseling/ADA Coordinator

Lincoln Memorial University

Frank Smith



Dean of Students

Lincoln Memorial University

and publicly distribute, including by technologies now known or developed in the future, on a non-commercial basis, copies of the thesis or dissertation.

V. Copyright

1. Copyright is the right of an author, artist, composer or other creator of a work of authorship to control the use of his or her work by others. Generally speaking, you may not reproduce a copyrighted work (including computer software) without the copyright owner's permission. The term of copyright protection is usually defined as the life of the creator plus 70 years, but there are some complicated exceptions and it is best to assume that any work published after 1922 is still protected by copyright. In certain instances, the "fair use" doctrine may allow the use of a copyrighted work for purposes such as scholarship or criticism. Generally, though, the unauthorized reproduction of a copyrighted work is copyright infringement and may subject the infringer to civil and criminal penalties.

2. Despite court rulings holding such activity illegal, some individuals continue to engage in so-called peer-to-peer file sharing of commercially copyrighted music, movies, and software. The law allows copyright owners who have detected illegal file sharing over a campus network to subpoena the name of the individual(s) involved. The copyright owner may then sue the individual for up to \$150,000 for each act of infringement. Since 2003, the recording and movie industries have filed more than 6,000 such lawsuits, including hundreds against college students and staff members nationwide.

3. The University and its faculty, students, and employees must comply with the copyright law, including without limitation by refraining from unauthorized file sharing. In addition, such conduct violates the University's technology use policies and can cause the University to subject an employee to disciplinary action up to and including termination. Questions regarding copyright law compliance should be directed to the University librarian or the President's office.

RULES OF STUDENT CONDUCT

The following is a non-exhaustive list of rules of conduct for LMU students. Violation of any University rules or policies may result in disciplinary action up to and including expulsion.

1. The University does not accept responsibility for loss of personal property due to theft, fire or vandalism. Students are encouraged to purchase renter's insurance (a student's property may be covered under his/her parents' or guardians' homeowner's policy). All students are encouraged by the Office of Safety and Security to properly secure their property while on campus.
2. All students must obtain an LMU Student ID Card ("ID"). Students are required to have a valid form of photo identification at all times while on campus (i.e., LMU ID, driver's license).
3. Students may not possess, consume, sell, use or be in the presence of alcoholic beverages or nonprescription drugs on campus grounds, in University buildings or at University activities (see "Policy on Alcohol and Other Drugs").
4. Use of tobacco products is prohibited in all University buildings.
5. Guns, ammunition, explosives (including firecrackers, fireworks and other flammable materials) or any other potentially dangerous weapons or

- paraphernalia, concealed or visible (including bladed items over three inches long), or potentially dangerous and unauthorized recreational equipment (such as archery equipment or paintball guns) are prohibited on campus. The discharge of firearms at any time on LMU property will result in a \$500.00 fine and possible arrest. The item will be confiscated and removed from LMU property. Anyone wishing to temporarily store weapons on campus must apply for such arrangements for storage with the Chief of Security before these items are brought on campus property. Hunting is not permitted on the campus or surrounding parklands or farmlands owned by the University.
6. Abuse or harassment of any person or property on the campus will result in immediate action including payment of damages, fines, and possible removal from campus housing and/or suspension. Please refer to the Harassment Policy in Section II of this *Student Handbook*.
 7. Falsely reporting fires, bomb threats or other emergencies (either to LMU personnel or local 911 / police force dispatch personnel), falsely setting fire alarms and the non-emergency use of emergency equipment will result in immediate administrative action up to and including suspension or expulsion from the University and prosecution through state and federal laws. Tampering or damaging smoke detectors is subject to a \$250.00 fine and possible suspension.
 8. Students are prohibited from entering another student's room, faculty or staff offices, or any other campus facility without permission. This includes unauthorized entry into any facility outside of regular working hours.
 9. Setting off, dismantling, tampering with, or disarming "Emergency Only" residence hall exits can result in a finable offense (up to \$250.00).
 10. Theft of University property or of someone's personal property is against the law. Penalties may include campus sanctions as well as civil prosecution.
 11. Cheating, plagiarism and other similar ethical violations are serious offenses. Penalties for such violations are within the discretion of the faculty member and may range from an "F" in the course to suspension from the University. Appeals of faculty decisions may be pursued through the regular academic appeals process. Violations will be recorded in the Dean of Students' disciplinary files. See "Academic Integrity" in section II of this *Student Handbook*.
 12. Giving false testimony to an investigating staff member or member of a judicial committee, attempting to intimidate or coerce witnesses, or seeking revenge against anyone due to his/her role in a disciplinary procedure will result in appropriate disciplinary action.
 13. Giving false names or identification to any inquiring LMU staff person will result in disciplinary sanctions.
 14. Littering the campus is offensive to everyone. Anyone found littering is subject to a \$25.00 fine and will be assigned appropriate community service.
 15. A student's behavior is not only a reflection of his/her own choices, but is also a strong reflection upon the caliber of students enrolled within the University community. The University may discipline students who commit certain off-campus violations of University policies.
 16. The falsification of University documents of any kind is prohibited.
 17. Any residential student missing two consecutive weeks of classes may be administratively withdrawn from the residence hall and/or the University. Students missing class excessively will be reported to the Vice President for Enrollment Management and Student Services and subject to disciplinary actions.

18. The University respects an individual's right to express themselves uniquely and strongly, however, "foul" or "offensive" language or insinuations will not be tolerated.
19. All forms of Hazing on the part of any individual, group of individuals or organizations, are subject to civil and University disciplinary action. (See complete policy on hazing under the athletics section of this handbook.)

Conduct violations will be dealt with on a case-by-case basis and, according to the seriousness of each incident, may result in sanctions ranging from a simple warning to expulsion from the institution.

DRUG AND ALCOHOL POLICY

In compliance with Section 1213 of the Higher Education Act of 1965, as added by Section 22 of the Drug Free Schools and Communities Amendments of 1989 (Public Law 101-226), LMU offers a drug prevention program through the Office of Counseling and Lifestyle Management within the Office of Student Services. The program emphasizes the University's policy on illicit drugs and alcohol, legal and University sanctions for illicit use, and a description of health risks associated with the use of illicit drugs and alcohol, counseling and treatment available to the campus community.

Rules of Conduct Related to Alcohol and Drugs

STUDENTS MAY NOT POSSESS, CONSUME, SELL, USE, OR BE IN THE PRESENCE OF ALCOHOLIC BEVERAGES OR NON-MEDICALLY PRESCRIBED DRUGS ON CAMPUS GROUNDS, IN UNIVERSITY BUILDINGS, OR AT UNIVERSITY ACTIVITIES.

Public drunkenness is not permitted on campus. Drunken persons who are violent, uncontrollable, or aggressive are subject to arrest.

Students apprehended and/or arrested for drug or alcohol consumption, possession, or intoxication will be reported to the Tennessee Bureau of Investigation (TBI) in LMU's monthly crime statistics report.

No University recognized organization shall organize or sponsor any event on or off campus where alcohol or illicit drugs are served, used, or sold.

Although some students may be of legal drinking age (age 21 in Tennessee), alcohol use or possession is not permitted in residence halls or on campus property. In addition, alcohol and drug paraphernalia is not permitted in the residence halls.

Athletes and students receiving financial aid are required to sign statements concerning their non-use of alcohol and illicit substances to be eligible for these programs. Students are urged to carefully read and consider the statement they are signing, as violation of these policies may result in forfeiture of financial aid and/or athletic privileges, as well as dismissal from the institution. University sanctions are harsher than those dictated for

athletic or financial aid participation, and the University sanctions supersede those for athletics and financial aid in those cases.

Disciplinary Action Related to Alcohol and Drug Violations

Disciplinary sanctions will result from standards of conduct violations regarding the unlawful possession, use, or distribution of illicit drugs and alcohol on LMU property or as a part of any LMU activities. Student consumption, possession, sale, distribution, or being in the presence of alcohol and other drugs on the LMU campus is prohibited. Sanctions include, but are not limited to:

1. Possession, consumption OR being in the presence of alcohol: first offense disciplinary procedures: required attendance at 8 hour lecture series provided by the Office of Student Services; letter sent to parents or guardians (unless the student can prove independent student status); 10 hours of community service; and / or \$50 fine. The second offense-disciplinary procedures: required attendance at a refresher course on "low risk choices" provided by the Office of Student Services; letter sent to parents or guardians (unless the student can prove independent student status); 20 hours of community service; and / or \$100 fine.
2. Sale and/or distribution to a minor: Removal from the residence hall with no refund of housing fees and revocation of visitation privileges in any campus residence hall.
3. Public drunkenness: Those who are violent, uncontrollable, or aggressive are subject to arrest. Other offenses subject to second offense consequences "possession or consumption" above.
4. Alcohol served, used, or sold at campus activities on campus will result in the probation and/or suspension of the sponsoring organization. (See Student Organization Handbook)
5. Possession, consumption, sale, or use of illicit drugs is against local, state, and Federal law. Suspension and expulsion from the university and arrest will be consequences of these serious infractions.

Educational Programming

LMU conducts regular programs to educate its students, faculty, and staff that consumption and/or abuse of alcohol and other drugs may alter behavior, distort perception, impair thinking, impede judgment, and lead to physical or psychological dependence.

The scope and impact of health risks from alcohol and drug abuse are both alarming and well-documented, ranging from mood-altering to life-threatening, with consequences that extend beyond the individual to family, organizations and society at large. There are physical, emotional, spiritual, social and occupational risks involved with the use of alcohol and drugs. Some of the physical health risks of drug use include, but are not limited to heart problems, infections, malnutrition, convulsions, respiratory paralysis, emphysema, high blood pressure, and possible death. Drug use can also lead to legal problems, financial hardships, and social and occupational difficulties. Some of the physical risks of using alcohol are chronic addiction, blood disorders, brain damage,

cirrhosis, hepatitis, heart problems, lung infection and stomach ulcers. Mentally, there may be increased stress, depression, contemplation of suicide, impaired thought process, memory loss, and increased incidents of psychosis.

Counseling, Treatment and Rehabilitation

LMU provides a comprehensive alcohol and drug prevention program for students in need of assistance. Faculty, staff, students, and concerned family members may refer students for an initial assessment to the counseling office located in Room 319 of the Student Center. An extensive resource catalog is housed in the counseling office with listings of service providers located in Kentucky, Tennessee, and Virginia. Students receiving counseling on campus as a result of alcohol, drug, or personal concerns can do so with the assurance that strict counseling confidentiality will be observed. Through the Director of Counseling Services, students may receive assessment, intervention, and referral services free of charge. While some on-campus counseling may be required, this is generally of a brief duration depending upon each student's circumstances. If dismissal from the university is made, assessment and rehabilitation at the student's expense may be required for reentry to the institution.

Wellness Resources are available from the Office of Student Service, the Tagge Center for Academic Excellence, the Library Computer Lab and in the Athletic Department. Additional literature and videotapes are available at the circulation desk in the library for research and personal use.

SEXUAL AND OTHER DISCRIMINATORY HARASSMENT

LMU is committed to maintaining study and work environments that are free from discriminatory harassment based on sex, race, color, national origin, religion, pregnancy, age, military status, disability or any other protected discriminatory factor. Sexual or other discriminatory harassment of its students is strictly prohibited, whether by non-employees (such as contractors or vendors), other students, or by its employees, and LMU will take immediate and appropriate action to prevent and to correct behavior that violates this policy. Likewise, students are strictly prohibited from engaging in harassing behavior directed at LMU's employees, its visitors, vendors and contractors. All students must comply with this policy and take appropriate measures to create an atmosphere free of harassment and discrimination. Appropriate disciplinary action, up to and including, as appropriate, suspension, expulsion, termination from employment or being banned from LMU properties, will be taken against individuals who violate this policy.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests or sexual favors or other verbal or physical contact of a sexual nature.

This conduct constitutes unlawful sexual harassment when:

1. Submission to this conduct is explicitly or implicitly made a term or condition of an individual's employment or academic success;

2. Submission to or rejection of this conduct is used as the basis for an employment or academic decision; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment refers to behavior that is not welcome, is personally offensive, is debilitating to morale and interferes with academic or work effectiveness. It frequently (though not necessarily) occurs as an abuse of authority where the parties are in an unequal power relationship. Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment can include:

Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, implied or explicit threats, and offensive or obscene language.

Non-Verbal: Sexually suggestive objects, graffiti, cartoons, posters, calendars, writings, pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, stalking, staring and making obscene gestures.

All students must avoid any action or conduct that might be viewed as discriminatory harassment (whether sexual or other). Approval of, participation in or acquiescence in conduct constituting such harassment is a violation of this policy. Note: Individuals may be disciplined for behavior which is not so severe as to independently constitute unlawful harassment, but which is nonetheless offensive.

Complaint and Reporting Procedure

Students have the responsibility to bring any form of harassment they experience or observe to the immediate attention of LMU. They need not complain first to the offending person. All complaints or reports should be directed either to the Director of Human Resources or the Dean of Students. A prompt, thorough, and fair investigation will be conducted based on the individual's statement of what has occurred. In an effort to protect the individual who reports or complains of harassment, to encourage prompt reporting, and to protect the accused interests during the pendency of an investigation, access to information related to the investigation will be maintained on a strict "need to know" basis and all individuals involved in an investigation will be instructed not to discuss the matters in question outside of the investigation. LMU will retain confidential documentation of all allegations and investigations and will take appropriate corrective action to remedy all violations of this policy.

Investigations will normally include conferring with the parties involved and any named or apparent witnesses. Signed statements from the parties and witnesses will usually be requested, though complainants are not required to make a written complaint. All complainants and witnesses will be protected from coercion, intimidation, retaliation, interference or discrimination for raising a bona fide complaint or properly assisting in an investigation. If the investigation reveals that the complaint is valid, prompt and appropriate corrective action designed to stop the harassment immediately and to prevent its recurrence will be taken.

Retaliation against any complaining individual, any witness, or anyone involved in a complaint is strictly prohibited. LMU will follow up any complaint or investigation as appropriate to insure that no retaliation occurs. Students should *immediately* report any perceived retaliation to the Director of Human Resources or the Dean of Students. The University will not tolerate retaliation and will take prompt and immediate steps to eliminate it.

Whether a particular act or incident produces a discriminatory employment or academic effect or amounts to harassment, or whether it otherwise violates this policy, requires a factual determination based on all the facts and circumstances. Given the nature of this type of discrimination, the University recognizes that false accusations of sexual or other discriminatory harassment can have serious effects on innocent individuals. Therefore, if after investigating any complaint or report, it determines the complaint or report is not bona fide and was made in bad faith or for an improper purpose, or that an individual has provided false information regarding a complaint or investigation, disciplinary action may be taken against the individual who filed the complaint or who gave false information.

LMU trusts and expects that all students will continue to act responsibly to establish and maintain a pleasant and respectful community environment, free of discrimination or

harassment, for all. LMU has a zero tolerance policy for sexual or other discriminatory harassment. Thus, students are subject to discipline for any inappropriate behavior.

Questions or concerns about this policy or the complaint and reporting procedure should be directed to the Dean of Students.

Sex Offense Prevention Programs and Procedures

Education and Information

Sex offense prevention education is part of all new student and residence hall orientations, and the Office of Student Services conducts a mandatory sexual assault prevention seminar at the beginning of each academic year. Sex offense-related topics are also covered during Residence Life Staff Training. Prevention literature and contact information for local agencies is available in the Student Services lobby and at the Tagge Center for Academic Excellence, and students are encouraged to contact Student Services counselors (Student Center, 308) with any additional concerns or requests for information.

Students may access the TBI's Tennessee Internet Crime Information Center's Sexual Offender Registry (for Claiborne County) at:

http://www.tlicic.state.tn.us/SEX_ofndr/sor_short_county.asp. For Bell County, KY:

<http://kspisor.state.ky.us/>. For Lee County, VA: <http://sex-offender.vsp.state.va.us/>.

Reporting Offenses

Students who experience, witness or are otherwise informed that a sexual offense has occurred should, at the student's option, contact local law enforcement, a campus security officer, or university official as soon as possible. Prompt reporting is important in order to preserve available evidence, to obtain necessary treatment and support for the victim, and to prevent further harm to others.

Procedures

LMU will cooperate with lawful investigatory processes related to criminal investigations. In addition, allegations of sexual offenses brought against a student will be handled pursuant to the University's Sexual Harassment policy and procedures. The University may impose disciplinary action against a student even in the absence of a criminal report, arrest or conviction. Sanctions may include, but are not limited to, disciplinary probation, suspension or expulsion. The Office of Student Services may, upon request or out of concern for safety, make adjustments to a student's academic or living situation.

SMOKE FREE CAMPUS POLICY

All LMU buildings are smoke - free. Smoking is prohibited in all campus buildings for health and safety reasons. Residence hall rooms contain sensitive smoke detectors, and consequently, smoking will trigger smoke detector alarms. Fines of up \$250.00 may be

LINCOLN MEMORIAL UNIVERSITY DUNCAN SCHOOL OF LAW

VALUES • EDUCATION • SERVICE



**NOW WITH TENNESSEE BOARD OF LAW
EXAMINERS APPROVAL**

ACCEPTING APPLICATIONS

Old City Hall Building (601 W. Summit Hill Drive)

Evening Classes

Call 865.524.5286 for more information.

*In April 2008, LMU notified the Southern Association of Colleges and Schools-Commission on Colleges (SACS-COC) and the Tennessee Board of Law Examiners (TBLE) of its intent to open a law school in Knoxville, Tennessee, for the fall of 2009, and is working with both organizations, as well as the American Bar Association to pursue approval and accreditation. The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

www.LMUnet.edu/law

Greetings and welcome to the proposed School of Law at Lincoln Memorial University in Knoxville, Tennessee! In the spring of 2008, Lincoln Memorial University announced plans to seek approval to offer legal education leading to the Juris Doctor degree. The law school will be located in downtown Knoxville, Tennessee. Mirroring the values established by the University, the School of Law will be committed to teaching, research and service while supporting Appalachia and the people of East Tennessee.

Lincoln Memorial University grew out of love and respect for Abraham Lincoln, himself a lawyer. The law school will continue honoring his memory while providing a unique education experience using the latest in technology and instructional methods for legal education. Faculty will be drawn from a variety of backgrounds and will teach with an emphasis on effective communication, problem-solving and real world applications of legal context.

In April 2008, LMU notified the Southern Association of Colleges and Schools-Commission on Colleges (SACS-COC) and the Tennessee Board of Law Examiners (TBLE) of its intent to open a law school in Knoxville, Tennessee, for the fall of 2009, and will be working with both organizations, as well as the American Bar Association to pursue approval and accreditation.

On August 1, 2008, Sydney A. Beckman began his duties as Dean of the proposed School of Law. Beckman came to LMU with proven experience in opening a law school. He was involved in the formation of the Charleston School of Law (CSOL) in Charleston, S.C., which opened its doors in 2004. As a member of the faculty at CSOL, Beckman taught Evidence, Domestic Relations and Technology and the Law. He also served on the Dean's Advisory Council and on a number of committees including faculty recruitment, technology, admissions and student affairs.

On August 28, 2008, LMU convened the first meeting of the Advisory Board for the proposed School of Law. The Advisory Board is a who's who in Knoxville-area law, and includes Congressman John J. Duncan (2nd district Tennessee), Judge Wheeler A. Rosenbalm (Knox County Circuit Court), Judge John D. McAfee (Claiborne County Circuit Judge 8th district), Attorney General Randy Nichols, Assistant District Attorney Ta Kisha Monette Fitzgerald, attorneys Patti Jane Lay, J. Douglas Overbey, Sam Anderson, Mary Ann Stackhouse, Daniel H. Rader, David Yoder, Mark A. Brown, Debra Thompson, Denise Stapleton, Robert Watson and Hulet Chaney. LMU trustee Gary Burchett also serves on the advisory board. Watson, a partner with Watson, Roach, Batson, Rowell and Lauderback in Knoxville, will chair the board.

We're getting ready!

The pieces are falling into place as LMU pursues accreditation for the proposed school of law. LMU took the over the lease on the Old City Hall Building in downtown Knoxville earlier this year. The classroom and office space in the building complex will house the proposed School of Law as well as other University programs. In preparation for the accreditation process, University officials have visited the American Bar Association.

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

It is estimated that during the academic year 2007-08 Tennessee law schools had approximately 6,500 applicants for admission and enrolled approximately ten percent of those applicants.

The first class of law students at Lincoln Memorial University will be part-time students. This will enable working adults to pursue their lifetime dream of becoming a lawyer and practicing attorney in the state of Tennessee.

Again, welcome! We look forward to working with you in the near future on your educational goals. If you have any questions, please feel free to contact us at any time. Thank you!

Lincoln Memorial University is a values-based learning community dedicated to providing educational experiences in the liberal arts and professional studies. The main campus is located in Harrogate, Tennessee.

LMU

Lincoln Memorial University

Cumberland Gap Parkway
Harrogate, Tennessee 37752

423.869.3611
www.lmunet.edu

Dear Pre-law Advisor,

Greetings from the proposed School of Law at Lincoln Memorial University! Located in the heart of downtown Knoxville, Tennessee, the institution will matriculate its inaugural class in 2009 – the bicentennial year of the birth of Abraham Lincoln. LMU anticipates offering the Doctor of Jurisprudence effective mid-August 2009. This proposed degree program is contingent upon the regional accrediting agency, the Commission on Colleges of the Southern Association of Colleges and Schools (SACS-COC, 1866 Southern Lane, Decatur, Georgia 33033-4097), approving the University to offer the degree. This request by LMU for *Substantive Change* from SACS-COC is scheduled to be reviewed in April 2009. LMU will be notified by SACS-COC of its decision shortly thereafter.

LMU RECEIVES TENNESSEE BOARD OF LAW EXAMINERS APPROVAL FOR SCHOOL OF LAW

The School of Law is another step closer to opening its doors in the fall of 2009 after it received Tennessee Board of Law Examiners approval on February 24, 2009. The approval will allow all graduates of the program to be eligible to sit for the Tennessee Bar Exam.

The inaugural class will consist of approximately 75 part-time students. The full-time program will begin fall 2010 and will consist of another 125 students.

In preparation for the accreditation process University officials have also visited the American Bar Association (ABA). The ABA accreditation process would follow once a class has been seated. LMU secured a lease on the Old City Hall Building in Knoxville a year ago with the intent of remodeling to provide the classroom and office space to house the proposed School of Law as well as other University programs.

LMU will hold a press conference on March 27 to announce the name of the proposed School of Law.

Enclosed is a flyer with information about our school. We would appreciate it if you would display this flyer in an area that is conspicuous to your pre-law advisees. If you should have any questions, please feel free to contact us at your earliest convenience. Thank you! As usual, I am

Very sincerely yours,



G. Paul Carney, M.S.
Director of Admissions

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

To the Inaugural Class of 2013:

Welcome to the Inaugural Class of the Duncan School of Law at Lincoln Memorial University. We have been working hard to prepare for your arrival, and we think you will be impressed with the results.

We at the Duncan School of Law see ourselves as pioneers. Not only is the Law School new but it is a school which envisions a new kind of legal education; one that blends the progressive with the traditional. In terms of progression, the administration and I have created what we believe to be the most technologically advanced law school in the Country, permitting us to enhance the learning experience, streamline administrative matters, and reduce the costs of education. Additionally, we have redirected the course of typical legal education; where traditional law schools place a singular emphasis on faculty scholarship, the Duncan School of Law places a renewed importance on teaching the next generation of practicing attorneys. To that end, we have assembled an exceptional group of professors who are accomplished teachers, accomplished scholars, and seasoned practitioners, thus permitting us to focus on teaching the practical aspects of the law while pursuing exemplary scholarship.

In terms of tradition, the faculty and I have created an academic curriculum that preserves the customary subject matter contained within a well-rounded legal education. Thus, while you will have the advantages of our collective progression, you will not miss out on any of the beneficial aspects of a traditional legal education. As our inaugural class, you will have a front-row seat to the foundation of a new and exciting method of collaborative, technologically advanced, and student-centered education.

As you continue your final preparations for our journey together, I hope you will find the enclosed information helpful. It provides information regarding our Orientation Schedule, maps, local food establishments, etc. Of course, if you have any questions about anything, you are always welcome to call my office.

Sincerely,



Dean Sydney A. Beckman

/enclosures

SAB/jm

LINCOLN MEMORIAL UNIVERSITY
DUNCAN SCHOOL OF LAW

The following are a list of items of special note for new students:

- THE DRESS RERQUIREMENT FOR STUDENT ORIENTATION ON AUGUST 15TH, 2009 IS BUSINESS ATTIRE. ALL STUDENTS ARE EXPECTED TO BE DRESSED APPROPRIATELY AS YOU WILL BE "SWORN IN" BY A MEMBER OF THE TENNESSEE SUPREME COURT, STUDENT IDENTIFICATION PICTURES WILL BE TAKEN AND THE MEDIA IS EXPECTED TO BE PRESENT.
- IF YOU WILL REQUIRE HANDICAPPED PARKING AND ACCOMODATIONS DURING ORIENTATION, PLEASE PARK IN THE DESIGNATED HANDICAPPED PARKING SPACES IN THE PARKING LOT NEXT TO THE LAW SCHOOL ON THE CORNER OF BROADWAY AND SUMMIT HILL DRIVE. OTHERWISE, PLEASE PARK IN THE LOCUST STREET OR MARKET SQUARE GARAGES (SEE ENCLOSED PARKING MAP) OR ANY OTHER PARKING AREA YOU MAY LOCATE, AS NON-HANDICAPPED PARKING SPACES WILL BE RESERVED FOR HONORED GUESTS AND VISITORS. ****NOTE**:** PARKING IN PUBLICLY OWNED SPACES SHOULD BE FREE AFTER 6:00 P.M. ON WEEKNIGHTS AND ON WEEKENDS. ALL STUDENTS ARE ADVISED TO MAKE TIME TO INVESTIGATE LOCAL PARKING OPTIONS AND AREA LAYOUT PRIOR TO ORIENTATION.
- ALL STUDENTS ARE REQUIRED TO READ AND REVIEW THIS PACKET CAREFULLY, INCLUDING THE ATTACHED ARTICLE "HOW TO READ A LEGAL OPINION" BY ORIN S. KERR, PRIOR TO ORIENTATION.
- ONLY ENROLLED STUDENTS ARE REQUESTED TO ATTEND THE ORIENTATION PROGRAM ON AUGUST 15TH, 2009, IN ORDER TO ACCOMMODATE FACULTY, STAFF, SPECIAL GUESTS AND SPEAKERS.
- IF YOU REQUIRE ANY OTHER SPECIAL ACCOMODATION, PLEASE CALL THE DEAN'S EXECUTIVE ASSISTANT, ANITA MONROE, AT 865.524.5288 *IMMEDIATELY* SO THAT WE MAY MAKE TIMELY AND ADEQUATE ARRANGEMENTS FOR YOUR NEEDS.

ASSIGNMENTS FOR THE FIRST DAY OF CLASSES

Unless otherwise indicated, you are responsible for purchasing class materials (from the 'Book List' below) prior to the first day of class. You may purchase the materials from any source you would like. For purchasing information from the LMU Bookstore, please call 1-800-325-0900 (ext. 6303).

CIVIL PROCEDURE: During the first week of class, we will discuss in detail the material covered in Chapter One (Spencer pp.1-20). This material provides important background information for the ensuing substantive material. Read the material carefully; follow the instructions pertaining to legal terminology and concepts.

TORTS: Epstein, pages 3-22

LEGAL SKILLS: *Books to be delivered electronically during Orientation*

Research Strategies: The American Legal System (including Legal Interaction, Primary vs. Secondary Sources, *Stare Decisis*, Binding Law vs. Persuasive)

Research Resources: Introduction to Legal Research – The Importance of Effective Legal Research

BOOK LIST

Cases and Materials on Torts, Ninth Edition by Richard A. Epstein / Imprint: Aspen Publishers / Published: 3/24/2008 / ISBN-13: 9780735569232 / Hardcover: 1,456 pages

Spencer's Civil Procedure: A Contemporary Approach, 2d Edition (Interactive Casebook Series) by Benjamin Spencer / Book and Electronic / Copyright: 2008 / ISBN-13: 9780314187857

The Bluebook: A Uniform System of Citation (18th ed.) / ISBN-13: 978-6000143299 / (Note: You may purchase The Bluebook from a variety of sources in print. However, you may also purchase subscriptions to the *electronic* version from www.legalbluebook.com.)

****Students can order textbooks through the LMU Bookstore and the bookstore will send the bill to financial aid and ship the books directly to the student. If students do not choose to purchase their books through the bookstore, they will need to submit their receipt for reimbursement to financial aid. ****

► All remaining books for the fall semester will be distributed electronically during Orientation. ◀

**DUNCAN SCHOOL OF LAW
FALL SEMESTER 2009 CLASS SCHEDULE**

COURSE	HOUR	DAY/WK	ROOM #	PROFESSOR
Civil Procedure I				
Sections A1, A2 & A3	6:15 - 7:45 p.m.	MW	101	Lyon
Sections B1, B2 & B3	6:15 - 7:45 p.m.	MW	201	Ruffin
Torts I				
Sections A1, A2 & A3	6:15 - 7:45 p.m.	T/TH	101	Marcantel
Sections B1, B2 & B3	6:15 - 7:45 p.m.	T/TH	201	Beverly
Lawyering Skills I				
Sections A1, A2	8:00 - 9:30 p.m.	MW	301	Walker
Sections A3, B1	8:00 - 9:30 p.m.	MW	308	Long
Sections B2, B3	8:00 - 9:30 p.m.	MW	201	Russell
Lawyering Skills Lab I (All)	8:00 - 9:30 p.m.	T/TH	201	Quarles

ACADEMIC CALENDAR

Lincoln Memorial University School of Law Five-Year Academic Calendar

	2009	2010	2011	2012	2013
Fall					
Orientation for New Students	August 15-16	August 14-15	August 13-14	August 11-12	August 17-18
Classes Begin (Day)		August 16	August 15	August 13	August 19
Classes Begin (Evening)	August 17	August 16	August 15	August 13	August 19
Last Day to Add Classes	August 24	August 23	August 22	August 20	August 26
Last Day to Withdraw without "WD"	August 31	August 30	August 29	August 27	September 3
Labor Day (offices closed)	September 7	September 6	September 5	September 3	September 2
Fall Break	October 8-9	October 7-8	October 13-14	October 11-12	October 10-11
Mid-Term Reading Day	October 12	October 11	October 17	October 15	October 14
Mid-Term Examinations Begin	October 13	October 12	October 18	October 16	October 15
Mid-Term Examinations End	October 16	October 15	October 21	October 19	October 18
Last Day of Classes	November 25	November 24	November 23	November 22	November 27
Thanksgiving holiday (no classes)	November 26-27	November 25-26	November 24-25	November 22-23	November 28-29
Final Exam Reading Days	Nov. 30 - Dec. 2	Nov. 29 - Dec. 1	Nov. 28 - 30	Nov. 26 - 28	Dec. 2 - 4
Final Exams Period (excluding Sundays)	Dec. 3 - 12	Dec. 2 - 11	Dec. 1 - 10	Nov. 29 - Dec. 8	Dec. 5 - 14
Christmas holiday (offices closed)	December 25	December 25	December 25	December 25	December 25
New Year's Day (offices closed)	January 1	January 1	January 1	January 1	January 1
Grades Due	January 11	January 10	January 9	January 7	January 13
Spring	2010	2011	2012	2013	2014
Classes Begin (Day)	January 6	January 5	January 4	January 2	January 6
Classes Begin (Evening)	January 6	January 5	January 4	January 2	January 6
Last Day to Add Classes	January 13	January 12	January 11	January 9	January 13
Martin Luther King Day (offices closed)	January 18	January 17	January 17	January 21	January 20
Last Day to Withdraw without "WD"	January 20	January 19	January 18	January 23	January 20
Spring Break	March 15-19	March 21-25	March 19-23	March 18-22	March 17-21
Mid-Term Reading Day	March 4	March 3	March 1	February 28	March 3
Mid-Term Examinations Begin	March 5	March 4	March 2	March 1	March 4
Mid-Term Examinations End	March 10	March 9	March 7	March 6	March 7
Good Friday (offices closed)	April 2	April 22	April 24	April 6	March 29
Last Day of Classes	April 23	April 22	April 20	April 19	April 23
Final Exam Reading Days	April 26-28	April 25-27	April 23-25	April 22-24	April 23-25
Final Exams Period (excluding Sundays)	Apr. 29 - May 8	Apr. 28 - May 7	Apr. 26 - May 5	Apr. 25 - May 4	Apr. 26 - May 7
Memorial Day (offices closed)	May 31	May 30	May 28	May 27	May 26
Grades Due	June 7	June 6	June 4	June 3	June 7

HISTORY OF KNOXVILLE

Present-day Knoxville is located near the center of the Great Valley of East Tennessee. Its location, in the heart of the valley and at the headwaters of the Tennessee River, make the city a center for the region's economy, culture, and history.

Before European settlement, the valley was the hunting grounds of the Cherokee Indians. James White, the founder of Knoxville, established his home here in 1786 as a fort and cluster of cabins. By 1791, the community was renamed Knoxville and enjoyed status as capital of the Southwest Territory.

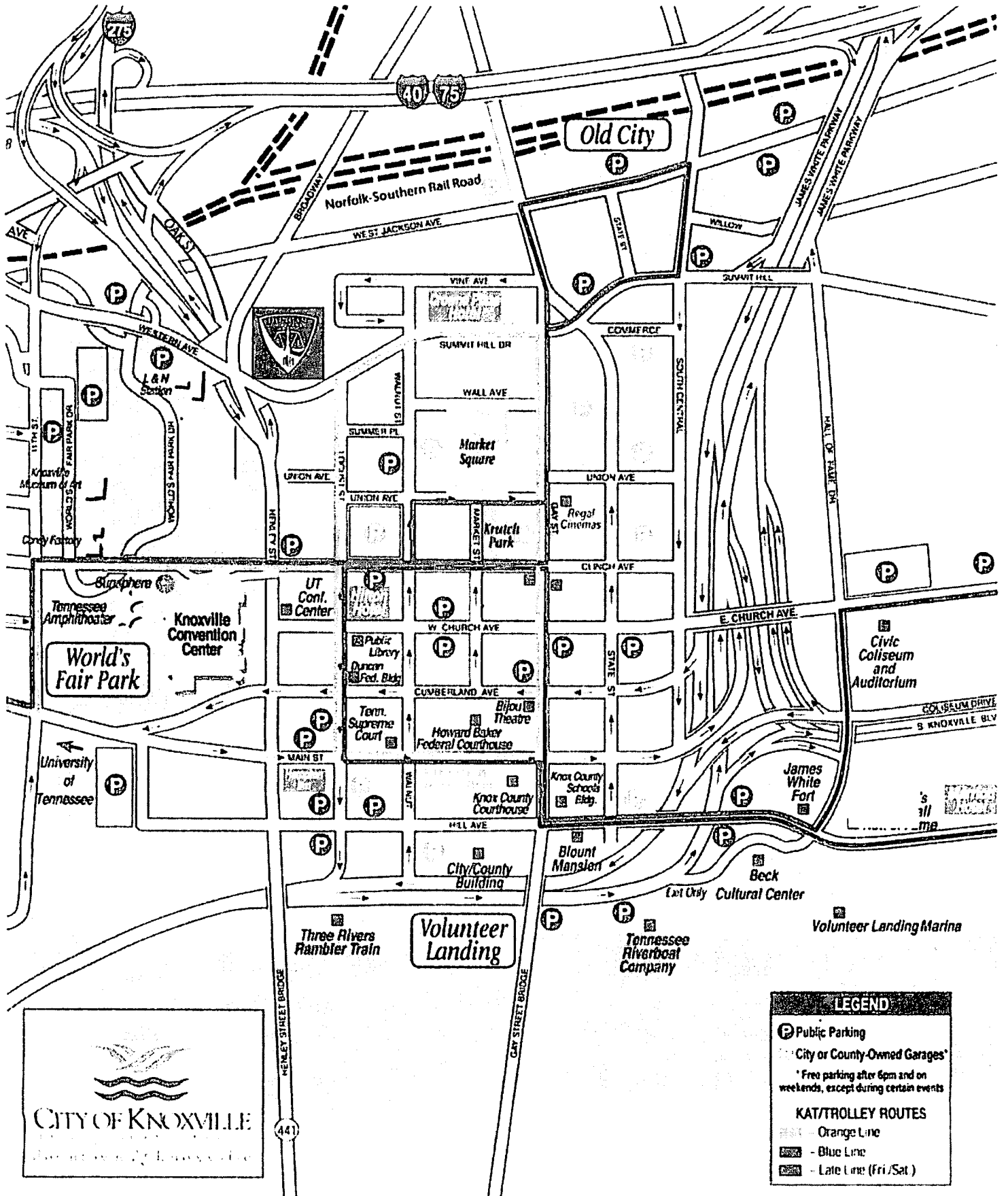
In the 1800s, Knoxville took advantage of its river access, railroad connections, and geographical location to become one of the leading distributing centers in the south. These same assets would make Knoxville a prize to be fought for during the American Civil War. Like the rest of the state, Knoxville was divided between the blue and the gray. In fact, the Lincoln Memorial Duncan School of Law is located in a building which once housed a Civil War hospital and, at different times during the War, was controlled by both the Union and the Confederacy.

After the War, Knoxville rebuilt its economy through commerce, industry, and natural resources that included lumber, coal, and marble. Those natural resources and river-generated power helped establish Knoxville as an important "New Deal" city in the early 20th century, as a gateway to the Great Smoky Mountains National Park, and as headquarters to the Tennessee Valley Authority. In 1982, Knoxville was host to a World's Fair and 11 million visitors. The theme, "Energy Turns the World," reflects the city's prominent role in technology.

Today, Knoxville is home to pioneers in industry, leaders in the arts, and traditionalists working to preserve our heritage. Knoxville's culture and history can be explored and discovered in its 20 museums, numerous performing arts venues, and its historic neighborhoods.

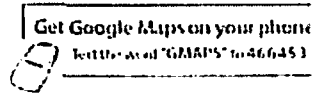
****The information contained herein is excerpted from the City of Knoxville website.****

Parking is free in City and County owned garages (see orange  below) after 6pm on weekdays and all day on weekends, except during special events



DOWNTOWN KNOXVILLE, TN

PUBLIC PARKING



A Subway Sandwiches & Salad
25 Market Sq Knoxville, TN - (865) 524-9446
- 0.1 mi E

B Downtown Grill & Brewery
424 S Gay St Knoxville, TN - (855) 633-8111
- 0.2 mi E
29 reviews

C Oodles Uncorked
18 Market Square, Knoxville, TN -
(865) 521-0600 - 0.2 mi E
9 reviews

D Market Square District
Market Square, Knoxville, TN - (865) 384-7290
- 0.1 mi E
2 reviews

E Le Parigo Restaurant
416 W Clinch Ave, Knoxville, TN -
(865) 525-9214 - 0.2 mi SE

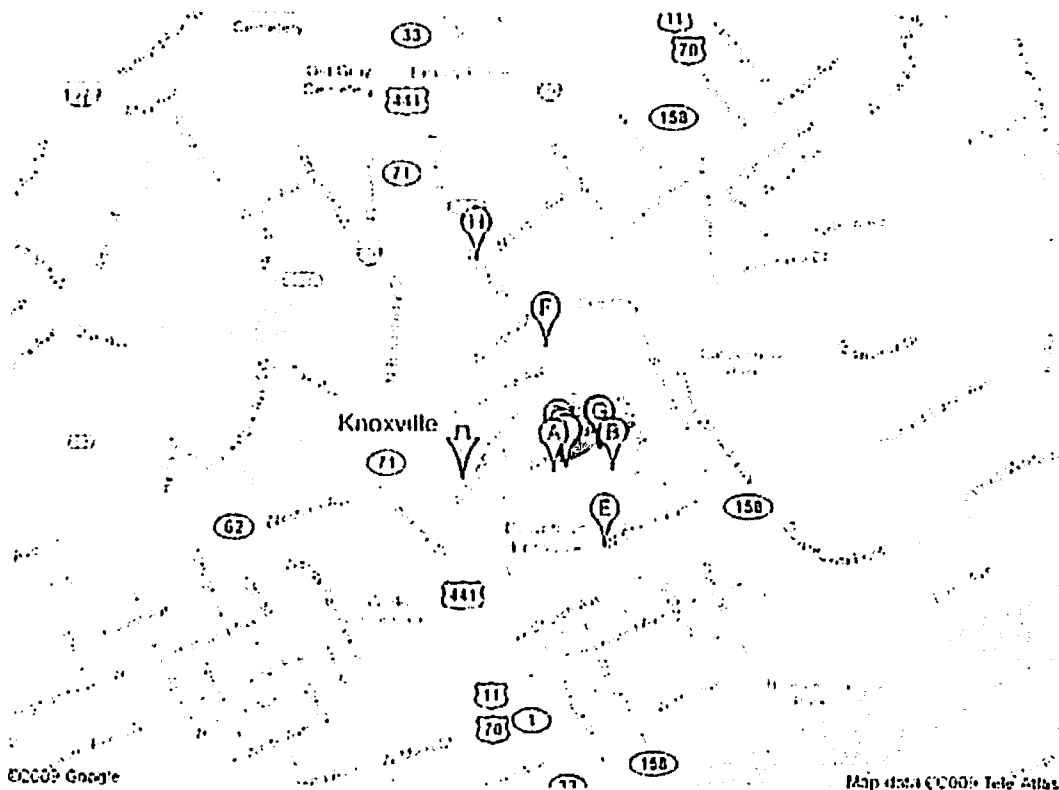
F Nama Sushi Bar
135 S Gay St Knoxville, TN - (855) 633-8539
- 0.2 mi NE
19 reviews

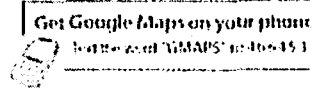
G Sapphire
428 S Gay St, Knoxville, TN - (865) 637-8181
- 0.2 mi E
9 reviews

H Regas Restaurant
318 North Gay Street, Knoxville, TN -
(865) 637-3427 - 0.3 mi N
11 reviews

I Preservation Public
28 Market Sq Knoxville, TN - (865) 524-2224
- 0.2 mi E
2 reviews

J City Brew
424 S Gay St, Knoxville, TN - (855) 292-2739
- 0.2 mi E





A Tomato Head
12 Market Sq. Knoxville, TN - (865) 637-4057 -
0.1 mi E
43 reviews

B Market Square Kitchen
1 Market Sq. Knoxville, TN - (865) 546-4212 -
0.1 mi E
5 reviews

C Subway
25 Market Sq. Knoxville, TN - (865) 524-9446
- 0.1 mi E
3 reviews

D Arby's Roast Beef Restaurant
430 S Gay St. Knoxville, TN - (865) 525-4101
- 0.2 mi E
2 reviews

E Butcher Shop Steakhouse
806 Worlds Fair Park Dr. Knoxville, TN -
(865) 637-0204 - 0.2 mi SW
11 reviews

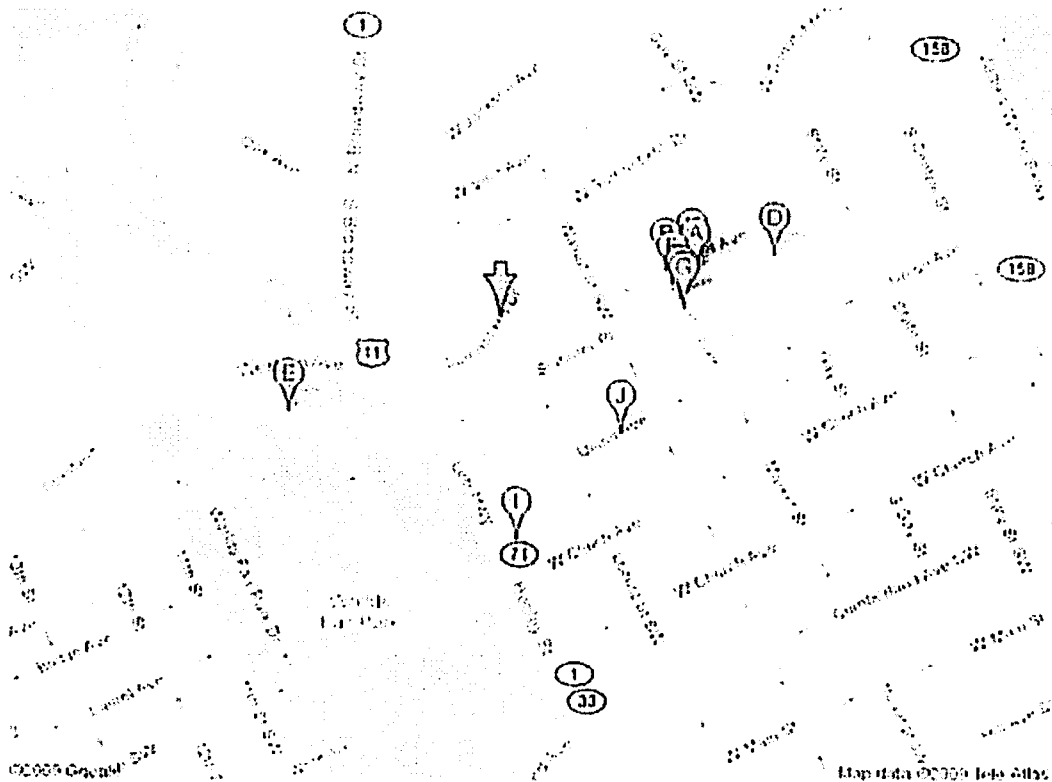
F Trio's Cafe
13 Market Sq. Knoxville, TN - (865) 246-2270
- 0.1 mi E
6 reviews

G La Cosla
31 Market Sq. Knoxville, TN - (865) 566-0275
- 0.1 mi E
0 reviews

H Cafe 4
4 Market Sq. Knoxville, TN - (865) 544-4144 -
0.1 mi E
15 reviews

I Chesapeake's
500 Harley St. Knoxville, TN - (865) 673-3433
- 0.2 mi S
15 reviews

J Pete's Coffee Shop
540 Union Ave. Knoxville, TN - (865) 523-2860
- 0.1 mi SE



THE GREEN BAG

AN ENTERTAINING JOURNAL OF LAW

HOW TO READ A LEGAL OPINION

A GUIDE FOR NEW LAW STUDENTS

Orin S. Kerr

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HOW TO READ A LEGAL OPINION

A GUIDE FOR NEW LAW STUDENTS

Orin S. Kerr

This essay is designed to help new law students prepare for the first few weeks of class. It explains what judicial opinions are, how they are structured, and what law students should look for when reading them.

I. WHAT'S IN A LEGAL OPINION?

When two people disagree and that disagreement leads to a lawsuit, the lawsuit will sometimes end with a ruling by a judge in favor of one side. The judge will explain the ruling in a written document referred to as an "opinion." The opinion explains what the case is about, discusses the relevant legal principles, and then applies the law to the facts to reach a ruling in favor of one side and against the other.

Modern judicial opinions reflect hundreds of years of history and practice. They usually follow a simple and predictable formula. This

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11 GREEN BAG 2D 51

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Orin S. Kerr

section takes you through the basic formula. It starts with the introductory materials at the top of an opinion and then moves on to the body of the opinion.

The Caption

The first part of the case is the title of the case, known as the “caption.” Examples include *Brown v. Board of Education* and *Miranda v. Arizona*. The caption usually tells you the last names of the person who brought the lawsuit and the person who is being sued. These two sides are often referred to as the “parties” or as the “litigants” in the case. For example, if Ms. Smith sues Mr. Jones, the case caption may be *Smith v. Jones* (or, depending on the court, *Jones v. Smith*).

In criminal law, cases are brought by government prosecutors on behalf of the government itself. This means that the government is the named party. For example, if the federal government charges John Doe with a crime, the case caption will be *United States v. Doe*. If a state brings the charges instead, the caption will be *State v. Doe*, *People v. Doe*, or *Commonwealth v. Doe*, depending on the practices of that state.¹

The Case Citation

Below the case name you will find some letters and numbers. These letters and numbers are the legal citation for the case. A citation tells you the name of the court that decided the case, the law book in which the opinion was published, and the year in which the court decided the case. For example, “U.S. Supreme Court, 485 U.S. 759 (1988)” refers to a U.S. Supreme Court case decided in 1988 that appears in Volume 485 of the *United States Reports* starting at page 759.

The Author of the Opinion

The next information is the name of the judge who wrote the opinion. Most opinions assigned in law school were issued by courts

¹ English criminal cases normally will be *Rex v. Doe* or *Regina v. Doe*. Rex and Regina aren't the victims: the words are Latin for “King” and “Queen.” During the reign of a King, English courts use “Rex”; during the reign of a Queen, they switch to “Regina.”

How to Read a Legal Opinion

with multiple judges. The name tells you which judge wrote that particular opinion. In older cases, the opinion often simply states a last name followed by the initial "J." No, judges don't all have the first initial "J." The letter stands for "Judge" or "Justice," depending on the court. On occasion, the opinion will use the Latin phrase "per curiam" instead of a judge's name. Per curiam means "by the court." It signals that the opinion reflects a common view among all the judges rather than the writings of a specific judge.

The Facts of the Case

Now let's move on to the opinion itself. The first part of the body of the opinion presents the facts of the case. In other words, what happened? The facts might be that Andy pulled out a gun and shot Bob. Or maybe Fred agreed to give Sally \$100 and then changed his mind. Surprisingly, there are no particular rules for what facts a judge must include in the fact section of an opinion. Sometimes the fact sections are long, and sometimes they are short. Sometimes they are clear and accurate, and other times they are vague or incomplete.

Most discussions of the facts also cover the "procedural history" of the case. The procedural history explains how the legal dispute worked its way through the legal system to the court that is issuing the opinion. It will include various motions, hearings, and trials that occurred after the case was initially filed. Your civil procedure class is all about that kind of stuff; you should pay very close attention to the procedural history of cases when you read assignments for your civil procedure class. The procedural history of cases usually will be less important when you read a case for your other classes.

The Law of the Case

After the opinion presents the facts, it will then discuss the law. Many opinions present the law in two stages. The first stage discusses the general principles of law that are relevant to cases such as the one the court is deciding. This section might explore the history of a particular field of law or may include a discussion of past cases (known as "precedents") that are related to the case the court is de-

cing. This part of the opinion gives the reader background to help understand the context and significance of the court's decision. The second stage of the legal section applies the general legal principles to the particular facts of the dispute. As you might guess, this part is in many ways the heart of the opinion: It gets to the bottom line of why the court is ruling for one side and against the other.

Concurring and/or Dissenting Opinions

Most of the opinions you read as a law student are "majority" opinions. When a group of judges get together to decide a case, they vote on which side should win and also try to agree on a legal rationale to explain why that side has won. A majority opinion is an opinion joined by the majority of judges on that court. Although most decisions are unanimous, some cases are not. Some judges may disagree and will write a separate opinion offering a different approach. Those opinions are called "concurring opinions" or "dissenting opinions," and they appear after the majority opinion. A "concurring opinion" (sometimes just called a "concurrence") explains a vote in favor of the winning side but based on a different legal rationale. A "dissenting opinion" (sometimes just called a "dissent") explains a vote in favor of the losing side.

II. COMMON LEGAL TERMS FOUND IN OPINIONS

Now that you know what's in a legal opinion, it's time to learn some of the common words you'll find inside them. But first a history lesson, for reasons that should be clear in a minute.

In 1066, William the Conqueror came across the English Channel from what is now France and conquered the land that is today called England. The conquering Normans spoke French and the defeated Saxons spoke Old English. The Normans took over the court system, and their language became the language of the law. For several centuries after the French-speaking Normans took over England, lawyers and judges in English courts spoke in French. When English courts eventually returned to using English, they continued to use many French words.

How to Read a Legal Opinion

Why should you care about this ancient history? The American colonists considered themselves Englishmen, so they used the English legal system and adopted its language. This means that American legal opinions today are littered with weird French terms. Examples include plaintiff, defendant, tort, contract, crime, judge, attorney, counsel, court, verdict, party, appeal, evidence, and jury. These words are the everyday language of the American legal system. And they're all from the French, brought to you by William the Conqueror in 1066.

This means that when you read a legal opinion, you'll come across a lot of foreign-sounding words to describe the court system. You need to learn all of these words eventually; you should read cases with a legal dictionary nearby and should look up every word you don't know. But this section will give you a head start by introducing you to some of the most common words, many of which (but not all) are French in origin.

Types of Disputes and the Names of Participants

There are two basic kinds of legal disputes: civil and criminal. In a civil case, one person files a lawsuit against another asking the court to order the other side to pay him money or to do or stop doing something. An award of money is called "damages" and an order to do something or to refrain from doing something is called an "injunction." The person bringing the lawsuit is known as the "plaintiff" and the person sued is called the "defendant."

In criminal cases, there is no plaintiff and no lawsuit. The role of a plaintiff is occupied by a government prosecutor. Instead of filing a lawsuit (or equivalently, "suing" someone), the prosecutor files criminal "charges." Instead of asking for damages or an injunction, the prosecutor asks the court to punish the individual through either jail time or a fine. The government prosecutor is often referred to as "the state," "the prosecution," or simply "the government." The person charged is called the defendant, just like the person sued in a civil case.

In legal disputes, each party ordinarily is represented by a lawyer. Legal opinions use several different words for lawyers, includ-

Orin S. Kerr

ing “attorney” and “counsel.” There are some historical differences among these terms, but for the last century or so they have all meant the same thing. When a lawyer addresses a judge in court, she will always address the judge as “your honor,” just like lawyers do in the movies. In legal opinions, however, judges will usually refer to themselves as “the Court.”

Terms in Appellate Litigation

Most opinions that you read in law school are appellate opinions, which means that they decide the outcome of appeals. An “appeal” is a legal proceeding that considers whether another court’s legal decision was right or wrong. After a court has ruled for one side, the losing side may seek review of that decision by filing an appeal before a higher court. The original court is usually known as the trial court, because that’s where the trial occurs if there is one. The higher court is known as the appellate or appeals court, as it is the court that hears the appeal.

A single judge presides over trial court proceedings, but appellate cases are decided by panels of several judges. For example, in the federal court system, run by the United States government, a single trial judge known as a District Court judge oversees the trial stage. Cases can be appealed to the next higher court, the Court of Appeals, where cases are decided by panels of three judges known as Circuit Court judges. A side that loses before the Circuit Court can seek review of that decision at the United States Supreme Court. Supreme Court cases are decided by all nine judges. Supreme Court judges are called Justices instead of judges; there is one “Chief Justice” and the other eight are just plain “Justices” (technically they are “Associate Justices,” but everyone just calls them “Justices”).

During the proceedings before the higher court, the party that lost at the original court and is therefore filing the appeal is usually known as the “appellant.” The party that won in the lower court and must defend the lower court’s decision is known as the “appellee” (accent on the last syllable). Some older opinions may refer to the appellant as the “plaintiff in error” and the appellee as the “defendant

How to Read a Legal Opinion

in error.” Finally, some courts label an appeal as a “petition,” and require the losing party to petition the higher court for relief. In these cases, the party that lost before the lower court and is filing the petition for review is called the “petitioner.” The party that won before the lower court and is responding to the petition in the higher court is called the “respondent.”

Confused yet? You probably are, but don’t worry. You’ll read so many cases in the next few weeks that you’ll get used to all of this very soon.

III. WHAT YOU NEED TO LEARN FROM READING A CASE

Okay, so you’ve just read a case for class. You think you understand it, but you’re not sure if you learned what your professor wanted you to learn. Here is what professors want students to know after reading a case assigned for class:

Know the Facts

Law professors love the facts. When they call on students in class, they typically begin by asking students to state the facts of a particular case. Facts are important because law is often highly fact-sensitive, which is a fancy way of saying that the proper legal outcome depends on the exact details of what happened. If you don’t know the facts, you can’t really understand the case and can’t understand the law.

Most law students don’t appreciate the importance of the facts when they read a case. Students think, “I’m in law school, not fact school; I want to know what the law is, not just what happened in this one case.” But trust me: the facts are really important.²

² If you don’t believe me, you should take a look at a few law school exams. It turns out that the most common form of law school exam question presents a long description of a very particular set of facts. It then asks the student to “spot” and analyze the legal issues presented by those facts. These exam questions are known as “issue-spotters,” as they test the student’s ability to understand the facts and spot the legal issues they raise. As you might imagine, doing well on an issue-

Know the Specific Legal Arguments Made by the Parties

Lawsuits are disputes, and judges only issue opinions when two parties to a dispute disagree on a particular legal question. This means that legal opinions focus on resolving the parties' very specific disagreement. The lawyers, not the judges, take the lead role in framing the issues raised by a case.

In an appeal, for example, the lawyer for the appellant will articulate specific ways in which the lower court was wrong. The appellate court will then look at those arguments and either agree or disagree. (Now you can understand why people pay big bucks for top lawyers; the best lawyers are highly skilled at identifying and articulating their arguments to the court.) Because the lawyers take the lead role in framing the issues, you need to understand exactly what arguments the two sides were making.

Know the Disposition

The "disposition" of a case is the action the court took. It is often announced at the very end of the opinion. For example, an appeals court might "affirm" a lower court decision, upholding it, or it might "reverse" the decision, ruling for the other side. Alternatively, an appeals court might "vacate" the lower court decision, wiping the lower-court decision off the books, and then "remand" the case, sending it back to the lower court for further proceedings. For now, you should keep in mind that when a higher court "affirms" it means that the lower court had it right (in result, if not in reasoning). Words like "reverse," "remand," and "vacate" means that the higher court thought the lower court had it wrong.

Understand the Reasoning of the Majority Opinion

To understand the reasoning of an opinion, you should first identify the source of the law the judge applied. Some opinions interpret the Constitution, the founding charter of the government. Other cases

spotter requires developing a careful and nuanced understanding of the importance of the facts. The best way to prepare for that is to read the fact sections of your cases very carefully.

How to Read a Legal Opinion

interpret “statutes,” which is a fancy name for written laws passed by legislative bodies such as Congress. Still other cases interpret “the common law,” which is a term that usually refers to the body of prior case decisions that derive ultimately from pre-1776 English law that the Colonists brought over from England.³

In your first year, the opinions that you read in your Torts, Contracts, and Property classes will mostly interpret the common law. Opinions in Criminal Law mostly interpret either the common law or statutes. Finally, opinions in your Civil Procedure casebook will mostly interpret statutory law or the Constitution. The source of law is very important because American law follows a clear hierarchy. Constitutional rules trump statutory (statute-based) rules, and statutory rules trump common law rules.

After you have identified the source of law, you should next identify the method of reasoning that the court used to justify its decision. When a case is governed by a statute, for example, the court usually will simply follow what the statute says. The court’s role is narrow in such settings because the legislature has settled the law. Similarly, when past courts have already answered similar questions before, a court may conclude that it is required to reach a particular result because it is bound by the past precedents. This is an application of the judicial practice of “stare decisis,” an abbreviation of a Latin phrase meaning “That which has been already decided should remain settled.”

In other settings, courts may justify their decisions on public policy grounds. That is, they may pick the rule that they think is the best rule, and they may explain in the opinion why they think that rule is best. This is particularly likely in common law cases where judges are not bound by a statute or constitutional rule. Other courts will rely on morality, fairness, or notions of justice to justify

³ The phrase “common law” started being used about a thousand years ago to refer to laws that were common to all English citizens. Thus, the word “common” in the phrase “common law” means common in the sense of “shared by all,” not common in the sense of “not very special.” The “common law” was announced in judicial opinions. As a result, you will sometimes hear the phrase “common law” used to refer to areas of judge-made law as opposed to legislatively-made law.

Orin S. Kerr

their decisions. Many courts will mix and match, relying on several or even all of these justifications.

Understand the Significance of the Majority Opinion

Some opinions resolve the parties' legal dispute by announcing and applying a clear rule of law that is new to that particular case. That rule is known as the "holding" of the case. Holdings are often contrasted with "dicta" found in an opinion. Dicta refers to legal statements in the opinion not needed to resolve the dispute of the parties; the word is a pluralized abbreviation of the Latin phrase "obiter dictum," which means "a remark by the way."

When a court announces a clear holding, you should take a minute to think about how the court's rule would apply in other situations. During class, professors like to pose "hypotheticals," new sets of facts that are different from those found in the cases you have read. They do this for two reasons. First, it's hard to understand the significance of a legal rule unless you think about how it might apply to lots of different situations. A rule might look good in one setting, but another set of facts might reveal a major problem or ambiguity. Second, judges often reason by "analogy," which means a new case may be governed by an older case when the facts of the new case are similar to those of the older one. This raises the question, which are the legally relevant facts for this particular rule? The best way to evaluate this is to consider new sets of facts. You'll spend a lot of time doing this in class, and you can get a head start on your class discussions by asking the hypotheticals on your own before class begins.

Finally, you should accept that some opinions are vague. Sometimes a court won't explain its reasoning very well, and that forces us to try to figure out what the opinion means. You'll look for the holding of the case but become frustrated because you can't find one. It's not your fault; some opinions are written in a narrow way so that there is no clear holding, and others are just poorly reasoned or written. Rather than trying to fill in the ambiguity with false certainty, try embracing the ambiguity instead. One of the skills of top-flight lawyers is that they know what they don't know: they know

How to Read a Legal Opinion

when the law is unclear. Indeed, this skill of identifying when a problem is easy and when it is hard (in the sense of being unsettled or unresolved by the courts) is one of the keys to doing very well in law school. The best law students are the ones who recognize and identify these unsettled issues without pretending that they are easy.

Understand Any Concurring and/or Dissenting Opinions

You probably won't believe me at first, but concurrences and dissents are very important. You need to read them carefully. To understand why, you need to appreciate that law is man-made, and Anglo-American law has often been judge-made. Learning to "think like a lawyer" often means learning to think like a judge, which means learning how to evaluate which rules and explanations are strong and which are weak. Courts occasionally say things that are silly, wrongheaded, or confused, and you need to think independently about what judges say.

Concurring and dissenting opinions often do this work for you. Casebook authors edit out any unimportant concurrences and dissents to keep the opinions short. When concurrences and dissents appear in a casebook, it signals that they offer some valuable insights and raise important arguments. Disagreement between the majority opinion and concurring or dissenting opinions often frames the key issue raised by the case; to understand the case, you need to understand the arguments offered in concurring and dissenting opinions.

IV. WHY DO LAW PROFESSORS USE THE CASE METHOD?

I'll conclude by stepping back and explaining why law professors bother with the case method. Every law student quickly realizes that law school classes are very different from college classes. Your college professors probably stood at the podium and droned on while you sat back in your chair, safe in your cocoon. You're now starting law school, and it's very different. You're reading about actual cases, real-life disputes, and you're trying to learn about the law by picking up bits and pieces of it from what the opinions tell

Orin S. Kerr

you. Even weirder, your professors are asking you questions about those opinions, getting everyone to join in a discussion about them. Why the difference?, you may be wondering. Why do law schools use the case method at all?

I think there are two major reasons, one historical and the other practical.

The Historical Reason

The legal system that we have inherited from England is largely judge-focused. The judges have made the law what it is through their written opinions. To understand that law, we need to study the actual decisions that the judges have written. Further, we need to learn to look at law the way that judges look at law. In our system of government, judges can only announce the law when deciding real disputes: they can't just have a press conference and announce a set of legal rules. (This is sometimes referred to as the "case or controversy" requirement; a court has no power to decide an issue unless it is presented by an actual case or controversy before the court.) To look at the law the way that judges do, we need to study actual cases and controversies, just like the judges. In short, we study real cases and disputes because real cases and disputes historically have been the primary source of law.

The Practical Reason

A second reason professors use the case method is that it teaches an essential skill for practicing lawyers. Lawyers represent clients, and clients will want to know how laws apply to them. To advise a client, a lawyer needs to understand exactly how an abstract rule of law will apply to the very specific situations a client might encounter. This is more difficult than you might think, in part because a legal rule that sounds definite and clear in the abstract may prove murky in application. (For example, imagine you go to a public park and see a sign that says "No vehicles in the park." That plainly forbids an automobile, but what about bicycles, wheelchairs, toy automobiles? What about airplanes? Ambulances? Are these "vehicles" for the purpose of the rule or not?) As a result, good lawyers

How to Read a Legal Opinion

need a vivid imagination; they need to imagine how rules might apply, where they might be unclear, and where they might lead to unexpected outcomes. The case method and the frequent use of hypotheticals will help train your brain to think this way. Learning the law in light of concrete situations will help you deal with particular facts you'll encounter as a practicing lawyer.

Good luck!





DUNCAN SCHOOL OF LAW

Lincoln Memorial University

Welcome to the Duncan School of Law at Lincoln Memorial University. A formal welcome packet will be sent to all incoming students in the next few weeks. However, here is some initial information that you might find useful.



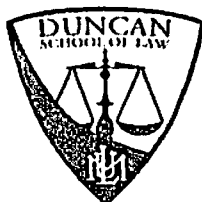
Orientation

Orientation will begin on August 15th, 2009 at 8:00 a.m. Expect to spend the entire day here at the school. On that day we will discuss various issues, answer any questions you might have, issue identification cards and your laptop computer. It is anticipated that you will also hear from the Chair of LMU's Board of Trustees and the Chair of the law school's Advisory Board.



Class Schedule

Evening classes in the fall will run Monday through Thursday. Classes will begin at 6:15 p.m. and will end at 9:30 p.m. There will not be classes scheduled on Friday evenings.



Curriculum

In the fall each student will take Civil Procedure I (3 hours); Torts I (3 hours); and Lawyering Skills I (3 hours). In the spring each course will continue with Civil Procedure II (3 hours); Torts II (3 hours); and Lawyering Skills II (3 hours).



Books

The required book list as well as a list of suggested reading will be forthcoming in your welcome packet.

Tuition and Fees

Tuition for the 2009-2010 academic year will be \$900 per credit hour. In the first year of the evening program, each student will be taking 9 hours in the fall and 9 hours in the spring. Fees for the 2009-2010 academic year will run \$300 each semester and there will be an additional fee of \$15 each semester for the Student Bar Association. The cost of books will vary but a fair estimate is \$150 per course.

Questions?

Here are important contact numbers if you have any additional questions:

Dean's Office:	865.524.5288
Admissions:	865.524.5286
Library:	865.524.5289
Financial Aid:	423.869.6465
Student Services:	423.869.6393

Carney, Paul

From: Carney, Paul
Sent: Wednesday, August 12, 2009 4:39 PM
To: Carney, Paul
Subject: Update on the Admissions Process-Our Class Is Now Filled

Dear Applicant,

I would like to take this opportunity to give you an update on the admission process and share some information about the class. As of right now our class of approximately 75-80 students has been filled. We currently have 82 applicants who were offered admission and accepted our offer. Orientation will begin at 8:30 a.m. this Saturday, August 15, 2009 and classes will commence on Monday, August 17, 2009 at 6:15 p.m.

Your application for admission to Lincoln Memorial University Duncan School of Law has been considered by the Admissions Committee. I wish to inform you that you have been placed on the Wait List for the class entering August 2009. Although you have not been selected for admission at this time, space *may* become available at a later point in time.

Should space become available, applicants on the Wait List may be notified of acceptance by telephone through the first day of classes on Monday, August 17.

I am certain that you are fully aware that admission to most law schools – if not all – is very highly competitive. Selecting the best possible class from the many well qualified applicants is extremely difficult. Each applicant receives full consideration and those selected represent the combined judgment of the members of the committee.

Here are the statistics about the applicants who have accepted our offer of admission:

Median GPA: 3.07

The middle 50% of the class (25th percentile through 75th percentile) have GPAs between 2.79 and 3.50

Median LSAT: 149

The middle 50% of the class (25th percentile through 75th percentile) have LSAT scores between 146 and 152

We received 243 applications for admissions, which represents a ratio of 3 applications for every 1 seat in the class. We thank you for your interest in Lincoln Memorial University Duncan School of Law.

LINCOLN MEMORIAL UNIVERSITY **DUNCAN SCHOOL OF LAW**

G. Paul Carney, M.S.
Director of Admissions
Member of the Dean's Council

601 W. Summit Hill Drive
Knoxville, Tennessee 37902
paul.carney@lmunet.edu
(865) 524-5288 - Main

(865) 524-5286 - Office
(865) 524-5290 - Facsimile

Instructions for completing the Application for Admission – Class of 2013 The full-time program — Fall 2010 (beginning August 2010)

Overview

The Lincoln Memorial University Duncan School of Law (LMU DSOL) in Knoxville, Tennessee is now accepting applications for the Class of 2013. This class will commence in mid-August 2010 and will be a full-time, three-year law program of first-year law students attending courses offered during the day, Monday through Friday. Therefore, we are only accepting applications for first-year students. We are not currently accepting applications for transfer- or non-degree-seeking-admissions.

Lincoln Memorial University is a mission-driven institution. LMU was established to serve underserved and underrepresented populations throughout the Cumberland Gap and southern Appalachian region. The School of Law in Knoxville assumes that mantle in its admissions policies. We will admit applicants who have a desire to serve underserved and underrepresented populations and areas within this region.

The Duncan School of Law seeks to attract and retain a very talented, inquisitive, energetic and passionate cohort of students from all walks of life. Thus, the Office of Admissions, the Admissions Committee, the faculty and the staff will actively seek out prospective students from varied backgrounds, socio-economic and family educational attainment levels, and various perspectives, life experiences and world-views.

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

Pre-requisite Admissions Requirements

To be considered for admission to the Duncan School of Law at Lincoln Memorial University an applicant must hold the baccalaureate degree prior to matriculation. The baccalaureate degree must be earned from a college or university that is accredited by an accrediting agency that is recognized by the Secretary of the United States Department of Education.

While no particular major program of study is required, applicants would be well served to pursue an undergraduate major that emphasize certain skill sets. The American Bar Association recommends a curriculum that emphasizes, “analytic and problem-solving skills, critical reading abilities, writing skills, oral communication and listening abilities, general research skills, task organization and management skills, and the values of serving faithfully the interests of others while also promoting justice.” (Taken from the *Statement of Skills and Values* contained in the 1992 Report of the American Bar Association Task Force on Law Schools and the Profession, Legal Education and Professional Development—An Educational Continuum.) There are no pre-requisite course requirements.

How to Apply for Admission

Each applicant must complete the Application for Admission which is located on the Law School’s web page at <http://www.lmunet.edu/law/>. The application should be printed and mailed to the Office of Admissions. The mailing address of the Lincoln Memorial University Duncan School of Law is 601 W. Summit Hill Drive, Knoxville, Tennessee 37902.

An applicant must take the Law School Admission Test (LSAT) and have the resulting score reported to the Lincoln Memorial University Duncan School of Law. The LSAT is offered four times each year (September, December, February and June) at various testing centers throughout the country. Registration and other pertinent information can be found on the Law School Admission Council’s (LSAC) website at www.LSAC.org. Also, we will only accept LSAT scores that are three years old and newer (no older than February 2007). We will not accept scores beyond the February 2007 test administration.

All applicants must register with the Credential Assembly Service (LSDAS). Registration and other pertinent information can be found on the Law School Admission Council's (LSAC) website at www.LSAC.org. Our four-digit LSAC code is 1977. Prospective students will be able to use this code to have LSAT scores and LSDAS information sent directly to us from LSAC.

Contact the Registrar's Office at all colleges that you have attended and request to have sealed, original transcripts of your academic record sent to the LSDAS. (If an applicant is subsequently offered admission and accepts the offer of admission, then another official transcript from all colleges attended will need to be sent to the Duncan School of Law as well.)

Additionally, each applicant must submit two letters of reference. These items should be submitted to LSDAS. They can also be mailed directly to the Duncan School of Law.

You are encouraged to create a work résumé or curriculum vita and submit along with your application for admission.

Prepare a personal statement detailing why you want to be a lawyer, why you are interested in attending the Lincoln Memorial University Duncan School of Law and any experience that you may have in the legal profession. You may also wish to describe any particular areas of the law which interest you. Please address what you hope to contribute to the legal profession and to the needs of the people of the southern Appalachian region. Additionally, describe your personal and cultural background, any obstacles that you have overcome and any extenuating circumstances that may have had an impact on your academic performance. Please elucidate for the admissions committee anything that you feel is not adequately covered in the information that you provided in the previous sections of this application.

The priority application deadline is January 31, 2010 for enrollment in into the Class of 2013. The application processing fee is waived if the application is completed in its entirety and post-marked by this date.

The application deadline is July 1, 2010. Applications postmarked between February 1, 2010 and July 1, 2010 must be accompanied by an application processing fee. **Please attach a non-refundable application processing fee in the amount of fifty-dollars (\$50 USD by personal check, money order or cashier's check) and made payable to Lincoln Memorial University**

We will, however, continue to accept applications beyond the July 1, 2010 application deadline. Because the Duncan School of Law operates a rolling admissions program the likelihood of garnering an offer of admission beyond the deadline decreases as the class begins to fill.

How We Review Applications

We believe that prospective students who have an interest in becoming lawyers are mature individuals that are inquisitive, highly motivated, possess a passion for the law, are compassionate and eager to serve humanity. With this in mind, we believe that the application process is a meeting amongst professionals with the ultimate goal being mutual acceptance for mutual advantage. That is, we seek to learn about one another to determine if our goals are similar. The Duncan School of Law at Lincoln Memorial University seeks to attract and retain students whose goals are consistent with the mission and purpose of the institution.

Law students have committed themselves to one of the most demanding of professions. The decision to pursue such a profession is not, nor should it be, quick and easy. The decision-making process should be a long maturation process, by which an applicant becomes educated about the legal profession, professional school training and — most importantly — oneself. The application process will help the applicant and the Duncan School of Law to understand if a particular applicant has the requisite academic preparation, temperament and desire to become an attorney.

Following receipt of the application for admission with supportive documents and Law School Admission Test (LSAT) scores, the Admissions Committee will then review the application file. The Admissions Committee is

composed of members of the faculty and the Director of Admissions. The Admissions Committee will determine whether or not to extend an offer of admission. Applicants will be notified in writing of the decision of the committee. Applicants who are offered admission will be notified of the deadline for accepting the offer of admission and other pertinent information.

Ordinarily, the Admissions Committee does not conduct interviews with prospective students as part of the application process. However, there may be situations where it would be advantageous for both the Admissions Committee and the applicant to meet face-to-face to further discuss the prospective student's application file. This may provide some insight into the application for admission that may not be readily available on the paper (text-only) application. If you believe that there may be some additional insight into your background that may be gleaned from meeting face-to-face, then please contact the Director of Admissions to discuss.

The Admissions Committee will select students for admission based on a variety of factors. When reviewing application files the committee will consider the applicant's overall grade-point average (GPA), grades in individual courses, undergraduate curriculum, exposure to the legal profession, participation in volunteer experiences, verbal, non-verbal and written communication skills, background, LSAT scores and any other pertinent information. The preceding factors are not and should not be considered exhaustive. Their decision will be based on a complete review of the application file.

No one piece of evidence presented by an applicant will, in and of itself, determine whether or not the Admissions Committee will extend an offer of admission. The decision to extend an offer of admission will be based on the totality of the evidence presented by the applicant to the committee. Some factors will carry more weight than others. For example, the overall GPA — based on a careful examination of the undergraduate transcript (and post-baccalaureate, graduate and professional, if any) — and the LSAT score(s), will carry the most weight in the decision-making process. Other factors, such as individual grades in all courses attempted, experience in the legal field, letters of recommendation, the applicant's overall 'fit' with the mission of the Duncan School of Law, changes in academic performance over time due to age and maturity, major accomplishments, etc., will also be considered.

The number of applications for the class will exceed the number of seats in the class. The level of competition for seats in each class will be determined by the number of applications received during the application cycle and the academic competitiveness of the applicant pool. The admissions process is fluid and changes from year-to-year. No college knows with certainty how many applications for admission it will receive in a given year, and we are no different. Thus, it is impossible for us to give exact figures for GPAs, LSAT scores and other factors considered which would make one competitive for admission.

Applicants who have demonstrated — through a rigorous undergraduate program of study, competitive LSAT scores, experience related to the legal profession, community service, high ethical standards and career aspirations that match the mission and purpose of the Duncan School of Law at Lincoln Memorial University — that they possess those qualities and characteristics that will enable them achieve success in law school and the legal profession will be selected for admission. Applicants who do not appear to meet these standards will not be selected for admission. The focus of this decision-making process will be academic strength, evidence of moral character, and future success on the state bar examination.

If you have any questions, please feel free to contact Paul Carney, Director of Admissions, at 865-524-5286 or paul.carney@lmunet.edu

Statement on Discrimination

Lincoln Memorial University admits students of any race, sex, handicap, religion, nationality and ethnic origin to all rights, privileges, programs and activities generally accorded or made available to its students. It does not discriminate on the basis of race, sex, sexual orientation, handicap, religion, national or ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs, or athletic and other college-administered programs.

Lincoln Memorial University - Duncan School of Law
Office of Admissions 601 Summit Hill Drive Knoxville, Tennessee 37902 (865) 524-5286

Application for Admission — the full-time Juris Doctor Program

Class of 2013 – Starting August 2010

The priority application deadline is January 31, 2010 for enrollment in into the Class of 2013. The application processing fee is waived if the application is completed in its entirety and post-marked by this date. The application deadline is July 1, 2010. Applications postmarked between February 1, 2010 and July 1, 2010 must be accompanied by an application processing fee. Please attach a non-refundable application processing fee in the amount of fifty-dollars (\$50 USD by personal check, money order or cashier's check) and made payable to Lincoln Memorial University

Full Name: _____
Last or Family Name First Name Middle Name Former/Maiden Last Name (if applicable)

Title: Mr. Ms. Dr. _____ Social Security Number:* _____ / _____ / _____

Law School Admission Council (LSAC) Account Number: L _____
(if you are already registered with the Law School Admission Council)

Gender:* Male Female

Date of Birth (MM/DD/YYYY): ____ / ____ / ____

Federal Racial/Ethnic Category:*

Citizenship:

- 1) Nonresident Alien
2) Race and Ethnicity unknown
3) Hispanics of any race

Citizen of the United States of America

Non-citizens, including permanent resident aliens:

For non-Hispanics only (please check all that apply):

- 4) American Indian or Alaska Native
5) Asian
6) Black or African American
7) Native Hawaiian or Other Pacific Islander
8) White

U.S. Permanent Resident Alien

Alien Registration Number _____

Non-Resident Alien:

Non-Immigrant Visa _____

Country of Citizenship _____

Current Mailing Address:

Permanent/Home Mailing Address:

Street or Box _____

Street or Box _____

City _____ State _____ Zip Code _____

City _____ State _____ Zip Code _____

Preferred Telephone Number (including area code) _____

Preferred Telephone Number (including area code) _____

Is this your cellular work land line/home number?

Is this your cellular work land line/home number?

Alternate Telephone Number _____

Alternate Telephone Number _____

Is this your cellular work land line/home number?

Is this your cellular work land line/home number?

Email address: _____

Will this email address remain valid until August 1, 2010? Yes No

*Providing this information is voluntary. If you would prefer not to provide your Social Security Number (SSN) or if you do not have one, then an identification number will be generated for you. Your SSN will be used for purposes of verification and will help avoid errors of identity which might cause problems and delays in the processing of your application. Lincoln Memorial University requests information about your race and ethnicity in reporting to the United States Department of Education. Information collected from you on this application is protected by the Federal Educational Rights and Privacy Act of 1974 and will not be released to third parties without your written consent.

High School: _____
Name Location Dates Attended (MM/YY - MM/YY)

Have you ever attended any law school, including any conditional entry programs? Yes No
If you answered yes, provide the following information:

Name of the Institution Dates Attended Reason for Leaving

Have you ever been dropped, suspended, warned, placed on scholastic or disciplinary probation, expelled, requested to resign, allowed to resign in lieu of discipline from any college or university (including law school), or otherwise subjected to discipline by any such institution or requested or advised by any such institution to discontinue your studies therein?

Yes No

If you answered yes, provide the following information:

Name of the Institution

Type of Action Date Action Taken

Explanation of Institution Action

(If necessary, attach additional sheets with disciplinary information.)

List any academic honors you have received after high school, including membership in honor societies, scholarships, fellowships, prizes, etc:

List any community and extracurricular activities, including your level and length of involvement, and any leadership positions held:

List any intercollegiate sports/athletics in which you participated, including your level and length of involvement, and any leadership positions held:

Military History

Have you ever been a member of the armed forces of the United States, its reserve components, or the National Guard? Yes No

If yes: I am presently a member of the armed forces. I was a member of the armed forces.

Regular armed forces: Air Force Army Coast Guard Marine Corps Navy
 Reserve components: Air Force Army Coast Guard Marine Corps Navy
 National Guard: Air Force Army

My serial Number was/is _____ My rank was/is _____

Dates of Service: Active Duty: From MM/YYYY _____ To MM/YYYY _____
 Reserve Duty: From MM/YYYY _____ To MM/YYYY _____
 Nat'l Guard: From MM/YYYY _____ To MM/YYYY _____

Did you receive an honorable discharge? Yes No Not Applicable
 Were you ever court-martialed? Yes No Not Applicable
 Were you ever awarded non-judicial punishment? Yes No Not Applicable
 Were you allowed to resign in lieu of court-martial? Yes No Not Applicable
 Were you administratively discharged? Yes No Not Applicable

Employment History

Provide your employment information for the last ten years or since age 18, *whichever period of time is shorter*. If you have an extensive employment history, then please feel free to attach a résumé.

Current Employer/Profession: *Currently Unemployed* — Since Mo/Yr _____

Employer/Profession	Location	Position	Start Date (mm/yy)

Previous Professional Employment Experience:

Employer/Profession	Location	Position	Start Date (mm/yy)/End Date (mm/yy)

Were you employed during any academic year while an undergraduate? Yes No
 If yes, describe positions held and hours worked per week during each academic year:

Character and Fitness

Anyone wishing to practice law in any jurisdiction must register for and take a bar examination in the jurisdiction in which one seeks to practice. Each jurisdiction establishes its own bar registration and admissions standards. An important component of the privilege to practice in any jurisdiction is a thorough evaluation of one's character and fitness for admission to the bar.

The Section of Legal Education and Admission to the Bar of the American Bar Association (ABA), in Standard 504 of the 2009-2010 Standards, Interpretations and Rules of Procedure for Approval of Law Schools, states that "a law school shall advise each applicant that there are character, fitness and other qualifications for admission to the bar and encourage the applicant, prior to matriculation, to determine what those requirements are in the state(s) in which the applicant intends to practice. The law school should, as soon after matriculation as is practicable, take additional steps to apprise entering students of the importance of determining the applicable character, fitness and other qualifications."

Because of the stringent character and fitness qualifications for admission to the Bar, the Lincoln Memorial University Duncan School of Law requires applicants for admission to fully disclose responses to questions pertaining to character and fitness throughout this application for admission. In addition to questions that you have already been asked throughout this application, you are also required to answer the questions below.

If you answer affirmatively to any of the following questions, you must explain fully the nature of each incident. Answering "Yes" to any question does not automatically disqualify an applicant from consideration for admission. The admissions committee would like the opportunity to review all relevant facts including (but not limited to) the issue, the offense, the date of the offense, the law enforcement agency involved and disposition, including fine, court costs or other penalties, etc. The ABA precludes the admission of applicants who do not appear capable of satisfactorily completing its educational program *and* being admitted to the bar. Similar questions to the ones listed below will be asked of you at the time of application for admission to the Bar.

- Yes No Have you ever been arrested?
- Yes No Have you ever been convicted of a crime, including any misdemeanor other than a minor traffic violation?
- Yes No Are there any criminal charges pending against you which, if you were to be convicted, would cause you to answer affirmatively to the previous question?
- Yes No Have you ever entered a guilty plea or a no contest plea to a criminal offense?
- Yes No Have you ever had a criminal conviction expunged or set aside?
- Yes No Are you currently on probation, parole or under court restriction?
- Yes No Have you ever been delinquent or in default of any financial obligation including student loans?
- Yes No Have you ever held a professional license which has been subject to disciplinary action, probation, suspension or revocation?
- Yes No Have you ever been accused of a violation of trust?
- Yes No Have you ever been a party to legal proceedings?
- Yes No Have you ever been a party to proceedings before an administrative agency?
- Yes No Have you ever been, or are you currently, addicted to the use of narcotics?
- Yes No Have you ever been, or are you currently, addicted to the use of intoxicating liquors?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for emotional disturbance?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for mental disorder?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for nervous disorder?
- Yes No Have you ever been denied admission to the Bar of any other jurisdiction?

Personal Statement

Please attach a personal statement detailing why you want to be a lawyer, why you are interested in attending the Lincoln Memorial University Duncan School of Law and any experience that you may have in the legal profession. You may also wish to describe any particular areas of the law which interest you. Please address what you hope to contribute to the legal profession and to the needs of the people of the southern Appalachian region. Additionally, describe your personal and cultural background, any obstacles that you have overcome and any extenuating circumstances that may have had an impact on your academic performance. Please elucidate for the admissions committee anything that you feel is not adequately covered in the information that you provided in the previous sections of this application.

Letters of Recommendation

The Lincoln Memorial University Duncan School of Law requires each applicant to submit two letters of recommendation from individuals who are familiar with your academic abilities, work ethic and personal character. An application file will not be considered complete until these have been received. Please list the names and contact information of these individuals, and method of submission:

Name and Title

Name and Title

Relationship to You

Relationship to You

Street or Box

Street or Box

City State Zip Code

City State Zip Code

Email Address Telephone Number (including area code)

Email Address Telephone Number (including area code)

- 1) LSDAS Recommendation Service
- 2) Enclosed with application materials
- 3) Submitted directly to the law school by the recommender

- 1) LSDAS Recommendation Service
- 2) Enclosed with application materials
- 3) Submitted directly to the law school by the recommender

Additional Information

*The following information is being requested to get a better understanding of our applicant pool and is completely voluntary.

To which other law schools are you applying for admission? _____

Parental Information:

Father's Name Living? Yes No

Mother's Name Living? Yes No

Street or Box

Street or Box

City State Zip Code

City State Zip Code

Occupation College Degrees Earned?

Occupation College Degrees Earned?

How did you hear about the Lincoln Memorial University Duncan School of Law in Knoxville, Tennessee?
Please help us evaluate our marketing and recruitment efforts by checking all that apply to the above question.

- | | |
|---|--|
| 1) <input type="checkbox"/> Relative attended LMU | 9) <input type="checkbox"/> A news story in my local newspaper |
| 2) <input type="checkbox"/> LMU Admissions representative visited my college | 10) <input type="checkbox"/> A news story on my local television station |
| 3) <input type="checkbox"/> LMU Admissions representative visited my worksite | 11) <input type="checkbox"/> A commercial on my local television station |
| 4) <input type="checkbox"/> LMU Faculty Member | 12) <input type="checkbox"/> A news story on my local radio station |
| 5) <input type="checkbox"/> LMU Staff Member | 13) <input type="checkbox"/> A commercial on my local radio station |
| 6) <input type="checkbox"/> LMU Coach | 14) <input type="checkbox"/> A news story on my local radio station |
| 7) <input type="checkbox"/> Information I received in the mail | 15) <input type="checkbox"/> A billboard |
| 8) <input type="checkbox"/> An ad in my local newspaper | 16) <input type="checkbox"/> College Pre-Law Advisor |

17) Attorney or Judge
18) Internet

19) Other _____

In an effort to gain a better understanding of your standardized test-taking history, please provide information (if easily obtainable) about the following test, including the month, year and score:

Scholastic Aptitude Test (SAT)	American College Test (ACT)
Graduate Record Examination (GRE)	Other (MCAT, GMAT, TOEFL, CPA, etc.)

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

Certification

I hereby certify that I have read the foregoing document, understand all questions asked, and have answered all questions fully and forthrightly to the best of my knowledge, belief and ability. All information, including the personal statement, is my own. I understand that it is my responsibility to promptly notify the Director of Admissions of any changes with regard to the information that I have provided in answer to any questions on this application for admission throughout the admissions process. Any omission, falsification or misstatement of a material fact on the application, or any of its supplemental information or attachments, could be the basis for denial of admission or, if admitted, disciplinary action up to and including rescission of an offer of admission, suspension, dismissal from the Lincoln Memorial University Duncan School of Law or revocation of a degree.

Additionally, I understand that should an offer of admission be extended to me and I accept said offer of admission, I will, once matriculated, promptly notify the Dean or Associate Dean for Academics of any changes with regard to the information that I have provided in answer to any questions on this application for admission throughout my tenure as a student at the Lincoln Memorial University Duncan School of Law.

Finally, I understand that should an offer of admission be extended to me and I accept said offer of admission, I will, at the point of matriculation, read and fully understand the Lincoln Memorial University Duncan School of Law Catalog and Student Handbook. I will adhere to all rules and policies found therein, and I will keep abreast of any changes and updates to those publications.

Signature Date

Statement on Discrimination

Lincoln Memorial University admits students of any race, sex, handicap, religion, nationality and ethnic origin to all rights, privileges, programs and activities generally accorded or made available to its students. It does not discriminate on the basis of race, sex, sexual orientation, handicap, religion, national or ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs, or athletic and other college-administered programs.

Statement on Campus Security

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Tennessee College and University Security Information Act, the Lincoln Memorial University-School of Law will provide you, upon request, an annual Security Report on university-wide security and safety, including related policies, procedures, and crime statistics. A copy of this report may be obtained in writing or calling the Dean of Students, Lincoln Memorial University, 6965 Cumberland Gap Parkway, Harrogate, Tennessee 37752 or by telephone at (423) 869-7088. You may also obtain this report on our Website at <http://www.lmunet.edu/campuslife/safety/index.html>.

Instructions for completing the Application for Admission – Class of 2014 The part-time, evening program — Fall 2010 (beginning August 2010)

Overview

The Lincoln Memorial University Duncan School of Law (LMU DSOL) in Knoxville, Tennessee is now accepting applications for the Class of 2014. This class will commence in mid-August 2010 and will be a part-time, four-year law program of first-year law students attending courses offered during the evening, Monday through Thursday between 6:15 p.m. until 9:30 p.m. Therefore, we are only accepting applications for first-year students. We are not currently accepting applications for transfer- or non-degree-seeking-admissions.

Lincoln Memorial University is a mission-driven institution. LMU was established to serve underserved and underrepresented populations throughout the Cumberland Gap and southern Appalachian region. The School of Law in Knoxville assumes that mantle in its admissions policies. We will admit applicants who have a desire to serve underserved and underrepresented populations and areas within this region.

The Duncan School of Law seeks to attract and retain a very talented, inquisitive, energetic and passionate cohort of students from all walks of life. Thus, the Office of Admissions, the Admissions Committee, the faculty and the staff will actively seek out prospective students from varied backgrounds, socio-economic and family educational attainment levels, and various perspectives, life experiences and world-views.

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

Pre-requisite Admissions Requirements

To be considered for admission to the Duncan School of Law at Lincoln Memorial University an applicant must hold the baccalaureate degree prior to matriculation. The baccalaureate degree must be earned from a college or university that is accredited by an accrediting agency that is recognized by the Secretary of the United States Department of Education.

While no particular major program of study is required, applicants would be well served to pursue an undergraduate major that emphasize certain skill sets. The American Bar Association recommends a curriculum that emphasizes, “analytic and problem-solving skills, critical reading abilities, writing skills, oral communication and listening abilities, general research skills, task organization and management skills, and the values of serving faithfully the interests of others while also promoting justice.” (Taken from the *Statement of Skills and Values* contained in the 1992 Report of the American Bar Association Task Force on Law Schools and the Profession, Legal Education and Professional Development—An Educational Continuum.) There are no pre-requisite course requirements.

How to Apply for Admission

Each applicant must complete the Application for Admission which is located on the Law School’s web page at <http://www.lmunet.edu/law/>. The application should be printed and mailed to the Office of Admissions. The mailing address of the Lincoln Memorial University Duncan School of Law is 601 W. Summit Hill Drive, Knoxville, Tennessee 37902.

An applicant must take the Law School Admission Test (LSAT) and have the resulting score reported to the Lincoln Memorial University Duncan School of Law. The LSAT is offered four times each year (September, December, February and June) at various testing centers throughout the country. Registration and other pertinent information can be found on the Law School Admission Council’s (LSAC) website at www.LSAC.org. Also, we will only accept LSAT scores that are three years old and newer (no older than February 2007). We will not accept scores beyond the February 2007 test administration.

All applicants must register with the Credential Assembly Service (LSDAS). Registration and other pertinent information can be found on the Law School Admission Council's (LSAC) website at www.LSAC.org. Our four-digit LSAC code is 1977. Prospective students will be able to use this code to have LSAT scores and LSDAS information sent directly to us from LSAC.

Contact the Registrar's Office at all colleges that you have attended and request to have sealed, original transcripts of your academic record sent to the LSDAS. (If an applicant is subsequently offered admission and accepts the offer of admission, then another official transcript from all colleges attended will need to be sent to the Duncan School of Law as well.)

Additionally, each applicant must submit two letters of reference. These items should be submitted to LSDAS. They can also be mailed directly to the Duncan School of Law.

You are encouraged to create a work résumé or curriculum vita and submit along with your application for admission.

Prepare a personal statement detailing why you want to be a lawyer, why you are interested in attending the Lincoln Memorial University Duncan School of Law and any experience that you may have in the legal profession. You may also wish to describe any particular areas of the law which interest you. Please address what you hope to contribute to the legal profession and to the needs of the people of the southern Appalachian region. Additionally, describe your personal and cultural background, any obstacles that you have overcome and any extenuating circumstances that may have had an impact on your academic performance. Please elucidate for the admissions committee anything that you feel is not adequately covered in the information that you provided in the previous sections of this application.

The priority application deadline is January 31, 2010 for enrollment in into the Class of 2014. The application processing fee is waived if the application is completed in its entirety and post-marked by this date.

The application deadline is July 1, 2010. Applications postmarked between February 1, 2010 and July 1, 2010 must be accompanied by an application processing fee. **Please attach a non-refundable application processing fee in the amount of fifty-dollars (\$50 USD by personal check, money order or cashier's check) and made payable to Lincoln Memorial University**

We will, however, continue to accept applications beyond the July 1, 2010 application deadline. Because the Duncan School of Law operates a rolling admissions program the likelihood of garnering an offer of admission beyond the deadline decreases as the class begins to fill.

How We Review Applications

We believe that prospective students who have an interest in becoming lawyers are mature individuals that are inquisitive, highly motivated, possess a passion for the law, are compassionate and eager to serve humanity. With this in mind, we believe that the application process is a meeting amongst professionals with the ultimate goal being mutual acceptance for mutual advantage. That is, we seek to learn about one another to determine if our goals are similar. The Duncan School of Law at Lincoln Memorial University seeks to attract and retain students whose goals are consistent with the mission and purpose of the institution.

Law students have committed themselves to one of the most demanding of professions. The decision to pursue such a profession is not, nor should it be, quick and easy. The decision-making process should be a long maturation process, by which an applicant becomes educated about the legal profession, professional school training and — most importantly — oneself. The application process will help the applicant and the Duncan School of Law to understand if a particular applicant has the requisite academic preparation, temperament and desire to become an attorney.

Following receipt of the application for admission with supportive documents and Law School Admission Test (LSAT) scores, the Admissions Committee will then review the application file. The Admissions Committee is

composed of members of the faculty and the Director of Admissions. The Admissions Committee will determine whether or not to extend an offer of admission. Applicants will be notified in writing of the decision of the committee. Applicants who are offered admission will be notified of the deadline for accepting the offer of admission and other pertinent information.

Ordinarily, the Admissions Committee does not conduct interviews with prospective students as part of the application process. However, there may be situations where it would be advantageous for both the Admissions Committee and the applicant to meet face-to-face to further discuss the prospective student's application file. This may provide some insight into the application for admission that may not be readily available on the paper (text-only) application. If you believe that there may be some additional insight into your background that may be gleaned from meeting face-to-face, then please contact the Director of Admissions to discuss.

The Admissions Committee will select students for admission based on a variety of factors. When reviewing application files the committee will consider the applicant's overall grade-point average (GPA), grades in individual courses, undergraduate curriculum, exposure to the legal profession, participation in volunteer experiences, verbal, non-verbal and written communication skills, background, LSAT scores and any other pertinent information. The preceding factors are not and should not be considered exhaustive. Their decision will be based on a complete review of the application file.

No one piece of evidence presented by an applicant will, in and of itself, determine whether or not the Admissions Committee will extend an offer of admission. The decision to extend an offer of admission will be based on the totality of the evidence presented by the applicant to the committee. Some factors will carry more weight than others. For example, the overall GPA — based on a careful examination of the undergraduate transcript (and post-baccalaureate, graduate and professional, if any) — and the LSAT score(s), will carry the most weight in the decision-making process. Other factors, such as individual grades in all courses attempted, experience in the legal field, letters of recommendation, the applicant's overall 'fit' with the mission of the Duncan School of Law, changes in academic performance over time due to age and maturity, major accomplishments, etc., will also be considered.

The number of applications for the class will exceed the number of seats in the class. The level of competition for seats in each class will be determined by the number of applications received during the application cycle and the academic competitiveness of the applicant pool. The admissions process is fluid and changes from year-to-year. No college knows with certainty how many applications for admission it will receive in a given year, and we are no different. Thus, it is impossible for us to give exact figures for GPAs, LSAT scores and other factors considered which would make one competitive for admission.

Applicants who have demonstrated — through a rigorous undergraduate program of study, competitive LSAT scores, experience related to the legal profession, community service, high ethical standards and career aspirations that match the mission and purpose of the Duncan School of Law at Lincoln Memorial University — that they possess those qualities and characteristics that will enable them achieve success in law school and the legal profession will be selected for admission. Applicants who do not appear to meet these standards will not be selected for admission. The focus of this decision-making process will be academic strength, evidence of moral character, and future success on the state bar examination.

If you have any questions, please feel free to contact Paul Carney, Director of Admissions, at 865-524-5286 or paul.carney@lmunet.edu

Statement on Discrimination

Lincoln Memorial University admits students of any race, sex, handicap, religion, nationality and ethnic origin to all rights, privileges, programs and activities generally accorded or made available to its students. It does not discriminate on the basis of race, sex, sexual orientation, handicap, religion, national or ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs, or athletic and other college-administered programs.

Lincoln Memorial University - Duncan School of Law
Office of Admissions 601 Summit Hill Drive Knoxville, Tennessee 37902 (865) 524-5286

Application for Admission - the part-time, evening Juris Doctor Program

Class of 2014 - Starting August 2010

The priority application deadline is January 31, 2010 for enrollment in into the Class of 2014. The application processing fee is waived if the application is completed in its entirety and post-marked by this date. The application deadline is July 1, 2010. Applications postmarked between February 1, 2010 and July 1, 2010 must be accompanied by an application processing fee. Please attach a non-refundable application processing fee in the amount of fifty-dollars (\$50 USD by personal check, money order or cashier's check) and made payable to Lincoln Memorial University

Full Name: _____
Last or Family Name First Name Middle Name Former/Maiden Last Name (if applicable)

Title: Mr. Ms. Dr. _____ Social Security Number:* _____ / _____ / _____

Law School Admission Council (LSAC) Account Number: L _____
(if you are already registered with the Law School Admission Council)

Gender:* Male Female

Date of Birth (MM/DD/YYYY): ____ / ____ / ____

Federal Racial/Ethnic Category:*

Citizenship:

- 1) Nonresident Alien
- 2) Race and Ethnicity unknown
- 3) Hispanics of any race

Citizen of the United States of America

Non-citizens, including permanent resident aliens:

For non-Hispanics only (please check all that apply):

- 4) American Indian or Alaska Native
- 5) Asian
- 6) Black or African American
- 7) Native Hawaiian or Other Pacific Islander
- 8) White

U.S. Permanent Resident Alien

Alien Registration Number _____

Non-Resident Alien:

Non-Immigrant Visa _____

Country of Citizenship _____

Current Mailing Address:

Permanent/Home Mailing Address:

Street or Box _____

Street or Box _____

City State Zip Code _____

City State Zip Code _____

Preferred Telephone Number (including area code) _____

Is this your cellular work land line/home number?

Preferred Telephone Number (including area code) _____

Is this your cellular work land line/home number?

Alternate Telephone Number _____

Is this your cellular work land line/home number?

Alternate Telephone Number _____

Is this your cellular work land line/home number?

Email address: _____

Will this email address remain valid until August 1, 2010? Yes No

*Providing this information is voluntary. If you would prefer not to provide your Social Security Number (SSN) or if you do not have one, then an identification number will be generated for you. Your SSN will be used for purposes of verification and will help avoid errors of identity which might cause problems and delays in the processing of your application. Lincoln Memorial University requests information about your race and ethnicity in reporting to the United States Department of Education. Information collected from you on this application is protected by the Federal Educational Rights and Privacy Act of 1974 and will not be released to third parties without your written consent.

High School: _____
Name Location Dates Attended (MM/YY - MM/YY)

Have you ever attended any law school, including any conditional entry programs? Yes No
If you answered yes, provide the following information:

Name of the Institution Dates Attended Reason for Leaving

Have you ever been dropped, suspended, warned, placed on scholastic or disciplinary probation, expelled, requested to resign, allowed to resign in lieu of discipline from any college or university (including law school), or otherwise subjected to discipline by any such institution or requested or advised by any such institution to discontinue your studies therein?

Yes No

If you answered yes, provide the following information:

Name of the Institution

Type of Action Date Action Taken

Explanation of Institution Action

(If necessary, attach additional sheets with disciplinary information.)

List any academic honors you have received after high school, including membership in honor societies, scholarships, fellowships, prizes, etc:

List any community and extracurricular activities, including your level and length of involvement, and any leadership positions held:

List any intercollegiate sports/athletics in which you participated, including your level and length of involvement, and any leadership positions held:

Military History

Have you ever been a member of the armed forces of the United States, its reserve components, or the National Guard? Yes No

If yes: I am presently a member of the armed forces. I was a member of the armed forces.

Regular armed forces: Air Force Army Coast Guard Marine Corps Navy
Reserve components: Air Force Army Coast Guard Marine Corps Navy
National Guard: Air Force Army

My serial Number was/is _____ My rank was/is _____

Dates of Service: Active Duty: From MM/YYYY _____ To MM/YYYY _____
Reserve Duty: From MM/YYYY _____ To MM/YYYY _____
Nat'l Guard: From MM/YYYY _____ To MM/YYYY _____

Did you receive an honorable discharge? Yes No Not Applicable
Were you ever court-martialed? Yes No Not Applicable
Were you ever awarded non-judicial punishment? Yes No Not Applicable
Were you allowed to resign in lieu of court-martial? Yes No Not Applicable
Were you administratively discharged? Yes No Not Applicable

Employment History

Provide your employment information for the last ten years or since age 18, *whichever period of time is shorter*. If you have an extensive employment history, then please feel free to attach a résumé.

Current Employer/Profession: *Currently Unemployed* — Since Mo/Yr _____

Employer/Profession	Location	Position	Start Date (mm/yy)

Previous Professional Employment Experience:

Employer/Profession	Location	Position	Start Date (mm/yy)/End Date (mm/yy)

Were you employed during any academic year while an undergraduate? Yes No
If yes, describe positions held and hours worked per week during each academic year:

Character and Fitness

Anyone wishing to practice law in any jurisdiction must register for and take a bar examination in the jurisdiction in which one seeks to practice. Each jurisdiction establishes its own bar registration and admissions standards. An important component of the privilege to practice in any jurisdiction is a thorough evaluation of one's character and fitness for admission to the bar.

The Section of Legal Education and Admission to the Bar of the American Bar Association (ABA), in Standard 504 of the 2009-2010 Standards, Interpretations and Rules of Procedure for Approval of Law Schools, states that "a law school shall advise each applicant that there are character, fitness and other qualifications for admission to the bar and encourage the applicant, prior to matriculation, to determine what those requirements are in the state(s) in which the applicant intends to practice. The law school should, as soon after matriculation as is practicable, take additional steps to apprise entering students of the importance of determining the applicable character, fitness and other qualifications."

Because of the stringent character and fitness qualifications for admission to the Bar, the Lincoln Memorial University Duncan School of Law requires applicants for admission to fully disclose responses to questions pertaining to character and fitness throughout this application for admission. In addition to questions that you have already been asked throughout this application, you are also required to answer the questions below.

If you answer affirmatively to any of the following questions, you must explain fully the nature of each incident. Answering "Yes" to any question does not automatically disqualify an applicant from consideration for admission. The admissions committee would like the opportunity to review all relevant facts including (but not limited to) the issue, the offense, the date of the offense, the law enforcement agency involved and disposition, including fine, court costs or other penalties, etc. The ABA precludes the admission of applicants who do not appear capable of satisfactorily completing its educational program *and* being admitted to the bar. Similar questions to the ones listed below will be asked of you at the time of application for admission to the Bar.

- Yes No Have you ever been arrested?
- Yes No Have you ever been convicted of a crime, including any misdemeanor other than a minor traffic violation?
- Yes No Are there any criminal charges pending against you which, if you were to be convicted, would cause you to answer affirmatively to the previous question?
- Yes No Have you ever entered a guilty plea or a no contest plea to a criminal offense?
- Yes No Have you ever had a criminal conviction expunged or set aside?
- Yes No Are you currently on probation, parole or under court restriction?
- Yes No Have you ever been delinquent or in default of any financial obligation including student loans?
- Yes No Have you ever held a professional license which has been subject to disciplinary action, probation, suspension or revocation?
- Yes No Have you ever been accused of a violation of trust?
- Yes No Have you ever been a party to legal proceedings?
- Yes No Have you ever been a party to proceedings before an administrative agency?
- Yes No Have you ever been, or are you currently, addicted to the use of narcotics?
- Yes No Have you ever been, or are you currently, addicted to the use of intoxicating liquors?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for emotional disturbance?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for mental disorder?
- Yes No Have you ever been, or are you currently, afflicted with or received treatment for nervous disorder?
- Yes No Have you ever been denied admission to the Bar of any other jurisdiction?

Personal Statement

Please attach a personal statement detailing why you want to be a lawyer, why you are interested in attending the Lincoln Memorial University Duncan School of Law and any experience that you may have in the legal profession. You may also wish to describe any particular areas of the law which interest you. Please address what you hope to contribute to the legal profession and to the needs of the people of the southern Appalachian region. Additionally, describe your personal and cultural background, any obstacles that you have overcome and any extenuating circumstances that may have had an impact on your academic performance. Please elucidate for the admissions committee anything that you feel is not adequately covered in the information that you provided in the previous sections of this application.

Letters of Recommendation

The Lincoln Memorial University Duncan School of Law requires each applicant to submit two letters of recommendation from individuals who are familiar with your academic abilities, work ethic and personal character. An application file will not be considered complete until these have been received. Please list the names and contact information of these individuals, and method of submission:

Name and Title _____

Name and Title _____

Relationship to You _____

Relationship to You _____

Street or Box _____

Street or Box _____

City _____ State _____ Zip Code _____

City _____ State _____ Zip Code _____

Email Address _____ Telephone Number (including area code) _____

Email Address _____ Telephone Number (including area code) _____

- 1) LSDAS Recommendation Service
- 2) Enclosed with application materials
- 3) Submitted directly to the law school by the recommender

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Additional Information

*The following information is being requested to get a better understanding of our applicant pool and is completely voluntary.

To which other law schools are you applying for admission? _____

Parental Information:

Father's Name _____ Living? Yes No

Mother's Name _____ Living? Yes No

Street or Box _____

Street or Box _____

City _____ State _____ Zip Code _____

City _____ State _____ Zip Code _____

Occupation _____ College Degrees Earned? _____

Occupation _____ College Degrees Earned? _____

How did you hear about the Lincoln Memorial University Duncan School of Law in Knoxville, Tennessee? Please help us evaluate our marketing and recruitment efforts by checking all that apply to the above question.

- 1) Relative attended LMU
- 2) LMU Admissions representative visited my college
- 3) LMU Admissions representative visited my worksite
- 4) LMU Faculty Member
- 5) LMU Staff Member
- 6) LMU Coach
- 7) Information I received in the mail
- 8) An ad in my local newspaper
- 9) A news story in my local newspaper
- 10) A news story on my local television station
- 11) A commercial on my local television station
- 12) A news story on my local radio station
- 13) A commercial on my local radio station
- 14) A news story on my local radio station

- 15) A billboard
 16) College Pre-Law Advisor
 17) Attorney or Judge

- 18) Internet
 19) Other _____

In an effort to gain a better understanding of your standardized test-taking history, please provide information (if easily obtainable) about the following test, including the month, year and score:

Scholastic Aptitude Test (SAT)	American College Test (ACT)
Graduate Record Examination (GRE)	Other (MCAT, GMAT, TOEFL, CPA, etc.)

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

Certification

I hereby certify that I have read the foregoing document, understand all questions asked, and have answered all questions fully and forthrightly to the best of my knowledge, belief and ability. All information, including the personal statement, is my own. I understand that it is my responsibility to promptly notify the Director of Admissions of any changes with regard to the information that I have provided in answer to any questions on this application for admission throughout the admissions process. Any omission, falsification or misstatement of a material fact on the application, or any of its supplemental information or attachments, could be the basis for denial of admission or, if admitted, disciplinary action up to and including rescission of an offer of admission, suspension, dismissal from the Lincoln Memorial University Duncan School of Law or revocation of a degree.

Additionally, I understand that should an offer of admission be extended to me and I accept said offer of admission, I will, once matriculated, promptly notify the Dean or Associate Dean for Academics of any changes with regard to the information that I have provided in answer to any questions on this application for admission throughout my tenure as a student at the Lincoln Memorial University Duncan School of Law.

Finally, I understand that should an offer of admission be extended to me and I accept said offer of admission, I will, at the point of matriculation, read and fully understand the Lincoln Memorial University Duncan School of Law Catalog and Student Handbook. I will adhere to all rules and policies found therein, and I will keep abreast of any changes and updates to those publications.

Signature	Date
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Statement on Discrimination

Lincoln Memorial University admits students of any race, sex, handicap, religion, nationality and ethnic origin to all rights, privileges, programs and activities generally accorded or made available to its students. It does not discriminate on the basis of race, sex, sexual orientation, handicap, religion, national or ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs, or athletic and other college-administered programs.

Statement on Campus Security

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Tennessee College and University Security Information Act, the Lincoln Memorial University-School of Law will provide you, upon request, an annual Security Report on university-wide security and safety, including related policies, procedures, and crime statistics. A copy of this report may be obtained in writing or calling the Dean of Students, Lincoln Memorial University, 6965 Cumberland Gap Parkway, Harrogate, Tennessee 37752 or by telephone at (423) 869-7088. You may also obtain this report on our Website at <http://www.lmunet.edu/campuslife/safety/index.html>.



INFORMATION REQUEST

Please print

UNDERGRADUATE SCHOOL: _____

YEAR OF GRADUATION: _____

NAME: _____

PERMANENT MAILING ADDRESS: _____

PHONE: _____

EMAIL: _____

ADM-INFOREQ-05



FEDERAL STUDENT AID "START HERE. GO FURTHER."

UNITED STATES DEPARTMENT OF EDUCATION

**FEDERAL STUDENT AID
SCHOOL ELIGIBILITY CHANNEL**

PROGRAM PARTICIPATION AGREEMENT

Effective Date of Approval: The date on which this Agreement is signed on behalf of the Secretary of Education

Approval Expiration Date: **June 30, 2014**

Reapplication Date: **March 31, 2014**

Name of Institution: **Lincoln Memorial University**
Address of Institution: **6965 Cumberland Gap Parkway
Harrogate, TN 37752-7920**

OPE ID Number: **00350200**

DUNS Number: **049467251**

Taxpayer Identification Number (TIN): **620479542**

The execution of this Agreement by the Institution and the Secretary is a prerequisite to the Institution's initial or continued participation in any Title IV, HEA Program.

The postsecondary educational institution listed above, referred to hereafter as the "Institution," and the United States Secretary of Education, referred to hereafter as the "Secretary," agree that the Institution may participate in those student financial assistance programs authorized by Title IV of the Higher Education Act of 1965, as amended (Title IV, HEA Programs) indicated under this Agreement and further agrees that such participation is subject to the terms and conditions set forth in this Agreement. As used in this Agreement, the term "Department" refers to the U.S. Department of Education.

SCOPE OF COVERAGE

This Agreement applies to all locations of the Institution as stated on the most current **ELIGIBILITY AND CERTIFICATION APPROVAL REPORT** issued by the Department. This Agreement covers the Institution's eligibility to participate in each of the following listed Title IV, HEA programs, and incorporates by reference the regulations cited.

- **FEDERAL PELL GRANT PROGRAM, 20 U.S.C. 1070a et seq; 34 CFR Part 690.**

- **FEDERAL FAMILY EDUCATION LOAN PROGRAM, 20 U.S.C. 1071 et seq; 34 CFR Part 682.**
- **FEDERAL DIRECT STUDENT LOAN PROGRAM, 20 U.S.C. 1087a et seq; 34 CFR Part 685.**
- **FEDERAL PERKINS LOAN PROGRAM, 20 U.S.C. 1087aa et seq; 34 CFR Part 674.**
- **FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT PROGRAM, 20 U.S.C. 1070b et seq; 34 CFR Part 676.**
- **FEDERAL WORK-STUDY PROGRAM, 42 U.S.C. 2751 et seq; 34 CFR Part 675.**

GENERAL TERMS AND CONDITIONS

1. The Institution understands and agrees that it is subject to and will comply with the program statutes and implementing regulations for institutional eligibility as set forth in 34 CFR Part 600 and for each Title IV, HEA program in which it participates, as well as the general provisions set forth in Part F and Part G of Title IV of the HEA, and the Student Assistance General Provisions regulations set forth in 34 CFR Part 668.
The recitation of any portion of the statute or regulations in this Agreement does not limit the Institution's obligation to comply with other applicable statutes and regulations.
2.
 - a. The Institution certifies that on the date it signs this Agreement, it has a drug abuse prevention program in operation that it has determined is accessible to any officer, employee, or student at the Institution.
 - b. The Institution certifies that on the date it signs this Agreement, it is in compliance with the disclosure requirements of Section 485(f) of the HEA (Campus Security Policy and Crime Statistics).
3. The Institution agrees to comply with --
 - a. Title VI of the Civil Rights Act of 1964, as amended, and the implementing regulations, 34 CFR Parts 100 and 101 (barring discrimination on the basis of race, color or national origin);
 - b. Title IX of the Education Amendments of 1972 and the implementing regulations, 34 CFR Part 106 (barring discrimination on the basis of sex);
 - c. The Family Educational Rights and Privacy Act of 1974 and the implementing regulations, 34 CFR Part 99;
 - d. Section 504 of the Rehabilitation Act of 1973 and the implementing regulations, 34 CFR Part 104 (barring discrimination on the basis of physical handicap); and
 - e. The Age Discrimination Act of 1975 and the implementing regulations, 34 CFR Part 110.
 - f. The Standards for Safeguarding Customer Information, 16 C.F.R. Part 314, issued by the Federal Trade Commission (FTC), as required by the Gramm-Leach-Bliley (GLB) Act, P.L. 106-102. These Standards are intended to ensure the security and confidentiality of customer records and information. The Secretary considers any breach to the security of student records and information as a demonstration of a potential lack of administrative capability as stated in 34 C.F.R. 668.16(c). Institutions are strongly encouraged to inform its students and the Department of any such breaches.
4. The Institution acknowledges that 34 CFR Parts 602 and 667 require accrediting agencies, State regulatory bodies, and the Secretary to share information about institutions. The Institution agrees that the Secretary, any accrediting agency recognized by the Secretary, and any State regulatory body may share or report information to one another about the Institution without limitation.

5. The Institution acknowledges that the HEA prohibits the Secretary from recognizing the accreditation of any institution of higher education unless that institution agrees to submit any dispute involving the final denial, withdrawal, or termination of accreditation to initial arbitration prior to any other legal action.

**SELECTED PROVISIONS FROM
GENERAL PROVISIONS REGULATIONS, 34 CFR PART 668**

By entering into this Program Participation Agreement, the Institution agrees that:

- (1) It will comply with all statutory provisions of or applicable to Title IV of the HEA, all applicable regulatory provisions prescribed under that statutory authority, and all applicable special arrangements, agreements, and limitations entered into under the authority of statutes applicable to Title IV of the HEA, including the requirement that the institution will use funds it receives under any Title IV, HEA program and any interest or other earnings thereon, solely for the purposes specified in and in accordance with that program;
- (2) As a fiduciary responsible for administering Federal funds, if the institution is permitted to request funds under a Title IV, HEA program advance payment method, the institution will time its requests for funds under the program to meet the institution's immediate Title IV, HEA program needs;
- (3) It will not request from or charge any student a fee for processing or handling any application, form, or data required to determine a student's eligibility for, and amount of, Title IV, HEA program assistance;
- (4) It will establish and maintain such administrative and fiscal procedures and records as may be necessary to ensure proper and efficient administration of funds received from the Secretary or from students under the Title IV, HEA programs, together with assurances that the institution will provide, upon request and in a timely manner, information relating to the administrative capability and financial responsibility of the institution to--
 - (i) The Secretary;
 - (ii) The State [regulatory bodies] for the State or States in which the institution or any of the institution's branch campuses or other locations are located;
 - (iii) A guaranty agency, as defined in 34 CFR part 682, that guarantees loans made under the Federal Stafford Loan, and Federal PLUS programs for attendance at the institution or any of the institution's branch campuses or other locations;
 - (iv) The nationally recognized accrediting agency that accredits or preaccredits the institution or any of the institution's branch campuses, other locations, or educational programs;
 - (v) The State agency that legally authorizes the institution and any branch campus or other location of the institution to provide postsecondary education; and
 - (vi) In the case of a public postsecondary vocational educational institution that is approved by a State agency recognized for the approval of public postsecondary vocational education, that State agency;
- (5) It will comply with the provisions of §668.15 relating to factors of financial responsibility;
- (6) It will comply with the provisions of §668.16 relating to standards of administrative capability;
- (7) It will submit reports to the Secretary and, in the case of an institution participating in the Federal Stafford Loan, Federal PLUS, or the Federal Perkins Loan Program, to holders of loans made to the institution's students under these programs at such times and containing such information as the Secretary may reasonably require to carry out the purpose of the Title IV, HEA programs;
- (8) It will not provide any statement to any student or certification to any lender under the Federal Stafford Loan or Federal PLUS Program that qualifies the student for a loan or loans in

excess of the amount that the student is eligible to borrow in accordance with §§425(a), 428(a)(2), 428(b)(1)(A) and (B), and 428H of the HEA;

(9) It will comply with the requirements of Subpart D of 34 CFR part §§668 concerning institutional and financial assistance information for students and prospective students;

(10) In the case of an institution that advertises job placement rates as a means of attracting students to enroll in the institution, it will make available to prospective students, at or before the time that those students apply for enrollment-

(i) The most recent available data concerning employment statistics, graduation statistics, and any other information necessary to substantiate the truthfulness of the advertisements; and

(ii) Relevant State licensing requirements of the State in which the institution is located for any job for which an educational program offered by the institution is designed to prepare those prospective students;

(11) In the case of an institution participating in the Federal Stafford Loan, or Federal PLUS Program, the institution will inform all eligible borrowers, as defined in 34 CFR part 682, enrolled in the institution about the availability and eligibility of those borrowers for State grant assistance from the State in which the institution is located, and will inform borrowers from another State of the source for further information concerning State grant assistance from that State;

(12) It will provide the certifications described in paragraph (c) of this section;

(13) In the case of an institution whose students receive financial assistance pursuant to section 484(d) of the HEA, the institution will make available to those students a program proven successful in assisting students in obtaining the recognized equivalent of a high school diploma;

(14) It will not deny any form of Federal financial aid to any eligible student solely on the grounds that the student is participating in a program of study abroad approved for credit by the institution;

(15) In the case of an institution seeking to participate for the first time in the Federal Stafford Loan and Federal PLUS programs, the institution has included a default management plan as part of its application under §600.20 for participation in those programs and will use the plan for at least two years from the date of that application. The Secretary considers the requirements of this paragraph to be satisfied by a default management plan developed in accordance with the default reduction measures described in the September 2005 Dear Partner Letter, GEN-05-14;

(16) In the case of an institution that changes ownership that results in a change of control, or that changes its status as a main campus, branch campus, or an additional location, the institution will, to participate in the Federal Stafford Loan and Federal PLUS Programs, develop a default management plan for approval by the Secretary and implement the plan for at least two years after the change in control or status. The Secretary considers the requirements of this paragraph to be satisfied by a default management plan developed in accordance with the default reduction measures described in the September 2005 Dear Partner Letter, GEN-05-14;

(17) The Secretary, guaranty agencies and lenders as defined in 34 CFR Part 682, nationally recognized accrediting agencies, the Secretary of Veterans Affairs, State [regulatory bodies], State agencies recognized under 34 CFR part 603 for the approval of public postsecondary vocational education, and State agencies that legally authorize institutions and branch campuses or other locations of institutions to provide postsecondary education, have the authority to share with each other any information pertaining to the institution's eligibility for or participation in the Title IV, HEA programs or any information on fraud and abuse;

(18) It will not knowingly --

(i) Employ in a capacity that involves the administration of the Title IV, HEA programs or the receipt of funds under those program, an individual who has been convicted of, or has pled *nolo contendere* or guilty to, a crime involving the acquisition, use, or expenditure of Federal, State, or local government funds, or has been administratively or judicially determined to have committed fraud or any other material violation of law involving Federal, State, or local

government funds;

(ii) Contract with an institution or third-party servicer that has been terminated under section 432 of the HEA for a reason involving the acquisition, use, or expenditure of Federal, State, or local government funds, or that has been administratively or judicially determined to have committed fraud or any other material violation of law involving Federal, State, or local government funds; or

(iii) Contract with or employ any individual, agency, or organization that has been, or whose officers or employees have been--

(A) Convicted of, or pled *nolo contendere* or guilty to, a crime involving the acquisition, use, or expenditure of Federal, State, or local government funds; or

(B) Administratively or judicially determined to have committed fraud or any other material violation of law involving Federal, State, or local government funds;

(19) It will complete, in a timely manner and to the satisfaction of the Secretary, surveys conducted as a part of the Integrated Postsecondary Education Data System (IPEDS) or any other Federal collection effort, as designated by the Secretary, regarding data on postsecondary institutions;

(20) In the case of an institution that offers athletically related student aid, it will comply with the provisions of paragraph (d) of this section;

(21) It will not impose any penalty, including, but not limited to, the assessment of late fees, the denial of access to classes, libraries, or other institutional facilities, or the requirement that the student borrow additional funds for which interest or other charges are assessed, on any student because of the student's inability to meet his or her financial obligations to the institution as a result of the delayed disbursement of the proceeds of a Title IV, HEA program loan due to compliance with statutory and regulatory requirements of or applicable to the Title IV, HEA programs, or delays attributable to the institution;

(22) It will not provide, nor contract with any entity that provides, any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the awarding of student financial assistance, except that this requirement shall not apply to the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal Student Assistance. This provision does not apply to the giving of token gifts to students or alumni for referring students for admission to the institution as long as: the gift is not in the form of money, check, or money order; no more than one such gift is given to any student or alumnus; and the gift has a value of not more than \$100;

(23) It will meet the requirements established pursuant to Part H of Title IV of the HEA by the Secretary, State [authorizing bodies], and nationally recognized accrediting agencies;

(24) It will comply with the refund provisions established in 34 CFR Part 668.22;

(25) It is liable for all improperly administered funds received or refunded under the Title IV, HEA programs, including any funds administered by a third-party servicer;

(26) If the stated objectives of an educational program of the institution are to prepare a student for gainful employment in a recognized occupation, the institution will--

(i) Demonstrate a reasonable relationship between the length of the program and entry level requirements for the recognized occupation for which the program prepares the student. The Secretary considers the relationship to be reasonable if the number of clock hours provided in the program does not exceed by more than 50 percent the minimum number of clock hours required for training in the recognized occupation for which the program prepares the student, as established by the State in which the program is offered, if the State has established such a requirement, or as established by any Federal agency; and

(ii) Establish the need for the training for the student to obtain employment in the recognized occupation for which the program prepares the student.

(c) In order to participate in any Title IV, HEA program (other than the SSIG and NEISP programs), the institution must certify that it--

(1) Has in operation a drug abuse prevention program that the institution has determined to be accessible to any officer, employee, or student at the institution; and

(2)(i) Has established a campus security policy in accordance with section 485(f) of the HEA; and

(ii) Has complied with the disclosure requirements of §668.47 as required by section 485(f) of the HEA.

(d) In order to participate in any Title IV, HEA program (other than the SSIG and NEISP programs), an institution that offers athletically related student aid must--

(1) Cause an annual compilation, independently audited not less often than every 3 years, to be prepared within 6 months after the end of the institution's fiscal year, of--

(i) The revenues derived by the institution from the institution's intercollegiate athletics activities, according to the following categories:

(A) Total revenues.

(B) Revenues from football.

(C) Revenues from men's basketball.

(D) Revenues from women's basketball.

(E) Revenues from all other men's sports combined.

(F) Revenues from all other women's sports combined;

(ii) Expenses made by the institution for the institution's intercollegiate athletics activities, according to the following categories:

(A) Total expenses.

(B) Expenses attributable to football.

(C) Expenses attributable to men's basketball.

(D) Expenses attributable to women's basketball.

(E) Expenses attributable to all other men's sports combined.

(F) Expenses attributable to all other women's sports combined; and

(iii) The total revenues and operating expenses of the institution; and

(2) Make the compilation and, where allowable by State law, the results of the audits required by paragraph (d)(1) of this section available for inspection by the Secretary and the public.

(e) For the purposes of paragraph (d) of this section--

(1) Revenues from intercollegiate athletics activities allocable to a sport shall include without limitation gate receipts, broadcast revenues and other conference distributions, appearance guarantees and options, concessions, and advertising;

(2) Revenues such as student activities fees, alumni contributions, and investment interest income that are not allocable to a sport shall be included in the calculation of total revenues only;

(3) Expenses for intercollegiate athletics activities allocable to a sport shall include without limitation grants-in-aid, salaries, travel, equipment, and supplies; and

(4) Expenses such as general and administrative overhead that are not allocable to a sport shall be included in the calculation of total expenses only.

(f)(1) A program participation agreement becomes effective on the date that the Secretary signs the agreement.

(2) A new program participation agreement supersedes any prior program participation agreement between the Secretary and the institution.

(g)(1)(i) With respect to an institution that has been certified *other than under a provisional certification*--

(A) Except as provided in paragraphs (h) and (i) of this section, the Secretary terminates a

program participation agreement through the proceedings in subpart G of this part.

(B) An institution may terminate a program participation agreement.

(C) If the Secretary or the institution terminates a program participation agreement under paragraph (g) of this section, the Secretary establishes the termination date.

(2) With respect to an institution that has been *provisionally certified*, the Secretary revokes a provisional certification through the proceedings in §668.13(d).

(h) An institution's program participation agreement automatically expires on the date that--

(1) The institution changes ownership that results in a change in control as determined by the Secretary under 34 CFR part 600; or

(2) The institution's participation ends under the provisions of §668.26(a)(1), (2), (4), or (7).

(i) An institution's program participation agreement no longer applies to or covers a location of the institution as of the date on which that location ceases to be a part of the participating institution.

WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

If an institution participates in the William D. Ford Federal Direct Loan (Direct Loan) Program, the institution and its representatives shall comply with the statute, guidelines, and regulations governing the Title IV, Part D, William D. Ford Federal Direct Loan Program as required by Section 454 of Public Law 103-66.

The institution will:

1. Provide for the establishment and maintenance of a Direct Loan Program at the Institution that will:

Identify eligible students who seek student financial assistance in accordance with Section 484 of the Higher Education Act of 1965, as amended (the HEA).

Estimate the need of students as required under Title IV, Part F of the HEA.

Provide a certification statement of eligibility for students to receive loans that will not exceed the annual or aggregate limits, except the Institution may exercise its authority, under exceptional circumstances identified by the Secretary, to refuse to certify a statement that permits a student to receive a loan, or certify a loan amount that is less than the student's determination of need, if the reason for such action is documented and provided in written form to a student.

Establish a schedule for disbursement of loan proceeds to meet the requirements of Section 428G of the HEA.

Provide timely and accurate information to the Secretary concerning 1) the status of borrowers while students are in attendance, any new information pertaining to the status of student borrowers of which the Institution becomes aware after the student leaves the Institution, and 2) the utilization of Federal funds under Part D at such times and in such manner as prescribed by the Secretary.

2. Comply with requirements established by the Secretary relating to student loan information with respect to the Direct Loan Program.

3. Provide that students at the Institution and their parents (with respect to such students) will be eligible to participate in the programs under Title IV, Part B of the HEA, Federal Family Education Loan programs, at the discretion of the Secretary for the period during which such Institution participates in the Direct Loan Program, except that a student or parent may not receive loans under both Part B and Part D of the HEA for the same period of enrollment.
4. Provide for the implementation of a quality assurance system, as established by the Secretary and developed in consultation with Institutions of higher education, to ensure that the Institution is complying with program requirements and meeting program objectives.
5. Provide that the Institution will not charge any fees of any kind, regardless of how they are described, to student or parent borrowers for loan application, or origination activities (if applicable), or the provision and processing of any information necessary for a student or parent to receive a loan under Part D of the HEA.
6. Provide that the Institution will originate loans to eligible students and parents in accordance with the requirements of Part D of the HEA and use funds advanced to it solely for that purpose (Option 2 only).
7. Provide that the note or evidence of obligation of the loan shall be the property of the Secretary (Options 2 and 1 only).
8. Implement such other provisions as the Secretary determines are necessary to protect the interest of the United States and to promote the purposes of Part D of the HEA.
9. Accept responsibility and financial liability stemming from its failure to perform its functions under this Program Participation Agreement.

The Institution's continued approval to participate in the Direct Loan Program will be based on the Department of Education's review and approval of the Institution's future applications for recertification to continue participating in the federal student aid programs.

CERTIFICATIONS REQUIRED FROM INSTITUTIONS

The Institution should refer to the regulations cited below. Signature on this Agreement provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirement for Drug-Free Workplace (Grants)." Breach of any of these certificates constitutes a breach of this Agreement.

PART 1 CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105, and 82.110, the Institution certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal Grant or cooperative agreement, the Institution shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with all subrecipients shall certify and disclose accordingly.
- (c) The Institution shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. Debarment, Suspension, and Other Responsibility Matters

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions as defined at 34 CFR Part 85, Sections 85.105 and 85.110, the Institution certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

3. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605, and 85.610 -

The Institution certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employees about-
 - (1) The dangers of drug abuse in the workplace;
 - (2) The Institution's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in

the workplace;

- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
 - (1) Abide by the terms of the statement, and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under this subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-5140. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted -
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1972, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

4. Drug-Free Workplace (Grantees Who Are Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605, and 85.610 -

1. As a condition of the grant, the Institution certifies that it will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and
2. If any officer or owner of the Institution is convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, the Institution will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-5140. Notice shall include the identification number(s) of each affected grant.

PART 2 U.S. DEPARTMENT OF EDUCATION DRUG PREVENTION CERTIFICATION

The undersigned Institution certifies that it has adopted and implemented a drug prevention program for its students and employees that, at a minimum, includes--

1. The annual distribution in writing to each employee, and to each student who is taking one or more classes for any kind of academic credit except for continuing education units, regardless of the length of the student's program of study, of:
 - Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as

part of any of its activities.

- A description of the applicable legal sanctions under local, State or Federal law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
- A clear statement that the Institution will impose disciplinary sanctions on students and employees (consistent with local, State and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violation of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.
- A description of any drug or alcohol counseling, treatment, or re-entry programs that are available to employees or students.

2. A biennial review by the Institution of its program to:

- Determine its effectiveness and implement changes to the program if they are needed.
- Ensure that its disciplinary sanctions are consistently enforced.

PART 3 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION -- LOWER TIER COVERED TRANSACTIONS

The Institution is to obtain the signatures of Lower Tier Contractors on copies of the certification reproduced below, and retain the completed certification(s) in the Institution's files.

CERTIFICATION BY LOWER TIER CONTRACTOR (Before Completing Certification, Read Instructions for This Part 3, below)	
<p>(1) The prospective lower tier participant certifies by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal Department or Agency.</p> <p>(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.</p>	
<hr/> Name of Lower Tier Organization	<hr/> PR/Award Number or Project Name
<hr/> Name of Authorized Representative	<hr/> Title of Authorized Representative
<hr/> Signature of Authorized Representative	<hr/> Date

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and

Voluntary Exclusion--Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

NOTE: A completed copy of the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions" form must be retained by the Institution. The original blank certification must be returned with the PPA.

IN WITNESS WHEREOF

the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

Signature of Institution's
Chief Executive Officer:

Nancy B. Moody

Date: *9/15/08*

Print Name and Title:

Nancy B. Moody
President

For the Secretary:

Adalberto

Date: *9/23/08*

U.S. Department of Education

LINCOLN MEMORIAL UNIVERSITY

**REPORT ON AUDIT OF INSTITUTION
OF HIGHER EDUCATION**

IN ACCORDANCE WITH OMB CIRCULAR A-133

June 30, 2006

LINCOLN MEMORIAL UNIVERSITY

REPORT ON AUDIT OF INSTITUTION OF HIGHER EDUCATION
IN ACCORDANCE WITH OMB CIRCULAR A-133

June 30, 2006

CONTENTS

REPORT OF INDEPENDENT AUDITORS.....	1
FINANCIAL STATEMENTS	
STATEMENTS OF FINANCIAL POSITION.....	3
STATEMENTS OF ACTIVITIES	4
STATEMENTS OF CASH FLOWS.....	6
NOTES TO FINANCIAL STATEMENTS	7
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS.....	16
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS.....	17
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS	18
REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133	20
SCHEDULE OF FINDINGS AND QUESTIONED COSTS.....	22
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS	23



Crowe Chizek and Company LLC
Member Horwath International

REPORT OF INDEPENDENT AUDITORS

To the Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

We have audited the accompanying statements of financial position of Lincoln Memorial University (the "University") as of June 30, 2006 and 2005, and the related statements of activities and cash flows for the years then ended. These financial statements are the responsibility of the University's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Lincoln Memorial University as of June 30, 2006 and 2005, and the changes in its net assets and its cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 8, 2006 on our consideration of the University's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of the testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Our audit was performed for the purpose of forming an opinion on the basic financial statements of Lincoln Memorial University taken as a whole. The accompanying Schedule of Expenditures of Federal Awards is presented for purposes of additional analysis as required by the U. S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Crowe Chizek and Company LLC

Crowe Chizek and Company LLC

Louisville, Kentucky
September 8, 2006

LINCOLN MEMORIAL UNIVERSITY
STATEMENTS OF FINANCIAL POSITION
June 30, 2006 and 2005

	<u>2006</u>	<u>2005</u>
ASSETS		
Cash and cash equivalents	\$ 713,202	\$ 4,047,747
Accounts receivable – students, net of allowance for doubtful accounts: \$192,590 in 2006, \$199,543 in 2005	6,808,940	6,489,164
Accounts receivable – federal government	208,697	195,616
Accounts receivable – other	139,708	139,265
Pledges receivable, net	58,125	97,201
Investments	45,356,890	42,125,172
Notes receivable, net of allowance for doubtful accounts of \$525,000 in 2006 and 2005	780,569	947,988
Property, plant and equipment, net	26,462,647	19,845,109
Other assets	<u>176,171</u>	<u>136,242</u>
Total assets	<u>\$ 80,704,949</u>	<u>\$ 74,023,504</u>
LIABILITIES AND NET ASSETS		
Liabilities		
Accounts payable	\$ 1,178,726	\$ 393,973
Accrued expenses and withholdings	982,317	870,407
Deferred tuition	8,195,828	7,318,492
Student deposits	182,825	158,785
Deposits held in custody	158,491	117,449
Refundable loan programs	855,921	872,640
Annuities payable	523,724	556,193
Debt	<u>6,930,427</u>	<u>5,185,212</u>
Total liabilities	<u>19,008,259</u>	<u>15,473,151</u>
Net assets		
Unrestricted	45,636,979	43,595,224
Temporarily restricted	2,572,501	2,265,602
Permanently restricted	<u>13,487,210</u>	<u>12,689,527</u>
Total net assets	<u>61,696,690</u>	<u>58,550,353</u>
Total liabilities and net assets	<u>\$ 80,704,949</u>	<u>\$ 74,023,504</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENT OF ACTIVITIES
Year ended June 30, 2006

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>Total</u>
OPERATING REVENUES AND SUPPORT				
Tuition and fees	\$ 26,943,324	\$ -	\$ -	\$ 26,943,324
Less: student aid	<u>(6,162,689)</u>	-	-	<u>(6,162,689)</u>
Net tuition and fees	20,780,635	-	-	20,780,635
Government grants and contracts	1,032,769	-	-	1,032,769
Private gifts and grants	111,015	550,269	-	661,284
Other sources	429,465	-	-	429,465
Investment income	1,042,816	515,394	76,807	1,635,017
Auxiliary enterprises	<u>2,815,670</u>	-	-	<u>2,815,670</u>
	26,212,370	1,065,663	76,807	27,354,840
Net assets released from restrictions	<u>758,764</u>	<u>(758,764)</u>	-	<u>-</u>
Total operating revenues and support	<u>26,971,134</u>	<u>306,899</u>	<u>76,807</u>	<u>27,354,840</u>
OPERATING EXPENSES				
Educational and general				
Instruction	11,127,278	-	-	11,127,278
Public service	821,996	-	-	821,996
Academic support	2,514,858	-	-	2,514,858
Support services	3,441,588	-	-	3,441,588
Institutional support	<u>5,166,288</u>	-	-	<u>5,166,288</u>
Total educational and general	23,072,008	-	-	23,072,008
Auxiliary enterprises	<u>2,043,325</u>	-	-	<u>2,043,325</u>
Total operating expenses	<u>25,115,333</u>	<u>-</u>	<u>-</u>	<u>25,115,333</u>
Increase in net assets from operating activities	<u>1,855,801</u>	<u>306,899</u>	<u>76,807</u>	<u>2,239,507</u>
NON-OPERATING ACTIVITIES				
Contributions	46,625	-	657,073	703,698
Realized and unrealized gains on investments	139,329	-	96,063	235,392
Actuarial adjustment of annuities payable	<u>-</u>	<u>-</u>	<u>(32,260)</u>	<u>(32,260)</u>
Increase in net assets from non-operating activities	<u>185,954</u>	<u>-</u>	<u>720,876</u>	<u>906,830</u>
Change in net assets	2,041,755	306,899	797,683	3,146,337
Net assets, beginning of year	<u>43,595,224</u>	<u>2,265,602</u>	<u>12,689,527</u>	<u>58,550,353</u>
Net assets, end of year	<u>\$ 45,636,979</u>	<u>\$ 2,572,501</u>	<u>\$ 13,487,210</u>	<u>\$ 61,696,690</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENT OF ACTIVITIES
Year ended June 30, 2005

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>Total</u>
OPERATING REVENUES AND SUPPORT				
Tuition and fees	\$ 25,782,641	\$ -	\$ -	\$ 25,782,641
Less: student aid	<u>(6,009,921)</u>	-	-	<u>(6,009,921)</u>
Net tuition and fees	19,772,720	-	-	19,772,720
Government grants and contracts	899,534	-	-	899,534
Private gifts and grants	1,617,312	655,816	-	2,273,128
Other sources	497,439	-	-	497,439
Investment income	805,634	473,781	17,635	1,297,050
Auxiliary enterprises	<u>2,635,909</u>	<u>-</u>	<u>-</u>	<u>2,635,909</u>
	26,228,548	1,129,597	17,635	27,375,780
Net assets released from restrictions	<u>545,287</u>	<u>(545,287)</u>	-	<u>-</u>
Total operating revenues and support	<u>26,773,835</u>	<u>584,310</u>	<u>17,635</u>	<u>27,375,780</u>
OPERATING EXPENSES				
Educational and general				
Instruction	8,692,129	-	-	8,692,129
Public service	612,517	-	-	612,517
Academic support	2,342,629	-	-	2,342,629
Support services	2,869,182	-	-	2,869,182
Institutional support	<u>5,311,408</u>	<u>-</u>	<u>-</u>	<u>5,311,408</u>
Total educational and general	19,827,865	-	-	19,827,865
Auxiliary enterprises	<u>2,135,860</u>	<u>-</u>	<u>-</u>	<u>2,135,860</u>
Total operating expenses	<u>21,963,725</u>	<u>-</u>	<u>-</u>	<u>21,963,725</u>
Increase in net assets from operating activities	<u>4,810,110</u>	<u>584,310</u>	<u>17,635</u>	<u>5,412,055</u>
NON-OPERATING ACTIVITIES				
Contributions	-	-	646,211	646,211
Realized and unrealized gains on investments	1,183,214	-	88,402	1,271,616
Actuarial adjustment of annuities payable	-	-	(27,958)	(27,958)
Change in value of land held for investment	<u>(2,240,502)</u>	<u>-</u>	<u>-</u>	<u>(2,240,502)</u>
Increase (decrease) in net assets from non-operating activities	<u>(1,057,288)</u>	<u>-</u>	<u>706,655</u>	<u>(350,633)</u>
Change in net assets	3,752,822	584,310	724,290	5,061,422
Net assets, beginning of year	<u>39,842,402</u>	<u>1,681,292</u>	<u>11,965,237</u>	<u>53,488,931</u>
Net assets, end of year	<u>\$ 43,595,224</u>	<u>\$ 2,265,602</u>	<u>\$12,689,527</u>	<u>\$ 58,550,353</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENTS OF CASH FLOWS
Years ended June 30, 2006 and 2005

	<u>2006</u>	<u>2005</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	\$ 3,146,337	\$ 5,061,422
Adjustments to reconcile change in net asset to net cash from operating activities:		
Depreciation	1,391,600	1,135,906
Contributions used for long-term investment	(657,073)	(646,211)
Realized and unrealized gains on Investments	(235,392)	(1,271,616)
Change in value of land held for investment	-	2,240,502
Net adjustment of annuity payment liability	32,260	27,958
Change in assets and liabilities		
Accounts receivable	(333,300)	(5,964,553)
Pledges receivable	39,076	6,359
Other assets	(39,929)	(130,407)
Notes receivable	167,419	(14,184)
Accounts payable	784,753	(130,862)
Accrued expenses and withholdings	111,910	(118,540)
Deferred tuition	877,336	5,238,707
Deposits	65,082	21,626
Refundable loans	<u>(16,719)</u>	<u>376,533</u>
Net cash from operating activities	<u>5,333,360</u>	<u>5,832,640</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of investments	(18,432,043)	(12,279,458)
Proceeds from sales of investments	15,435,717	7,683,321
Purchase of property and equipment	(8,049,742)	(2,612,604)
Proceeds from sale of property and equipment	<u>40,604</u>	<u>-</u>
Net cash from investing activities	<u>(11,005,464)</u>	<u>(7,208,741)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Proceeds from issuance of debt	2,122,322	-
Principal paid on debt	(377,107)	(377,106)
Payments to annuitants	(64,729)	(57,218)
Annuity payable	-	142,767
Contributions used for long-term investment	<u>657,073</u>	<u>646,211</u>
Net cash from financing activities	<u>2,337,559</u>	<u>354,654</u>
Change in cash and cash equivalents	(3,334,545)	(1,021,447)
Cash and cash equivalents, beginning of year	<u>4,047,747</u>	<u>5,069,194</u>
Cash and cash equivalents, end of year	<u>\$ 713,202</u>	<u>\$ 4,047,747</u>
Supplemental disclosure of cash information:		
Cash paid during the year for interest	\$ 268,257	\$ 174,496

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2006 and 2005

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Organization: Lincoln Memorial University, located in Harrogate, Tennessee is a fully accredited institution of higher education providing both graduate and undergraduate degrees. The University also operates a private high school (The J. Frank White Academy) and the operations are included in these financial statements.

Basis of Accounting: The financial statements of the University have been prepared on the accrual basis of accounting. Accordingly, revenues are recognized when earned and expenses are recognized when incurred.

Financial Statement Presentation: These financial statements have been prepared to focus on the entity as a whole and to present transactions according to the existence or absence of donor-imposed restrictions. This has been done by classification of fund transactions and balances into three categories of net assets: unrestricted, temporarily restricted, and permanently restricted.

Net assets and revenues, expenses, gains and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets and changes therein are classified as follows:

Permanently restricted net assets - Net assets subject to donor imposed stipulations that they be maintained permanently by the University. Generally, the donors of these assets permit the University to use the income earned on related investments for general or specific purposes.

Temporarily restricted net assets - Net assets subject to donor-imposed stipulations that may or will be met by actions of the University and/or the passage of time.

Unrestricted net assets - Net assets not subject to donor-imposed stipulations.

Revenues are reported as increases in unrestricted net assets unless use of the related assets is limited by donor-imposed restrictions. Expenses are reported as decreases in unrestricted net assets. Gains and losses on investments and other assets or liabilities are reported as increases or decreases in unrestricted net assets unless their use is restricted by explicit donor stipulation or by law. Expirations of temporary restrictions on net assets are reported as reclassifications between the applicable classes of net assets.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2006 and 2005

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Cash and Cash Equivalents: The University considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents with the exception of investments purchased with gifts that have donor-imposed restrictions that limit their use to long-term investment. At various times throughout the year, the University had in excess of \$100,000 on deposit in a financial institution whose deposits are insured up to \$100,000.

Contributions: Contributions received are recorded as unrestricted, temporarily restricted, or permanently restricted support depending on the existence and/or nature of any donor restrictions. Restricted net assets are reclassified to unrestricted net assets upon satisfaction of the time or purpose restrictions.

Contributions, including unconditional promises to give, are recognized as revenues in the period received. Conditional promises to give are not recognized until they become unconditional, that is when the conditions on which they depend are substantially met. Contributions of assets other than cash are recorded at their estimated fair value. Contributions to be received after one year are discounted at an appropriate discount rate commensurate with the risks involved. Amortization of discount is recorded as additional contribution revenue in accordance with donor-imposed restrictions, if any, on the contributions. An allowance for uncollectible contributions receivable is provided based upon management's judgment including such factors as prior collection history, type of contribution and nature of fund-raising activity.

The expiration of a donor-imposed restriction on a contribution or on endowment income is recognized in the period in which the restriction expires and at the time the related resources are reclassified to unrestricted net assets. A restriction expires when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

The University follows the policy of reporting donor-imposed restricted contributions and endowment income whose restrictions are met in the same year as revenues of the unrestricted net asset class.

Accounts Receivable: The University records student receivables representing amounts for tuition, room, board and fees at the beginning of the semester. Payment is due immediately unless the student has been set up on a specific payment plan. Interest is assessed when payments are 30 days past due and is assessed monthly. A reserve is established when collection is considered questionable, and accounts are written off when the University deems that further collection efforts will not produce additional recoveries.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2006 and 2005

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

The University records other receivables for grants and other programs. Management considers these to be collectible, so no allowance is recorded for these receivables.

Investments: Investments in equity securities with readily determinable fair values and all investments in debt securities are valued at their fair values in the statements of financial position. Fair values are determined by quoted market prices at year-end. Unrealized gains and losses are included in the changes in net assets in the accompanying statements of activities. Investments in real estate are recorded at fair value based on an appraisal of the real estate.

Net appreciation on endowment funds, whose income is unrestricted as to use, is reported as unrestricted net assets unless such net appreciation has been restricted by the donor or by law. Accordingly, market appreciation on unrestricted endowment funds is classified in the accompanying financial statements as part of unrestricted net assets.

Property, Plant and Equipment: Plant assets, consisting of land, other land improvements, buildings and improvements, furniture and equipment, library holdings, and construction in progress are stated in the accompanying statements of financial position at cost, or if contributed, at fair value at date of gift. Generally, expenditures of greater than \$1,000 which increase values or extend useful lives of the respective assets are capitalized. Depreciation is provided over the estimated useful lives on a straight-line basis ranging from 5 to 50 years.

Collections: Located on the campus of the University is the Abraham Lincoln Museum. This center for history, research and public interest contains a large collection of Lincoln and Civil War artifacts and volumes. These collections are not recorded on the statements of financial position and the fair value of these collections is indeterminable. Purchases of collection items are recorded as decreases in unrestricted net assets in the year in which the items are acquired, or as temporarily or permanently restricted net assets if the assets used to purchase the items are restricted by donors. Contributed collection items are not reflected on the financial statements. Proceeds from deaccessions or insurance recoveries are reflected as increases in the appropriate net asset classes.

Income Taxes: The University is a tax-exempt institution under Internal Revenue Code, Section 501(c) (3); accordingly, no provision for income taxes has been made in the financial statements.

Use of Estimates: The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that can affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2006 and 2005

NOTE 2- PLEDGES RECEIVABLE

At June 30, 2006 and 2005, the University had pledges receivable of \$58,125 and \$97,201, respectively.

Pledges receivable have been designated to be paid by donors as follows:

	<u>2006</u>	<u>2005</u>
Within one year	\$ 14,100	\$ 59,550
One to five years	<u>44,860</u>	<u>80,400</u>
	58,960	139,950
Less: discounts and allowances	<u>835</u>	<u>42,749</u>
Net pledges receivable	<u>\$ 58,125</u>	<u>\$ 97,201</u>

NOTE 3 - INVESTMENTS

Investments, at fair value, are summarized as follows at June 30, 2006 and 2005:

	<u>2006</u>	<u>2005</u>
Cash and cash equivalents	\$ 3,809,859	\$ 3,264,575
Corporate stocks	4,747,156	1,225,235
Corporate bonds	9,554,087	9,522,319
U.S. Government obligations	1,899,428	1,056,199
Mutual funds	13,896,843	15,703,390
Investments in land and buildings	6,419,499	6,419,499
Investments in land held for sale	1,437,500	1,437,500
Investments in land and mineral rights	<u>372,158</u>	<u>372,158</u>
	42,136,530	39,000,875
Funds held in trust by others where Lincoln Memorial University receives all or a stipulated percentage of income	<u>3,220,360</u>	<u>3,124,297</u>
	<u>\$ 45,356,890</u>	<u>\$ 42,125,172</u>

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2006 and 2005

NOTE 4 - PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment consist of the following at June 30:

	<u>2006</u>	<u>2005</u>
Land	\$ 872,438	\$ 372,438
Buildings and improvements	28,767,970	26,622,761
Other land improvements	2,618,593	2,482,773
Furniture and equipment	8,833,678	7,823,900
Library holdings	1,423,992	1,370,482
Construction in progress	<u>4,118,018</u>	<u>187,096</u>
	46,634,689	38,859,450
Less: accumulated depreciation	<u>20,172,042</u>	<u>19,014,341</u>
Net property, plant and equipment	<u>\$ 26,462,647</u>	<u>\$ 19,845,109</u>

The University has approximately \$6,000,000 in commitments for various capital projects at June 30, 2006. The projects are scheduled to be completed by July 2007.

NOTE 5 - DEBT

The University has a line of credit agreement with a bank with interest due monthly at the 30-day LIBOR rate plus 1% (6.3451% at June 30, 2006). The agreement expires May 15, 2007 and is unsecured. The outstanding borrowings on the line of credit are \$0 at June 30, 2006 and 2005.

The University also has the following outstanding notes payable at June 30, 2006 and 2005:

	<u>2006</u>	<u>2005</u>
Commercial bank note, interest only accrued at the 30-day LIBOR rate plus 1% (6.3451% at June 30, 2006). Balance due October 2, 2006, collateralized by a certain building.	\$ 2,122,322	\$ -

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2006 and 2005

NOTE 5 - DEBT (Continued)

	<u>2006</u>	<u>2005</u>
Bank note, issued pursuant to a conventional term loan to refinance the Series 1994 Educational Facilities Revenue Refunding Bonds issued by the Health, Educational and Housing Facility Board of the Town of New Tazewell, Tennessee. Monthly principal payments of \$31,426 plus interest at the 30-day LIBOR plus 1% (6.3451% at June 30, 2006), with a final payment due March 30, 2014, collateralized by various property, plant and equipment and contains financial covenants that require the University to meet certain thresholds regarding net assets and increases in net assets at the end of the fiscal year.	<u>\$ 4,808,105</u>	<u>\$ 5,185,212</u>
	<u>\$ 6,930,427</u>	<u>\$ 5,185,212</u>

The University believes the carrying amount of its long-term debt approximates fair value.

Future maturities of debt are as follows:

Year ending June 30	
2007	\$ 2,499,429
2008	377,107
2009	377,107
2010	377,107
2011	377,107
Thereafter	<u>2,922,570</u>
	<u>\$ 6,930,427</u>

NOTE 6 - RETIREMENT AND BENEFIT PLANS

The University participates in the programs of the Teachers Insurance and Annuity Association ("TIAA") and College Retirement Equities Fund ("CREF"). The pension plan is a defined contribution annuity plan. Employees are eligible for the retirement plan after two years of employment. Pension expense amounted to \$380,806 and \$319,916 for the years ended June 30, 2006 and 2005, respectively.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2006 and 2005

NOTE 7 - OPERATING LEASES

The University leases certain equipment under long-term leases with various agents that are accounted for as operating leases. Lease expense for the years ended June 30, 2006 and 2005, was \$72,888 and \$83,002, respectively.

Future maturities of lease obligations are as follows:

Year ending June 30	
2007	\$ 119,700
2008	119,700
2009	119,700
2010	119,700
2011	<u>79,800</u>
	<u>\$ 558,600</u>

NOTE 8 - NET ASSETS

Temporarily restricted net assets are available at June 30, 2006 and 2005 for the following purposes:

	<u>2006</u>	<u>2005</u>
Funds restricted for specific purposes	\$ 890,485	\$ 583,586
Unexpended plant funds	365,056	365,056
Endowment funds	<u>1,316,960</u>	<u>1,316,960</u>
	<u>\$ 2,572,501</u>	<u>\$ 2,265,602</u>

Net assets released from restrictions during the year ended June 30, 2006 and 2005 consisted of funds used for student aid and support.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2006 and 2005

NOTE 8 - NET ASSETS (Continued)

Permanently restricted net assets are available at June 30, 2006 and 2005 for the following purposes:

	<u>2006</u>	<u>2005</u>
Endowment funds	\$ 9,814,641	\$ 9,120,777
Annuity and life income funds	452,209	444,453
Funds held in trust by others	<u>3,220,360</u>	<u>3,124,297</u>
	<u>\$ 13,487,210</u>	<u>\$ 12,689,527</u>

NOTE 9 - CONTINGENCIES AND COMMITMENTS

The University is a defendant in various lawsuits. However, University management is of the opinion, based on advice of legal counsel, that the ultimate resolution of these litigation matters will not have a material effect on the future operations or financial position of the University.

The University receives grants and contracts from certain federal, state and local agencies. The costs, both direct and indirect, that have been charged to the grant or contract are subject to examination and approval by the granting agency. It is the opinion of the University administration that any disallowance or adjustment of such costs would not have a material effect on the accompanying financial statements.

NOTE 10 - FINANCIAL INSTRUMENTS AND FAIR VALUE

During 2006, the University entered into an interest rate swap to receive market rate interest and pay fixed rate interest to a major financial institution that locked in the University's interest rate paid on a portion of its note payable. The interest-rate swap agreement is for the purpose of reducing certain exposures to interest-rate fluctuations. At June 30, 2006, this interest rate swap had a total notional amount of \$4,849,848. Under this agreement, the University will pay the bank interest monthly at 6.57%. This agreement is for eight years.

The carrying amount of the financial instruments reported in the statements of financial position, which include accounts receivable, notes receivable, accounts payable and debt, approximate fair value at June 30, 2006 and 2005.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2006 and 2005

NOTE 11 - SUBSEQUENT EVENTS

In July 2006, the Industrial Development Board of the County of Claiborne, Tennessee, on behalf of Lincoln Memorial University, issued Revenue Bonds, Series 2006 variable rate bonds in the amount of \$18 million. The proceeds of the bond issue will be used in construction of the DeBusk College of Medicine building to house the new College of Osteopathic Medicine.

NOTE 12 - RELATED PARTY TRANSACTIONS

As of June 30, 2006, the University had outstanding debt with a bank whose Chief Operating Officer and President is also a member of the University's Board of Trustees.

NOTE 13 - RESTRICTED INVESTMENTS

At June 30, 2006, investments included \$23,971,313 representing amounts required by the Commission of Osteopathic College Accreditation to be held in escrow until the first graduating class from the College of Medicine.

LINCOLN MEMORIAL UNIVERSITY
 SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
 Year ended June 30, 2006

<u>Federal Grant/Program Title</u>	<u>Federal CFDA</u>	<u>Federal Expenditures</u>
U. S. DEPARTMENT OF EDUCATION:		
Student Financial Aid Cluster		
Federal Pell Grant Program	84.063	\$ 1,941,604
Federal Perkins Loan Program	84.038	1,296,027
Federal Work Study Program	84.033	136,566
Federal Supplemental Educational Opportunity Grant Program	84.007	136,650
Federal Family Education Loan Program	84.032	<u>15,129,250</u>
Total Student Financial Aid Cluster		18,640,097
TRIO Cluster		
Upward Bound Program	84.047	453,868
Student Support Services Program	84.042	<u>272,793</u>
Total TRIO Cluster		<u>726,661</u>
Total U. S. Department of Education		<u>19,366,758</u>
Total federal awards		<u>\$ 19,366,758</u>

LINCOLN MEMORIAL UNIVERSITY
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
Year ended June 30, 2006

NOTE 1 - BASIS OF ACCOUNTING

This schedule includes the federal awards activity of Lincoln Memorial University and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments and Non-profit Organizations*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of the basic financial statements. Catalog of Federal Domestic Assistance ("CFDA") numbers are presented for those programs for which such numbers were available. All programs are presented by federal department.

NOTE 2 - LOANS

Loans made by the University to eligible students under the Federal Perkins Loan Program and federal student loans issued by the Federal Family Educational Loan Program during the year ended June 30, 2006 are summarized as follows:

Federal Perkins Loan Program	
Loans Disbursed	\$ 58,262
Federal Family Education Loan Program	
Federal Subsidized Stafford Loans	\$ 5,241,769
Federal Unsubsidized Stafford Loans	9,421,302
Federal PLUS Loans	<u>466,179</u>
	<u>\$ 15,129,250</u>

At June 30, 2006, the University had loans outstanding in the amount of \$1,296,027 with an allowance for doubtful accounts of \$525,000 under the Perkins Loan program. The outstanding loan balance is included in the accompanying Schedule of Expenditures of Federal Awards.



Crowe Chizek and Company LLC
Member Horwath International

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS

Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

We have audited the financial statements of Lincoln Memorial University (the "University") as of and for the year ended June 30, 2006, and have issued our report thereon dated September 8, 2006. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

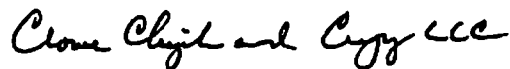
Internal Control Over Financial Reporting

In planning and performing our audit, we considered the University's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide an opinion on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses. However, we noted other matters involving compliance and other matters that we have reported to management in a separate letter dated September 8, 2006.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the University's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the Board of Trustees, management, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Crowe Chizek and Company LLC

Louisville, Kentucky
September 8, 2006



Crowe Chizek and Company LLC
Member Horwath International

REPORT ON COMPLIANCE WITH REQUIREMENTS
APPLICABLE TO EACH MAJOR PROGRAM AND
INTERNAL CONTROL OVER COMPLIANCE IN
ACCORDANCE WITH OMB CIRCULAR A-133

Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

Compliance

We have audited the compliance of Lincoln Memorial University (the "University") with the types of compliance requirements described in the *U. S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the year ended June 30, 2006. The University's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of the University's management. Our responsibility is to express an opinion on the University's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the University's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the University's compliance with those requirements.

In our opinion, the University complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2006. The result of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Internal Control Over Compliance

The management of the University is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, except for the functions performed at the University's contract outside service center in connection with processing transactions from the Perkins program, we considered the University's internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133.

Our consideration of the internal control over compliance would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that noncompliance with applicable requirements of laws, regulations, contracts and grants caused by error or fraud that would be material in relation to a major federal program being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over compliance and its operations that we consider to be material weaknesses.

This report is intended for the information and use of the Board of Trustees, management, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Crowe Chizek and Company LLC

Louisville, Kentucky
September 8, 2006

LINCOLN MEMORIAL UNIVERSITY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
June 30, 2006

A. SUMMARY OF AUDITOR'S RESULTS

1. The auditors' report expresses an unqualified opinion on the financial statements of Lincoln Memorial University.
2. No instances of noncompliance material to the financial statements of Lincoln Memorial University were disclosed during the audit.
3. No reportable conditions were reported relative to major federal award programs.
4. The auditors' report on compliance for the major federal award programs for Lincoln Memorial University expresses an unqualified opinion.
5. There were no audit findings relative to the major federal award programs for Lincoln Memorial University.
6. Major programs include:

Student Financial Aid Cluster:

- Federal Pell Grant Program, CFDA No. 84.063
- Federal Family Education Loan Program, CFDA No. 84.032
- Federal Supplemental Educational Opportunity Grant Program, CFDA No. 84.007
- Federal Work Study Program, CFDA No. 84.033
- Federal Perkins Loan Program, CFDA No. 84.038

7. The threshold for distinguishing Types A and B programs was \$300,000.
8. Lincoln Memorial University was determined to be a low-risk auditee.

B. FINDINGS - FINANCIAL STATEMENT AUDIT

None

C. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARD AUDIT

None

D. CORRECTIVE ACTION PLAN

None

E. SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

See findings

LINCOLN MEMORIAL UNIVERSITY
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
June 30, 2006

FINDING 05-01 - Federal Pell Grant Program (CFDA No. 84.063)

Of the 33 students selected for disbursement testing of which 26 received Pell grants, we noted that the University did not report the Pell disbursements made during various terms to the COD within 30 days for 23 of these students.

Status: Corrective action has been taken.

Finding 05-02 - Federal Family Education Loan Program (CFDA No. 84.032)

During our testing of 20 borrowers who ceased attendance at the institution during 2004-2005, we noted that the required exit counseling information was not provided to eight of the students within the required timeframe under 34 CFR 682.604(g).

Status: Corrective action has been taken.

FINDING 05-03 - Federal Pell Grant Program (CFDA No. 84.063), Federal Family Education Loan Program (CFDA No. 84.032), Federal Supplemental Educational Opportunity Grant Program (CFDA No. 84.007), Federal Work Study Program (CFDA No. 84.033) and Federal Perkins Loan Program (CFDA No. 84.038)

During our inquiry with management, we noted that the information sent to the student, along with his or her award letter did not contain the required disbursement information on how and when the awarded funds would be disbursed.

Status: Corrective action has been taken.

FINDING 05-04 - Federal Perkins Loan Program (CFDA No. 84.038)

During our testing of eight accounts that entered repayment during 2004-2005, we noted that one student was not sent the first two notifications during his grace period while another was not sent any of the three required contacts. We also noted that for another two students, the repayment plan established by the University did not contain the correct separation date and therefore, the initial grace period ended in the wrong month and the required grace period contacts were not sent according to the regulations.

Status: Corrective action has been taken.

LINCOLN MEMORIAL UNIVERSITY
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
June 30, 2006

FINDING 05-05 - Federal Family Education Loan Program (CFDA No. 84.032)

During our testing of 16 students who withdrew from the University, we noted that nine of these students who unofficially withdrew during the Spring semester were not reported until the first Fall roster file. Therefore, these students were not reported within the required 30 days.

Status: Corrective action has been taken.

FINDING 04-01 - Federal Pell Grant Program (CFDA No. 84.063)

Of the 33 students selected for disbursement testing, 23 received Pell grants. We noted that the University did not report the Pell disbursements made during various terms to the COD within 30 days for these 23 students.

Status: Corrective action has been taken.

LINCOLN MEMORIAL UNIVERSITY
REPORT ON AUDIT OF INSTITUTION
OF HIGHER EDUCATION
IN ACCORDANCE WITH OMB CIRCULAR A-133
June 30, 2007

LINCOLN MEMORIAL UNIVERSITY

REPORT ON AUDIT OF INSTITUTION OF HIGHER EDUCATION
IN ACCORDANCE WITH OMB CIRCULAR A-133

June 30, 2007

CONTENTS .

REPORT OF INDEPENDENT AUDITORS.....	1
FINANCIAL STATEMENTS	
STATEMENTS OF FINANCIAL POSITION.....	3
STATEMENTS OF ACTIVITIES	4
STATEMENTS OF CASH FLOWS	6
NOTES TO FINANCIAL STATEMENTS	7
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS.....	17
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS.....	18
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS	19
REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133	21
SCHEDULE OF FINDINGS AND QUESTIONED COSTS.....	23



Crowe Chizek and Company LLC
Member Horwath International

REPORT OF INDEPENDENT AUDITORS

To the Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

We have audited the accompanying statements of financial position of Lincoln Memorial University (the "University") as of June 30, 2007 and 2006, and the related statements of activities and cash flows for the years then ended. These financial statements are the responsibility of the University's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Lincoln Memorial University as of June 30, 2007 and 2006, and the changes in its net assets and its cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated October, 2007 on our consideration of the University's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of the testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Our audit was performed for the purpose of forming an opinion on the basic financial statements of Lincoln Memorial University taken as a whole. The accompanying Schedule of Expenditures of Federal Awards is presented for purposes of additional analysis as required by the U. S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Crowe Chizek and Company LLC

Crowe Chizek and Company LLC

Louisville, Kentucky
October 18, 2007

LINCOLN MEMORIAL UNIVERSITY
 STATEMENTS OF FINANCIAL POSITION
 June 30, 2007 and 2006

	<u>2007</u>	<u>2006</u>
ASSETS		
Cash and cash equivalents	\$ 2,162,807	\$ 713,202
Accounts receivable – students, net of allowance for doubtful accounts: \$234,986 in 2007, \$192,590 in 2006	8,940,586	6,808,940
Accounts receivable – federal government	250,797	208,697
Accounts receivable – other	95,357	139,708
Pledges receivable, net	30,330	58,125
Investments	49,995,629	42,136,530
Funds held in trust by others	4,075,624	3,220,360
Vested beneficial interest in charitable remainder annuity trusts	620,898	-
Notes receivable, net of allowance for doubtful accounts of \$525,000 in 2007 and 2006	744,456	780,569
Property, plant and equipment, net	57,827,546	26,462,647
Other assets	<u>361,476</u>	<u>176,171</u>
Total assets	<u>\$ 125,105,506</u>	<u>\$ 80,704,949</u>
LIABILITIES AND NET ASSETS		
Liabilities		
Accounts payable	\$ 4,478,948	\$ 1,178,726
Accrued expenses and withholdings	1,206,730	982,317
Deferred tuition	10,702,353	8,195,828
Student deposits	584,289	182,825
Deposits held in custody	138,540	158,491
Refundable loan programs	899,975	855,921
Annuities payable	490,333	523,724
Debt	<u>38,790,067</u>	<u>6,930,427</u>
Total liabilities	<u>57,291,235</u>	<u>19,008,259</u>
Net assets		
Unrestricted	49,174,319	45,636,979
Temporarily restricted	4,043,945	2,572,501
Permanently restricted	<u>14,596,007</u>	<u>13,487,210</u>
Total net assets	<u>67,814,271</u>	<u>61,696,690</u>
Total liabilities and net assets	<u>\$ 125,105,506</u>	<u>\$ 80,704,949</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENT OF ACTIVITIES
Year ended June 30, 2007

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>Total</u>
OPERATING REVENUES AND SUPPORT				
Tuition and fees	\$ 30,773,462	\$ -	\$ -	\$ 30,773,462
Less: student aid	(7,319,846)	-	-	(7,319,846)
Net tuition and fees	23,453,616	-	-	23,453,616
Government grants and contracts	962,766	-	-	962,766
Private gifts and grants	162,256	1,560,944	-	1,723,200
Other sources	592,558	-	-	592,558
Investment income	1,018,033	590,666	94,908	1,703,607
Auxiliary enterprises	<u>2,995,841</u>	<u>-</u>	<u>-</u>	<u>2,995,841</u>
	29,185,070	2,151,610	94,908	31,431,588
Net assets released from restrictions	<u>680,166</u>	<u>(680,166)</u>	<u>-</u>	<u>-</u>
Total operating revenues and support	<u>29,865,236</u>	<u>1,471,444</u>	<u>94,908</u>	<u>31,431,588</u>
OPERATING EXPENSES				
Educational and general				
Instruction	14,279,513	-	-	14,279,513
Public service	694,563	-	-	694,563
Academic support	3,007,784	-	-	3,007,784
Support services	3,385,637	-	-	3,385,637
Institutional support	<u>6,129,587</u>	<u>-</u>	<u>-</u>	<u>6,129,587</u>
Total educational and general	27,497,084	-	-	27,497,084
Auxiliary enterprises	<u>1,989,204</u>	<u>-</u>	<u>-</u>	<u>1,989,204</u>
Total operating expenses	<u>29,486,288</u>	<u>-</u>	<u>-</u>	<u>29,486,288</u>
Increase in net assets from operating activities	<u>378,948</u>	<u>1,471,444</u>	<u>94,908</u>	<u>1,945,300</u>
NON-OPERATING ACTIVITIES				
Contributions	606,766	-	727,535	1,334,301
Realized and unrealized gains on investments	2,551,626	-	324,669	2,876,295
Actuarial adjustment of annuities payable	<u>-</u>	<u>-</u>	<u>(38,315)</u>	<u>(38,315)</u>
Increase in net assets from non-operating activities	<u>3,158,392</u>	<u>-</u>	<u>1,013,889</u>	<u>4,172,281</u>
Change in net assets	3,537,340	1,471,444	1,108,797	6,117,581
Net assets, beginning of year	<u>45,636,979</u>	<u>2,572,501</u>	<u>13,487,210</u>	<u>61,696,690</u>
Net assets, end of year	<u>\$ 49,174,319</u>	<u>\$ 4,043,945</u>	<u>\$ 14,596,007</u>	<u>\$ 67,814,271</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENT OF ACTIVITIES
Year ended June 30, 2006

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>Total</u>
OPERATING REVENUES AND SUPPORT				
Tuition and fees	\$ 26,943,324	\$ -	\$ -	\$ 26,943,324
Less: student aid	<u>(6,162,689)</u>	-	-	<u>(6,162,689)</u>
Net tuition and fees	20,780,635	-	-	20,780,635
Government grants and contracts	1,032,769	-	-	1,032,769
Private gifts and grants	111,015	550,269	-	661,284
Other sources	429,465	-	-	429,465
Investment income	1,042,816	515,394	76,807	1,635,017
Auxiliary enterprises	<u>2,815,670</u>	-	-	<u>2,815,670</u>
	26,212,370	1,065,663	76,807	27,354,840
Net assets released from restrictions	<u>758,764</u>	<u>(758,764)</u>	-	-
Total operating revenues and support	<u>26,971,134</u>	<u>306,899</u>	<u>76,807</u>	<u>27,354,840</u>
OPERATING EXPENSES				
Educational and general				
Instruction	11,127,278	-	-	11,127,278
Public service	821,996	-	-	821,996
Academic support	2,514,858	-	-	2,514,858
Support services	3,441,588	-	-	3,441,588
Institutional support	<u>5,166,288</u>	-	-	<u>5,166,288</u>
Total educational and general	23,072,008	-	-	23,072,008
Auxiliary enterprises	<u>2,043,325</u>	-	-	<u>2,043,325</u>
Total operating expenses	<u>25,115,333</u>	-	-	<u>25,115,333</u>
Increase in net assets from operating activities	<u>1,855,801</u>	<u>306,899</u>	<u>76,807</u>	<u>2,239,507</u>
NON-OPERATING ACTIVITIES				
Contributions	46,625	-	657,073	703,698
Realized and unrealized gains on investments	139,329	-	96,063	235,392
Actuarial adjustment of annuities payable	-	-	<u>(32,260)</u>	<u>(32,260)</u>
Increase in net assets from non-operating activities	<u>185,954</u>	-	<u>720,876</u>	<u>906,830</u>
Change in net assets	2,041,755	306,899	797,683	3,146,337
Net assets, beginning of year	<u>43,595,224</u>	<u>2,265,602</u>	<u>12,689,527</u>	<u>58,550,353</u>
Net assets, end of year	<u>\$ 45,636,979</u>	<u>\$ 2,572,501</u>	<u>\$13,487,210</u>	<u>\$ 61,696,690</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENTS OF CASH FLOWS
Years ended June 30, 2007 and 2006

	<u>2007</u>	<u>2006</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	\$ 6,117,581	\$ 3,146,337
Adjustments to reconcile change in net asset to net cash from operating activities:		
Depreciation	1,648,944	1,391,600
Contributions used for long-term investment	(727,535)	(657,073)
Realized and unrealized gains on investments	(2,876,295)	(235,392)
Net adjustment of annuity payment liability	38,315	32,260
Change in assets and liabilities		
Accounts receivable	(2,129,395)	(333,300)
Pledges receivable	27,795	39,076
Other assets	(185,305)	(39,929)
Notes receivable	36,113	167,419
Funds held by others	(855,264)	(96,063)
Vested beneficial interest in charitable remainder annuity trust	(620,898)	-
Accounts payable	3,300,222	784,753
Accrued expenses and withholdings	224,413	111,910
Deferred tuition	2,506,525	877,336
Deposits	381,513	65,082
Refundable loans	44,054	(16,719)
Net cash from operating activities	<u>6,930,783</u>	<u>5,237,297</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of investments	(6,358,970)	(18,335,980)
Proceeds from sales of investments	1,376,166	15,435,717
Purchase of property and equipment	(32,703,931)	(8,049,742)
Proceeds from sale of property and equipment	-	40,604
Net cash from investing activities	<u>(37,686,735)</u>	<u>(10,909,401)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Payments on capital lease	(88,534)	-
Proceeds from issuance of debt	32,015,369	2,122,322
Principal paid on debt	(377,107)	(377,107)
Payments to annuitants	(71,706)	(64,729)
Contributions used for long-term investment	727,535	657,073
Net cash from financing activities	<u>32,205,557</u>	<u>2,337,559</u>
Change in cash and cash equivalents	1,449,605	(3,334,545)
Cash and cash equivalents, beginning of year	<u>713,202</u>	<u>4,047,747</u>
Cash and cash equivalents, end of year	<u>\$ 2,162,807</u>	<u>\$ 713,202</u>
Supplemental disclosure of cash information:		
Cash paid during the year for interest	\$ 192,063	\$ 268,257
Supplemental disclosure of noncash financing activities		
Property and equipment obtained through capital leases	\$ 309,912	\$ -

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2007 and 2006

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Organization: Lincoln Memorial University, located in Harrogate, Tennessee is fully accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS-COC) as a Level V institution. Consequently, the institution awards undergraduate, graduate and doctoral degrees. The University also operates a private high school (The J. Frank White Academy), whose operations are also integrated into the accounting system of the University and are reflected within these financial statements.

Basis of Accounting: The financial statements of the University have been prepared on the accrual basis of accounting. Accordingly, revenues are recognized when earned and expenses are recognized when incurred.

Financial Statement Presentation: These financial statements have been prepared to focus on the entity as a whole and to present transactions according to the existence or absence of donor-imposed restrictions. This has been done by classification of fund transactions and balances into three categories of net assets: unrestricted, temporarily restricted, and permanently restricted.

Net assets and revenues, expenses, gains and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets and changes therein are classified as follows:

Permanently restricted net assets – Net assets subject to donor imposed stipulations that they be maintained permanently by the University. Generally, the donors of these assets permit the University to use the income earned on related investments for general or specific purposes.

Temporarily restricted net assets – Net assets subject to donor-imposed stipulations that may or will be met by actions of the University and/or the passage of time.

Unrestricted net assets – Net assets not subject to donor-imposed stipulations.

Revenues are reported as increases in unrestricted net assets unless use of the related assets is limited by donor-imposed restrictions. Expenses are reported as decreases in unrestricted net assets. Gains and losses on investments and other assets or liabilities are reported as increases or decreases in unrestricted net assets unless their use is restricted by explicit donor stipulation or by law. Expirations of temporary restrictions on net assets are reported as reclassifications between the applicable classes of net assets.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2007 and 2006

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Cash and Cash Equivalents: The University considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents with the exception of investments purchased with gifts that have donor-imposed restrictions that limit their use to long-term investment. At various times throughout the year, the University had in excess of \$100,000 on deposit in a financial institution whose deposits are insured up to \$100,000.

Contributions: Contributions received are recorded as unrestricted, temporarily restricted, or permanently restricted support depending on the existence and/or nature of any donor restrictions. Restricted net assets are reclassified to unrestricted net assets upon satisfaction of the time or purpose restrictions.

Contributions, including unconditional promises to give, are recognized as revenues in the period received. Conditional promises to give are not recognized until they become unconditional, that is when the conditions on which they depend are substantially met. Contributions of assets other than cash are recorded at their estimated fair value. Contributions to be received after one year are discounted at an appropriate discount rate commensurate with the risks involved. Amortization of discount is recorded as additional contribution revenue in accordance with donor-imposed restrictions, if any, on the contributions. An allowance for uncollectible contributions receivable is provided based upon management's judgment including such factors as prior collection history, type of contribution and nature of fund-raising activity.

The expiration of a donor-imposed restriction on a contribution or on endowment income is recognized in the period in which the restriction expires and at the time the related resources are reclassified to unrestricted net assets. A restriction expires when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

The University follows the policy of reporting donor-imposed restricted contributions and endowment income whose restrictions are met in the same year as revenues of the unrestricted net asset class.

Accounts and Notes Receivable: The University records student receivables representing amounts for tuition, room, board and fees at the beginning of the semester. Payment is due immediately unless the student has been set up on a specific payment plan. Interest is assessed when payments are 30 days past due and is assessed monthly. A reserve is established when collection is considered questionable, and accounts are written off when the University deems that further collection efforts will not produce additional recoveries.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2007 and 2006

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

The notes receivable consist of student financial aid granted through the Perkins loan program. The loans are guaranteed by the federal government and bear a current interest rate of 5% and payable over 10 years upon graduation. Management has recorded an allowance for these receivables based on collection history.

Investments: Investments in equity securities with readily determinable fair values and all investments in debt securities are valued at their fair values in the statements of financial position. Fair values are determined by quoted market prices at year-end. Unrealized gains and losses are included in the changes in net assets in the accompanying statements of activities. Investments in real estate are recorded at fair value based on an appraisal of the real estate.

Net appreciation on endowment funds, whose income is unrestricted as to use, is reported as unrestricted net assets unless such net appreciation has been restricted by the donor or by law. Accordingly, market appreciation on unrestricted endowment funds is classified in the accompanying financial statements as part of unrestricted net assets.

Alternative investments, for which there is no ready market, are valued at fair value as estimated by management. To estimate fair value, management may rely on valuations reported by the general partners of such investments and/or the College's independent investment advisor. Because of the inherent uncertainty of valuation in the absence of readily ascertainable market values, the estimated values of those investments may differ from the values that would have been used had a ready market existed for such investments or if the investments were realized, and the differences could be material. Such investments are, by their nature, generally considered to be long-term investments and are not intended to be liquidated on a short-term basis.

Vested Beneficial Interest in Charitable Remainder Annuity Trust: Vested beneficial interest in charitable remainder annuity trust is recorded at the present value of the estimated future benefits to be received. The University is not the trustee.

Property, Plant and Equipment: Plant assets, consisting of land, other land improvements, buildings and improvements, furniture and equipment, library holdings, and construction in progress are stated in the accompanying statements of financial position at cost, or if contributed, at fair value at date of gift. Generally, expenditures of greater than \$1,000 which increase values or extend useful lives of the respective assets are capitalized. Depreciation is provided over the estimated useful lives on a straight-line basis ranging from 5 to 50 years.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2007 and 2006

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Collections: Located on the campus of the University is the Abraham Lincoln Museum. This center for history, research and public interest contains a large collection of Lincoln and Civil War artifacts and volumes. These collections are not recorded on the statements of financial position and the fair value of these collections is indeterminable. Purchases of collection items are recorded as decreases in unrestricted net assets in the year in which the items are acquired or as temporarily or permanently restricted net assets if the assets used to purchase the items are restricted by donors. Contributed collection items are not reflected on the financial statements. Proceeds from deaccessions or insurance recoveries are reflected as increases in the appropriate net asset classes.

Deferred Revenue: Deferred revenue includes amounts received from tuition and fees prior to the end of the fiscal year but related to the subsequent reporting period.

Tuition and Fees: Tuition and fees are presented net of scholarships and other financial aid applied to student accounts.

Advertising Expense: The University expenses advertising costs as incurred. Advertising costs for the year ended June 30, 2007 and 2006 were \$450,320 and \$303,481, respectively.

Income Taxes: The University is a tax-exempt institution under Internal Revenue Code, Section 501(c) (3); accordingly, no provision for income taxes has been made in the financial statements.

Use of Estimates: The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that can affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Reclassification: Certain prior year amounts have been reclassified to conform to the current year presentation. There is no effect on net assets as a result of these reclassifications.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2007 and 2006

NOTE 2- PLEDGES RECEIVABLE

At June 30, 2007 and 2006, the University had pledges receivable of \$30,330 and \$58,125, respectively.

Pledges receivable have been designated to be paid by donors as follows:

	<u>2007</u>	<u>2006</u>
Within one year	\$ 13,000	\$ 14,100
One to five years	<u>20,184</u>	<u>44,860</u>
	33,184	58,960
Less: discounts and allowances	<u>2,854</u>	<u>835</u>
Net pledges receivable	<u>\$ 30,330</u>	<u>\$ 58,125</u>

NOTE 3 - INVESTMENTS

Investments, at fair value, are summarized as follows at June 30, 2007 and 2006:

	<u>2007</u>	<u>2006</u>
Short-term investments	\$ 4,611,475	\$ 3,809,859
Corporate stocks	951,870	4,747,156
Corporate bonds	11,102,678	9,554,087
U.S. Government obligations	2,066,804	1,899,428
Mutual funds	21,589,001	13,896,843
Alternative investments	2,125,807	-
Construction retainage	574,069	-
Investments in land and buildings	6,601,767	6,419,499
Investments in land held for sale	-	1,437,500
Investments in land and mineral rights	<u>372,158</u>	<u>372,158</u>
	<u>\$ 49,995,629</u>	<u>\$ 42,136,530</u>

At June 30, 2007, investments included \$23,971,313 representing amounts required by the Commission of Osteopathic College Accreditation to be held in escrow until the first graduating class from the College of Medicine.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2007 and 2006

NOTE 4 – ASSETS HELD IN TRUST BY OTHERS

The College has been designated as a beneficiary for certain assets held in trust by others. The fair market value of these assets and the net realized and unrealized gains or losses are recorded in the permanently restricted net asset class. Income received from these trusts, recorded as other sources in 2007 and 2006, was approximately \$97,000 and \$73,000, respectively.

NOTE 5 – PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment consist of the following at June 30:

	<u>2007</u>	<u>2006</u>
Land	\$ 872,438	\$ 872,438
Buildings and improvements	29,180,211	28,767,970
Other land improvements	2,675,287	2,618,593
Furniture and equipment	10,398,231	8,833,678
Library holdings	1,479,851	1,423,992
Construction in progress	<u>35,042,514</u>	<u>4,118,018</u>
	79,648,532	46,634,689
Less: accumulated depreciation	<u>21,820,986</u>	<u>20,172,042</u>
Net property, plant and equipment	<u>\$ 57,827,546</u>	<u>\$ 26,462,647</u>

The estimated cost to complete current construction projects is \$4,000,000.

NOTE 6 – DEBT

The University has the following outstanding debt at June 30, 2007 and 2006:

	<u>2007</u>	<u>2006</u>
Commercial bank note, interest only accrued at the 30-day LIBOR rate plus 1% (6.32% at June 30, 2007). Balance due October 2, 2007, collateralized by a certain building.	\$ 6,355,393	\$ 2,122,322

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2007 and 2006

NOTE 6 - DEBT (Continued)

	<u>2007</u>	<u>2006</u>
Line of credit agreement, due monthly at the 30-day LIBOR rate plus 1% (6.32% at June 30, 2007). The agreement expires March 2008 and is unsecured, but the agreement contains provisions that could require collateral to be provided under certain circumstances.	\$ 9,782,298	\$ -
\$18,000,000 of Industrial Development Board of the County of Claiborne, TN Revenue Bonds, Series 2006, first payment on July 1, 2011 for \$120,000 and quarterly thereafter at \$180,000 with final installment due July 1, 2036. The interest rate is adjusted weekly to the Securities Industry and Financial Markets Association (SIFMA) municipal swap rate plus 4 basis points. The interest rate at June 30, 2007 was 3.77%.	18,000,000	-
Bank note, issued pursuant to a conventional term loan to refinance the Series 1994 Educational Facilities Revenue Refunding Bonds issued by the Health, Educational and Housing Facility Board of the Town of New Tazewell, Tennessee. Monthly principal payments of \$31,426 plus interest at the 30-day LIBOR plus 1% (6.32% at June 30, 2007), with a final payment due March 30, 2014, collateralized by various property, plant and equipment and contains financial covenants that require the University to meet certain thresholds regarding net assets and increases in net assets at the end of the fiscal year.	4,430,998	4,808,105
Capital lease obligation for equipment valued at \$309,912 and related accumulated depreciation of \$61,982.	<u>221,378</u>	<u>-</u>
	<u>\$ 38,790,067</u>	<u>\$ 6,930,427</u>

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2007 and 2006

NOTE 6 – DEBT (Continued)

Future maturities of debt are as follows:

	<u>Bank Debt</u>	<u>Capital Lease Obligation</u>	<u>Total</u>
Year ending June 30			
2008	\$ 16,514,798	\$ 113,724	\$ 16,628,522
2009	377,107	113,724	490,831
2010	377,107	9,477	386,584
2011	377,107	-	377,107
2012	1,037,107	-	1,037,107
Thereafter	<u>19,885,463</u>	<u>-</u>	<u>19,885,463</u>
	\$ 38,568,689	\$ 236,925	\$ 38,805,614
Less amount representing interest	<u>-</u>	<u>15,547</u>	<u>15,547</u>
	<u>\$ 38,568,689</u>	<u>\$ 221,378</u>	<u>\$ 38,790,067</u>

As of June 30, 2007, the University had outstanding debt with a bank whose Chief Operating Officer and President is also a member of the University's Board of Trustees.

NOTE 7 – RETIREMENT AND BENEFIT PLANS

The University participates in the programs of the Teachers Insurance and Annuity Association ("TIAA") and College Retirement Equities Fund ("CREF"). The pension plan is a defined contribution annuity plan. Employees are eligible for the retirement plan after two years of employment. Pension expense amounted to \$463,295 and \$380,806 for the years ended June 30, 2007 and 2006, respectively.

NOTE 8 – OPERATING LEASES

The University leases certain equipment under long-term leases with various agents that are accounted for as operating leases. Lease expense for the years ended June 30, 2007 and 2006, was \$119,700 and \$72,888, respectively.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2007 and 2006

NOTE 8 – OPERATING LEASES (Continued)

Future maturities of lease obligations are as follows:

Year ending June 30	
2008	\$ 119,700
2009	119,700
2010	119,700
2011	<u>79,800</u>
	<u>\$ 438,900</u>

NOTE 9 – NET ASSETS

Temporarily restricted net assets are available at June 30, 2007 and 2006 for the following purposes:

	<u>2007</u>	<u>2006</u>
Funds restricted for specific purposes	\$ 2,302,055	\$ 890,485
Unexpended plant funds	365,056	365,056
Endowment funds	<u>1,376,834</u>	<u>1,316,960</u>
	<u>\$ 4,043,945</u>	<u>\$ 2,572,501</u>

Net assets released from restrictions during the year ended June 30, 2007 and 2006 consisted of funds used for student aid and support.

Permanently restricted net assets are available at June 30, 2007 and 2006 for the following purposes:

	<u>2007</u>	<u>2006</u>
Endowment funds	\$ 10,011,581	\$ 9,814,641
Annuity and life income funds	508,802	452,209
Funds held in trust by others	<u>4,075,624</u>	<u>3,220,360</u>
	<u>\$ 14,596,007</u>	<u>\$ 13,487,210</u>

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2007 and 2006

NOTE 10 – CONTINGENCIES AND COMMITMENTS

The University is a defendant in various lawsuits. However, University management is of the opinion, based on advice of legal counsel, that the ultimate resolution of these litigation matters will not have a material effect on the future operations or financial position of the University.

The University receives grants and contracts from certain federal, state and local agencies. The costs, both direct and indirect, that have been charged to the grant or contract are subject to examination and approval by the granting agency. It is the opinion of the University administration that any disallowance or adjustment of such costs would not have a material effect on the accompanying financial statements.

NOTE 11 – FINANCIAL INSTRUMENTS AND FAIR VALUE

During 2006, the University entered into an interest rate swap to receive market rate interest and pay fixed rate interest to a major financial institution that locked in the University's interest rate paid on a portion of its note payable. The interest-rate swap agreement is for the purpose of reducing certain exposures to interest-rate fluctuations. At June 30, 2007 and 2006, this interest rate swap had a total notional amount of \$4,431,315 and \$4,849,848, respectively. Under this agreement, the University will pay the bank interest monthly at 6.57%. This agreement expires March 30, 2014.

The carrying amount of the financial instruments reported in the statements of financial position, which include accounts receivable, notes receivable, accounts payable and debt, approximate fair value at June 30, 2007 and 2006.

LINCOLN MEMORIAL UNIVERSITY
 SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
 Year ended June 30, 2007

<u>Federal Grant/Program Title</u>	<u>Federal CFDA</u>	<u>Federal Expenditures</u>
U. S. DEPARTMENT OF EDUCATION:		
Student Financial Aid Cluster		
Federal Pell Grant Program	84.063	\$ 2,070,069
Academic Competitiveness Grant	84.375	68,325
National Science and Mathematics Access to Retain	84.376	38,000
Federal Perkins Loan Program	84.038	1,269,456
Federal Work Study Program	84.033	178,473
Federal Supplemental Educational Opportunity Grant Program	84.007	146,520
Federal Family Education Loan Program	84.032	<u>17,664,677</u>
Total Student Financial Aid Cluster		21,435,520
TRIO Cluster		
Upward Bound Program	84.047	235,932
Student Support Services Program	84.042	<u>336,876</u>
Total TRIO Cluster		572,808
Total U. S. Department of Education		<u>22,008,328</u>
U.S. DEPARTMENT OF AGRICULTURE		
Distance Learning and Telemedicine Loans and grants	10.855	<u>77,759</u>
Total federal awards		<u>\$ 22,086,087</u>

LINCOLN MEMORIAL UNIVERSITY
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
Year ended June 30, 2007

NOTE 1 - BASIS OF ACCOUNTING

This schedule includes the federal awards activity of Lincoln Memorial University and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments and Non-profit Organizations*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of the basic financial statements. Catalog of Federal Domestic Assistance ("CFDA") numbers are presented for those programs for which such numbers were available. All programs are presented by federal department.

NOTE 2 - LOANS

Loans made by the University to eligible students under the Federal Perkins Loan Program and federal student loans issued by the Federal Family Educational Loan Program during the year ended June 30, 2007 are summarized as follows:

Federal Perkins Loan Program	
Loans Disbursed	<u>\$ 240,061</u>
Federal Family Education Loan Program	
Federal Subsidized Stafford Loans	\$ 6,835,073
Federal Unsubsidized Stafford Loans	10,270,057
Federal PLUS Loans	<u>559,547</u>
	<u>\$ 17,664,677</u>

At June 30, 2007, the University had loans outstanding in the amount of \$1,269,456 with an allowance for doubtful accounts of \$525,000 under the Perkins Loan program. The outstanding loan balance is included in the accompanying Schedule of Expenditures of Federal Awards.



Crowe Chizek and Company LLC
Member Horwath International

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS

Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

We have audited the financial statements of Lincoln Memorial University (the "University") as of and for the year ended June 30, 2007, and have issued our report thereon dated the same date as this report. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the University's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the University's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the University's ability

to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the University's financial statements that is more than inconsequential will not be prevented or detected by the University's internal control.

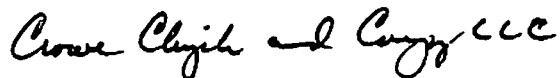
A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the University's internal control. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the University's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain other matters that we have reported to management in a separate letter dated October 18, 2007.

This report is intended solely for the information and use of the Board of Trustees, management, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Crowe Chizek and Company LLC

Louisville, Kentucky
October 18, 2007



Crowe Chizek and Company LLC
Member Horwath International

**REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH
MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE
IN ACCORDANCE WITH OMB CIRCULAR A-133**

To the Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

Compliance

We have audited the compliance of Lincoln Memorial University (the "University") with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) *Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the year ended June 30, 2007. The University's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of the University's management. Our responsibility is to express an opinion on the University's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the University's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the University's compliance with those requirements.

In our opinion, the University complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2007. The results of our auditing procedures disclosed no instances of noncompliance with those requirements, which are required to be reported in accordance with OMB Circular A-133.

Internal Control Over Compliance

The management of the University is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the University's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the University's internal control over compliance.

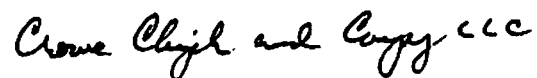
A *control deficiency* in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A *significant deficiency* is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control.

A *material weakness* is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control.

However, we noted certain other matters that we have reported to management in a separate letter dated October 18, 2007.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of the Board of Trustees, management, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Crowe Chizek and Company LLC

Louisville, Kentucky
October 18, 2007

LINCOLN MEMORIAL UNIVERSITY
 SCHEDULE OF FINDINGS AND QUESTIONED COSTS
 June 30, 2007

PART I: SUMMARY OF AUDITORS' RESULTS

Financial Statements

Type of auditors' report issued	<u>Unqualified</u>	_____	
Internal control over financial reporting:			
Material weakness(es) identified?	_____ Yes	_____ X	_____ No
Significant deficiency identified not considered to be material weaknesses?	_____ Yes	_____ X	_____ None Reported
Noncompliance material to financial statements noted?	_____ Yes	_____ X	_____ No
Federal Awards			
Internal control over major programs:			
Material weakness(es) identified?	_____ Yes	_____ X	_____ No
Significant deficiency identified not considered to be material weakness(es)?	_____ Yes	_____ X	_____ None Reported
Type of auditors' report issued on compliance for major programs	<u>Unqualified</u>	_____	
Any audit findings disclosed that are required to be reported in accordance with OMB Circular A-133 (Section .510(a))?	_____ Yes	_____ X	_____ No

Identification of major programs:

<u>CFDA Number(s)</u>	<u>Name of Federal Program or Cluster Number</u>
84.063	Total Federal Student Aid (consisting of):
84.033	Federal Pell Grant Program
84.007	Federal Work Student Program
84.375	Federal Supplemental Educational Opportunity Grant Program
84.376	Academic Competitiveness Grant
	National Science and Mathematics Access to Retain Talent Grant
84.038	Federal Perkins Loan Program
84.032	Federal Family Education Loan Program

Dollar threshold used to distinguish between Type A and Type B programs	\$ 300,000	
Auditee qualified as low-risk auditee?	_____ X	_____ Yes _____ No

LINCOLN MEMORIAL UNIVERSITY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
June 30, 2007

PART II: FINANCIAL STATEMENT FINDINGS

None

PART III: FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

None

PART IV: SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

None

LINCOLN MEMORIAL UNIVERSITY
REPORT ON AUDIT OF INSTITUTION
OF HIGHER EDUCATION
IN ACCORDANCE WITH OMB CIRCULAR A-133
June 30, 2008

LINCOLN MEMORIAL UNIVERSITY

REPORT ON AUDIT OF INSTITUTION OF HIGHER EDUCATION
IN ACCORDANCE WITH OMB CIRCULAR A-133
June 30, 2008

CONTENTS

REPORT OF INDEPENDENT AUDITORS.....	1
FINANCIAL STATEMENTS	
STATEMENTS OF FINANCIAL POSITION	3
STATEMENTS OF ACTIVITIES.....	4
STATEMENTS OF CASH FLOWS.....	6
NOTES TO FINANCIAL STATEMENTS.....	7
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS	18
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS	19
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH <i>GOVERNMENT AUDITING STANDARDS</i>	20
REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133.....	22
SCHEDULE OF FINDINGS AND QUESTIONED COSTS	25



Crowe Chizek and Company LLC
Member Horwath International

REPORT OF INDEPENDENT AUDITORS

To the Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

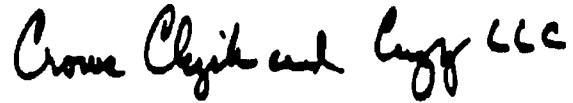
We have audited the accompanying statements of financial position of Lincoln Memorial University (the "University") as of June 30, 2008 and 2007, and the related statements of activities and cash flows for the years then ended. These financial statements are the responsibility of the University's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Lincoln Memorial University as of June 30, 2008 and 2007, and the changes in its net assets and its cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated August 29, 2008 on our consideration of the University's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of the testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Our audit was performed for the purpose of forming an opinion on the basic financial statements of Lincoln Memorial University taken as a whole. The accompanying Schedule of Expenditures of Federal Awards is presented for purposes of additional analysis as required by the U. S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

A handwritten signature in black ink that reads "Crowe Chizek and Company LLC". The signature is written in a cursive, flowing style.

Crowe Chizek and Company LLC

Louisville, Kentucky
August 29, 2008

LINCOLN MEMORIAL UNIVERSITY
STATEMENTS OF FINANCIAL POSITION
June 30, 2008 and 2007

	<u>2008</u>	<u>2007</u>
ASSETS		
Cash and cash equivalents	\$ 878,090	\$ 2,162,807
Accounts receivable – students, net of allowance for doubtful accounts: \$347,944 in 2008, \$234,986 in 2007	10,166,708	8,940,586
Accounts receivable – federal government	311,957	250,797
Accounts receivable – other	102,428	95,357
Pledges receivable, net	19,626	30,330
Investments	44,317,683	49,995,629
Funds held in trust by others	3,884,072	4,075,624
Vested beneficial interest in charitable remainder annuity trusts	586,879	620,898
Notes receivable, net of allowance for doubtful accounts of \$346,354 in 2008 and \$525,000 in 2007	935,656	744,456
Property, plant and equipment, net	69,312,801	57,827,546
Other assets	<u>416,217</u>	<u>361,476</u>
Total assets	<u>\$ 130,932,117</u>	<u>\$ 125,105,506</u>
LIABILITIES AND NET ASSETS		
Liabilities		
Accounts payable	\$ 1,326,776	\$ 4,478,948
Accrued expenses and withholdings	2,558,079	1,206,730
Deferred tuition	11,745,633	10,702,353
Student deposits	723,558	584,289
Deposits held in custody	196,287	138,540
Refundable loan programs	1,098,463	899,975
Annuities payable	244,155	490,333
Debt	<u>47,879,880</u>	<u>38,790,067</u>
Total liabilities	<u>65,772,831</u>	<u>57,291,235</u>
Net assets		
Unrestricted	46,361,338	49,174,319
Temporarily restricted	4,054,499	4,043,945
Permanently restricted	<u>14,743,449</u>	<u>14,596,007</u>
Total net assets	<u>65,159,286</u>	<u>67,814,271</u>
Total liabilities and net assets	<u>\$ 130,932,117</u>	<u>\$ 125,105,506</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENT OF ACTIVITIES
Year ended June 30, 2008

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>Total</u>
OPERATING REVENUES AND SUPPORT				
Tuition and fees	\$ 37,789,884	\$ -	\$ -	\$ 37,789,884
Less: student aid	<u>(8,121,758)</u>	<u>-</u>	<u>-</u>	<u>(8,121,758)</u>
Net tuition and fees	29,668,126	-	-	29,668,126
Government grants and contracts	1,274,938	-	-	1,274,938
Private gifts and grants	309,409	897,805	-	1,207,214
Other sources	515,026	-	-	515,026
Investment income	903,013	274,791	1,568	1,179,372
Auxiliary enterprises	<u>4,025,554</u>	<u>-</u>	<u>-</u>	<u>4,025,554</u>
	36,696,066	1,172,596	1,568	37,870,230
Net assets released from restrictions	<u>1,162,042</u>	<u>(1,162,042)</u>	<u>-</u>	<u>-</u>
Total operating revenues and support	<u>37,858,108</u>	<u>10,554</u>	<u>1,568</u>	<u>37,870,230</u>
OPERATING EXPENSES				
Educational and general				
Instruction	19,188,007	-	-	19,188,008
Public service	752,072	-	-	752,072
Academic support	4,020,955	-	-	4,020,955
Support services	3,667,486	-	-	3,667,486
Institutional support	<u>7,038,634</u>	<u>-</u>	<u>-</u>	<u>7,038,634</u>
Total educational and general	34,667,154	-	-	34,667,154
Auxiliary enterprises	<u>2,472,815</u>	<u>-</u>	<u>-</u>	<u>2,472,815</u>
Total operating expenses	<u>37,139,969</u>	<u>-</u>	<u>-</u>	<u>37,139,969</u>
Increase in net assets from operating activities	<u>718,139</u>	<u>10,554</u>	<u>1,568</u>	<u>730,261</u>
NON-OPERATING ACTIVITIES				
Contributions	64,696	-	199,748	264,444
Realized and unrealized losses on investments	(2,861,246)	-	(191,552)	(3,052,798)
Actuarial adjustment of annuities payable	-	-	137,678	137,678
Change in interest rate swap agreements	<u>(734,570)</u>	<u>-</u>	<u>-</u>	<u>(734,570)</u>
Increase (decrease) in net assets from non-operating activities	<u>(3,531,120)</u>	<u>-</u>	<u>145,874</u>	<u>(3,385,246)</u>
Change in net assets	(2,812,981)	10,554	147,442	(2,654,985)
Net assets, beginning of year	<u>49,174,319</u>	<u>4,043,945</u>	<u>14,596,007</u>	<u>67,814,271</u>
Net assets, end of year	<u>\$ 46,361,338</u>	<u>\$ 4,054,499</u>	<u>\$ 14,743,449</u>	<u>\$ 65,159,286</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENT OF ACTIVITIES
Year ended June 30, 2007

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>Total</u>
OPERATING REVENUES AND SUPPORT				
Tuition and fees	\$ 30,773,462	\$ -	\$ -	\$ 30,773,462
Less: student aid	<u>(7,319,846)</u>	<u>-</u>	<u>-</u>	<u>(7,319,846)</u>
Net tuition and fees	23,453,616	-	-	23,453,616
Government grants and contracts	962,766	-	-	962,766
Private gifts and grants	162,256	1,560,944	-	1,723,200
Other sources	592,558	-	-	592,558
Investment income	1,018,033	590,666	94,908	1,703,607
Auxiliary enterprises	<u>2,995,841</u>	<u>-</u>	<u>-</u>	<u>2,995,841</u>
	29,185,070	2,151,610	94,908	31,431,588
Net assets released from restrictions	<u>680,166</u>	<u>(680,166)</u>	<u>-</u>	<u>-</u>
Total operating revenues and support	<u>29,865,236</u>	<u>1,471,444</u>	<u>94,908</u>	<u>31,431,588</u>
OPERATING EXPENSES				
Educational and general				
Instruction	14,279,513	-	-	14,279,513
Public service	694,563	-	-	694,563
Academic support	3,007,784	-	-	3,007,784
Support services	3,385,637	-	-	3,385,637
Institutional support	<u>6,129,587</u>	<u>-</u>	<u>-</u>	<u>6,129,587</u>
Total educational and general	27,497,084	-	-	27,497,084
Auxiliary enterprises	<u>1,989,204</u>	<u>-</u>	<u>-</u>	<u>1,989,204</u>
Total operating expenses	<u>29,486,288</u>	<u>-</u>	<u>-</u>	<u>29,486,288</u>
Increase in net assets from operating activities	<u>378,948</u>	<u>1,471,444</u>	<u>94,908</u>	<u>1,945,300</u>
NON-OPERATING ACTIVITIES				
Contributions	606,766	-	727,535	1,334,301
Realized and unrealized gains on investments	2,551,626	-	324,669	2,876,295
Actuarial adjustment of annuities payable	<u>-</u>	<u>-</u>	<u>(38,315)</u>	<u>(38,315)</u>
Increase in net assets from non-operating activities	<u>3,158,392</u>	<u>-</u>	<u>1,013,889</u>	<u>4,172,281</u>
Change in net assets	3,537,340	1,471,444	1,108,797	6,117,581
Net assets, beginning of year	<u>45,636,979</u>	<u>2,572,501</u>	<u>13,487,210</u>	<u>61,696,690</u>
Net assets, end of year	<u>\$ 49,174,319</u>	<u>\$ 4,043,945</u>	<u>\$ 14,596,007</u>	<u>\$ 67,814,271</u>

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
STATEMENTS OF CASH FLOWS
Years ended June 30, 2008 and 2007

	<u>2008</u>	<u>2007</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Change in net assets	\$ (2,654,985)	\$ 6,117,581
Adjustments to reconcile change in net asset to net cash from operating activities:		
Depreciation	2,733,941	1,648,944
Contributions used for long-term investment	(199,748)	(727,535)
Realized and unrealized (gains) losses on investments	3,052,798	(2,876,295)
Net adjustment of annuity payment liability	(137,678)	38,315
Change in interest rate swap agreements	734,570	
Change in assets and liabilities		
Accounts receivable	(1,294,353)	(2,129,395)
Pledges receivable	10,704	27,795
Other assets	(54,741)	(185,305)
Notes receivable	(191,200)	36,113
Funds held by others	191,552	(855,264)
Vested beneficial interest in charitable remainder annuity trust	-	(620,898)
Accounts payable	(3,152,172)	3,300,222
Accrued expenses and withholdings	616,779	224,413
Deferred tuition	1,043,280	2,506,525
Deposits	197,016	381,513
Refundable loans	<u>198,488</u>	<u>44,054</u>
Net cash from operating activities	<u>1,094,251</u>	<u>6,930,783</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of investments	(6,409,049)	(6,358,970)
Proceeds from sales of investments	9,034,197	1,376,166
Purchase of property and equipment	<u>(10,425,937)</u>	<u>(32,703,931)</u>
Net cash from investing activities	<u>(7,800,789)</u>	<u>(37,686,735)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Payments on capital lease	(611,720)	(88,534)
Proceeds from issuance of debt	10,873,036	32,015,369
Principal paid on debt	(4,964,762)	(377,107)
Payments to annuitants	(74,481)	(71,706)
Contributions used for long-term investment	<u>199,748</u>	<u>727,535</u>
Net cash from financing activities	<u>5,421,821</u>	<u>32,205,557</u>
Change in cash and cash equivalents	(1,284,717)	1,449,605
Cash and cash equivalents, beginning of year	<u>2,162,807</u>	<u>713,202</u>
Cash and cash equivalents, end of year	<u>\$ 878,090</u>	<u>\$ 2,162,807</u>
Supplemental disclosures:		
Cash paid during the year for interest	\$ 909,994	\$ 192,063
Noncash investing and financing activities		
Property and equipment obtained through capital leases	3,793,259	309,912

See accompanying notes.

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2008 and 2007

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Organization: Lincoln Memorial University, located in Harrogate, Tennessee is fully accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS-COC) as a Level V institution. Consequently, the institution awards undergraduate, graduate and doctoral degrees. The University also operates a private high school (The J. Frank White Academy), whose operations are also integrated into the accounting system of the University and is reflected within these financial statements.

Basis of Accounting: The financial statements of the University have been prepared on the accrual basis of accounting. Accordingly, revenues are recognized when earned and expenses are recognized when incurred.

Financial Statement Presentation: These financial statements have been prepared to focus on the entity as a whole and to present transactions according to the existence or absence of donor-imposed restrictions. This has been done by classification of fund transactions and balances into three categories of net assets: unrestricted, temporarily restricted, and permanently restricted.

Net assets and revenues, expenses, gains and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets and changes therein are classified as follows:

Permanently restricted net assets - Net assets subject to donor imposed stipulations that they be maintained permanently by the University. Generally, the donors of these assets permit the University to use the income earned on related investments for general or specific purposes.

Temporarily restricted net assets - Net assets subject to donor-imposed stipulations that may or will be met by actions of the University and/or the passage of time.

Unrestricted net assets - Net assets not subject to donor-imposed stipulations.

Revenues are reported as increases in unrestricted net assets unless use of the related assets is limited by donor-imposed restrictions. Expenses are reported as decreases in unrestricted net assets. Gains and losses on investments and other assets or liabilities are reported as increases or decreases in unrestricted net assets unless their use is restricted by explicit donor stipulation or by law. Expirations of temporary restrictions on net assets are reported as reclassifications between the applicable classes of net assets.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2008 and 2007

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Cash and Cash Equivalents: The University considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents with the exception of investments purchased with gifts that have donor-imposed restrictions that limit their use to long-term investment. At various times throughout the year, the University had in excess of \$100,000 on deposit in a financial institution whose deposits are insured up to \$100,000.

Contributions: Contributions received are recorded as unrestricted, temporarily restricted, or permanently restricted support depending on the existence and/or nature of any donor restrictions. Restricted net assets are reclassified to unrestricted net assets upon satisfaction of the time or purpose restrictions.

Contributions, including unconditional promises to give, are recognized as revenues in the period received. Conditional promises to give are not recognized until they become unconditional, that is when the conditions on which they depend are substantially met. Contributions of assets other than cash are recorded at their estimated fair value. Contributions to be received after one year are discounted at an appropriate discount rate commensurate with the risks involved. Amortization of discount is recorded as additional contribution revenue in accordance with donor-imposed restrictions, if any, on the contributions. An allowance for uncollectible contributions receivable is provided based upon management's judgment including such factors as prior collection history, type of contribution and nature of fund-raising activity.

The expiration of a donor-imposed restriction on a contribution or on endowment income is recognized in the period in which the restriction expires and at the time the related resources are reclassified to unrestricted net assets. A restriction expires when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

The University follows the policy of reporting donor-imposed restricted contributions and endowment income whose restrictions are met in the same year as revenues of the unrestricted net asset class.

Accounts and Notes Receivable: The University records student receivables representing amounts for tuition, room, board and fees at the beginning of the semester. Payment is due immediately unless the student has been set up on a specific payment plan. Interest is assessed when payments are 30 days past due and is assessed monthly. A reserve is established when collection is considered questionable, and accounts are written off when the University deems that further collection efforts will not produce additional recoveries.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2008 and 2007

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

The notes receivable consist of student financial aid granted through the Perkins loan program. The loans are guaranteed by the federal government and bear a current interest rate of 5% and payable over 10 years upon graduation. Management has recorded an allowance for these receivables based on collection history.

Investments: Investments in equity securities with readily determinable fair values and all investments in debt securities are valued at their fair values in the statements of financial position. Fair values are determined by quoted market prices at year-end. Unrealized gains and losses are included in the changes in net assets in the accompanying statements of activities. Investments in real estate are recorded at fair value based on an appraisal of the real estate.

Net appreciation on endowment funds, whose income is unrestricted as to use, is reported as unrestricted net assets unless such net appreciation has been restricted by the donor or by law. Accordingly, market appreciation on unrestricted endowment funds is classified in the accompanying financial statements as part of unrestricted net assets.

Alternative investments, for which there is no ready market, are valued at fair value as estimated by management. To estimate fair value, management may rely on valuations reported by the general partners of such investments and/or the University's independent investment advisor. Because of the inherent uncertainty of valuation in the absence of readily ascertainable market values, the estimated values of those investments may differ from the values that would have been used had a ready market existed for such investments or if the investments were realized, and the differences could be material. Such investments are, by their nature, generally considered to be long-term investments and are not intended to be liquidated on a short-term basis.

Vested Beneficial Interest in Charitable Remainder Annuity Trust: Vested beneficial interest in charitable remainder annuity trust is recorded at the present value of the estimated future benefits to be received. The University is not the trustee.

Property, Plant and Equipment: Plant assets, consisting of land, other land improvements, buildings and improvements, furniture and equipment, library holdings, and construction in progress are stated in the accompanying statements of financial position at cost, or if contributed, at fair value at date of gift. Generally, expenditures of greater than \$1,000 which increase values or extend useful lives of the respective assets are capitalized. Depreciation is provided over the estimated useful lives on a straight-line basis ranging from 5 to 50 years.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2008 and 2007

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Collections: Located on the campus of the University is the Abraham Lincoln Museum. This center for history, research and public interest contains a large collection of Lincoln and Civil War artifacts and volumes. These collections are not recorded on the statements of financial position and the fair value of these collections is indeterminable. Purchases of collection items are recorded as decreases in unrestricted net assets in the year in which the items are acquired or as temporarily or permanently restricted net assets if the assets used to purchase the items are restricted by donors. Contributed collection items are not reflected on the financial statements. Proceeds from deaccessions or insurance recoveries are reflected as increases in the appropriate net asset classes.

Deferred Revenue: Deferred revenue includes amounts received from tuition and fees prior to the end of the fiscal year but related to the subsequent reporting period.

Hedging Activities: The University has entered into certain interest rate swaps to receive market rate interest and pay fixed rate interest to various major financial institutions that lock in the University's interest rate paid on certain variable rate notes payable. The variable interest on the bonds and note payable are hedged by forward starting interest rate swaps. Net interest payments will be effectively fixed at the rates indicated, during the period. The University intends to hold these forward starting interest rate swaps until maturity. These interest rate swaps are considered derivatives and are recognized on the statement of net asset at their fair value. Changes in the fair value of these derivatives are reported as non-operating revenue or expense on the statement of changes in net assets.

Tuition and Fees: Tuition and fees are presented net of scholarships and other financial aid applied to student accounts.

Advertising Expense: The University expenses advertising costs as incurred. Advertising costs for the year ended June 30, 2008 and 2007 were \$551,353 and \$450,320, respectively.

Income Taxes: The University is a tax-exempt institution under Internal Revenue Code, Section 501(c) (3); accordingly, no provision for income taxes has been made in the financial statements.

Use of Estimates: The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that can affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2008 and 2007

NOTE 2- PLEDGES RECEIVABLE

At June 30, 2008 and 2007, the University had pledges receivable of \$19,626 and \$30,330, respectively.

Pledges receivable have been designated to be paid by donors as follows:

	<u>2008</u>	<u>2007</u>
Within one year	\$ 11,000	\$ 13,000
One to five years	<u>10,649</u>	<u>20,184</u>
	21,649	33,184
Less: discounts and allowances	<u>2,023</u>	<u>2,854</u>
Net pledges receivable	<u>\$ 19,626</u>	<u>\$ 30,330</u>

NOTE 3 - INVESTMENTS

Investments, at fair value, are summarized as follows at June 30, 2008 and 2007:

	<u>2008</u>	<u>2007</u>
Short-term investments	\$ 4,548,500	\$ 4,611,475
Corporate stocks	3,360,433	951,870
Corporate bonds	9,195,794	11,102,678
U.S. Government obligations	2,917,811	2,066,804
Mutual funds	15,296,151	21,589,001
Alternative investments	1,632,169	2,125,807
Construction retainage	-	574,069
Investments in land and buildings	6,994,667	6,601,767
Investments in land and mineral rights	<u>372,158</u>	<u>372,158</u>
	<u>\$ 44,317,683</u>	<u>\$ 49,995,629</u>

At June 30, 2008, investments included \$23,971,313 representing amounts required by the Commission of Osteopathic College Accreditation to be held in escrow until the first graduating class from the College of Medicine. The first graduating class is expected to be May, 2011.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2008 and 2007

NOTE 4 - ASSETS HELD IN TRUST BY OTHERS

The College has been designated as a beneficiary for certain assets held in trust by others. The fair market value of these assets and the net realized and unrealized gains or losses are recorded in the permanently restricted net asset class. Income received from these trusts, recorded as other sources in 2008 and 2007, was approximately \$121,500 and \$97,000, respectively. Realized and unrealized gains and losses from these trusts have been recorded in permanently restricted on the Statement of Activities for (\$191,552) and 324,669 for the years ended June 30, 2008 and 2007, respectively.

NOTE 5 - PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment consist of the following at June 30:

	<u>2008</u>	<u>2007</u>
Land	\$ 872,438	\$ 872,438
Buildings and improvements	39,563,535	29,180,211
Other land improvements	2,675,287	2,675,287
Furniture and equipment	15,908,721	10,398,231
Library holdings	1,547,085	1,479,851
Construction in progress	<u>33,300,662</u>	<u>35,042,514</u>
	93,867,728	79,648,532
Less: accumulated depreciation	<u>24,554,927</u>	<u>21,820,986</u>
Net property, plant and equipment	<u>\$ 69,312,801</u>	<u>\$ 57,827,546</u>

The estimated cost to complete current construction projects is \$3,500,000 and the anticipated completion is June 2009.

The University follows the practice of capitalizing interest during construction on the capital projects paid with the proceeds of bond issues. Interest in the amount of \$1,211,252 and \$1,088,997 was capitalized during the years ended June 30, 2008 and 2007, respectively.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2008 and 2007

NOTE 6 - DEBT

The University has the following outstanding debt at June 30, 2008 and 2007:

	<u>2008</u>	<u>2007</u>
<p>Commercial bank note, interest accrued at the 30-day LIBOR rate plus 1% (3.47% and 6.32% at June 30, 2008 and 2007, respectively). Payments begin August 1, 2008 with the balance due July 1, 2018 - collateralized by a certain building.</p>	\$ 8,211,669	\$ 6,355,393
<p>Line of credit agreement, due monthly at the 30-day LIBOR rate plus 1% (3.48% and 6.32% at June 30, 2008 and 2007, respectively). The agreement is continuous and is unsecured. The agreement contains provisions that could require collateral to be provided under certain circumstances. This agreement also contains financial covenants that require the University to meet certain thresholds regarding net assets and increases in net assets at the end of the fiscal year. At June 30, 2008, the University was not in compliance with two of these covenants. A waiver for these covenants has been obtained.</p>	11,644,044	9,782,298
<p>\$18,000,000 of Industrial Development Board of the County of Claiborne, TN Revenue Bonds, Series 2006, first payment on July 1, 2011 for \$120,000 and quarterly thereafter at \$180,000 with final installment due July 1, 2036. The interest rate is adjusted weekly to the Securities Industry and Financial Markets Association (SIFMA) municipal swap rate plus 4 basis points. The interest rate at June 30, 2008 and 2007 was 1.55% and 3.77%, respectively. This agreement contains financial covenants that require the University to meet certain thresholds regarding net assets and increases in net assets at the end of the fiscal year. At June 30, 2008, the University was not in compliance with two of these covenants. A waiver for these covenants has been obtained.</p>	18,000,000	18,000,000

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2008 and 2007

NOTE 6 - DEBT (Continued)

	<u>2008</u>	<u>2007</u>
<p>Tax-exempt facilities financing, first payment on December 29, 2007 and monthly thereafter at \$16,197 with final installment due October 29, 2017. The interest rate is fixed at 4.78% and amortized over 240 months.</p>	\$ 2,455,807	\$ -
<p>Bank note, issued pursuant to a conventional term loan to refinance the Series 1994 Educational Facilities Revenue Refunding Bonds issued by the Health, Educational and Housing Facility Board of the Town of New Tazewell, Tennessee. Monthly principal payments of \$31,426 plus interest at the 30-day LIBOR plus 1% (3.48% and 6.32% at June 30, 2008 and 2007, respectively), with a final payment due March 30, 2014, collateralized by various property, plant and equipment and contains financial covenants that require the University to meet certain thresholds regarding net assets and increases in net assets at the end of the fiscal year. At June 30, 2008, the University was in compliance with these requirements.</p>	4,022,465	4,430,998
<p>Capital lease obligations for equipment payable in monthly installments ranging from \$800 to \$43,000 with interest rate of 6.3%. The final payments are due at various times through October 2012.</p>	3,402,917	221,378
<p>Bank note, interest accrued at a fixed rate of 7.25% for 60 months for three buses. Balance of note due August 21, 2012.</p>	<u>142,978</u>	<u>-</u>
	<u>\$ 47,879,880</u>	<u>\$ 38,790,067</u>

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2008 and 2007

NOTE 6 - DEBT (Continued)

Future maturities of debt are as follows:

Year ending June 30	<u>Bank Debt</u>	<u>Capital Lease Obligation</u>	<u>Total</u>
2009	\$ 4,031,358	\$ 891,831	\$ 4,923,189
2010	4,057,337	842,841	4,900,178
2011	5,722,298	744,788	6,467,086
2012	1,426,173	706,577	2,132,750
2013	1,476,113	216,880	1,692,993
Thereafter	<u>27,763,684</u>	<u>-</u>	<u>27,763,684</u>
	<u>\$ 44,476,963</u>	<u>\$ 3,402,917</u>	<u>\$ 47,879,880</u>

As of June 30, 2008 and 2007, the University had outstanding debt of \$8,211,669 and \$6,355,393, respectively, with a bank whose Chief Operating Officer and President is also a member of the University's Board of Trustees.

The statement of financial position includes approximately \$4,103,000 and \$310,000 of land, buildings, and equipment related to the above capital lease obligations as of June 30, 2008 and June 30, 2007. Accumulated amortization was approximately \$700,600 and \$62,000 at June 30, 2008 and June 30, 2007, respectively. Amortization of assets under the capital lease is included in depreciation expense.

NOTE 7 - RETIREMENT AND BENEFIT PLANS

The University participates in the programs of the Teachers Insurance and Annuity Association ("TIAA") and College Retirement Equities Fund ("CREF"). The pension plan is a defined contribution annuity plan. Employees are eligible for the retirement plan after two years of employment. Pension expense amounted to \$573,331 and \$463,295 for the years ended June 30, 2008 and 2007, respectively.

NOTE 8 - OPERATING LEASES

The University leases certain equipment under long-term leases with various agents that are accounted for as operating leases. Lease expense for the years ended June 30, 2008 and 2007, was \$132,150 and \$119,700, respectively.

(Continued)

LINCOLN MEMORIAL UNIVERSITY
 NOTES TO FINANCIAL STATEMENTS
 June 30, 2008 and 2007

NOTE 8 - OPERATING LEASES (Continued)

Future maturities of lease obligations are as follows:

Year ending June 30	
2009	\$ 134,640
2010	134,640
2011	<u>89,760</u>
	<u>\$ 359,040</u>

NOTE 9 - NET ASSETS

Temporarily restricted net assets are available at June 30, 2008 and 2007 for the following purposes:

	<u>2008</u>	<u>2007</u>
Funds restricted for specific purposes	\$ 2,151,609	\$ 2,302,055
Unexpended plant funds	526,056	365,056
Endowment funds	<u>1,376,834</u>	<u>1,376,834</u>
	<u>\$ 4,054,499</u>	<u>\$ 4,043,945</u>

Net assets released from restrictions during the year ended June 30, 2008 and 2007 consisted of funds used for student aid and support.

Permanently restricted net assets are available at June 30, 2008 and 2007 for the following purposes:

	<u>2008</u>	<u>2007</u>
Endowment funds	\$ 10,211,328	\$ 10,011,581
Annuity and life income funds	648,049	508,802
Funds held in trust by others	<u>3,884,072</u>	<u>4,075,624</u>
	<u>\$ 14,743,449</u>	<u>\$ 14,596,007</u>

(Continued)

LINCOLN MEMORIAL UNIVERSITY
NOTES TO FINANCIAL STATEMENTS
June 30, 2008 and 2007

NOTE 10 - CONTINGENCIES AND COMMITMENTS

The University is a defendant in various lawsuits. However, University management is of the opinion, based on advice of legal counsel, that the ultimate resolution of these litigation matters will not have a material effect on the future operations or financial position of the University.

The University receives grants and contracts from certain federal, state and local agencies. The costs, both direct and indirect, that have been charged to the grant or contract are subject to examination and approval by the granting agency. It is the opinion of the University administration that any disallowance or adjustment of such costs would not have a material effect on the accompanying financial statements.

NOTE 11 - FINANCIAL INSTRUMENTS AND FAIR VALUE

During 2006, the University entered into an interest rate swap to receive market rate interest and pay fixed rate interest to a major financial institution that locked in the University's interest rate paid on a portion of its note payable. The interest-rate swap agreement is for the purpose of reducing certain exposures to interest-rate fluctuations. At June 30, 2008 and 2007, this interest rate swap had a total notional amount of \$4,871,273 and \$4,431,315, respectively. Under this agreement, the University will pay the bank interest monthly at 6.57%. This agreement expires March 30, 2014.

During 2008, the University entered into another interest rate swap to receive market rate interest and pay fixed rate interest to a major financial institution that locked in the University's interest rate paid on a portion of its note payable. At June 30, 2008, this interest rate swap had a total notional amount of \$18,000,000. Under this agreement, the University will pay the bank interest monthly at 3.95%. This agreement expires on July 01, 2036.

At June 30, 2008 the fair value of these swap agreements reflected an obligation of the University of \$734,570. This obligation is included in accrued expenses. This change in value during the year ended June 30, 2008 is recognized as a non operating decrease in net assets.

The carrying amount of the financial instruments reported in the statements of financial position, which include accounts receivable, notes receivable, accounts payable and debt, approximate fair value at June 30, 2008 and 2007.

LINCOLN MEMORIAL UNIVERSITY
 SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
 Year ended June 30, 2008

<u>Federal Grant/Program Title</u>	<u>Federal CFDA</u>	<u>Federal Expenditures</u>
U. S. DEPARTMENT OF EDUCATION:		
Student Financial Aid Cluster		
Federal Pell Grant Program	84.063	\$ 2,242,130
Academic Competitiveness Grant	84.375	68,125
National Science and Mathematics Access to Retain	84.376	60,000
Federal Perkins Loan Program	84.038	1,250,122
Federal Work Study Program	84.033	174,381
Federal Supplemental Educational Opportunity Grant Program	84.007	172,192
Federal Family Education Loan Program	84.032	<u>26,039,744</u>
Total Student Financial Aid Cluster		30,006,694
TRIO Cluster		
Upward Bound Program	84.047	335,381
Student Support Services Program	84.042	<u>253,173</u>
Total TRIO Cluster		<u>588,554</u>
Total U. S. Department of Education		<u>30,595,248</u>
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES		
Health Resources and Services	93.247	<u>231,388</u>
U.S. DEPARTMENT OF AGRICULTURE		
Distance Learning and Telemedicine Loans and grants	10.855	<u>72,007</u>
Total federal awards		<u><u>\$ 30,898,643</u></u>

LINCOLN MEMORIAL UNIVERSITY
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
Year ended June 30, 2008

NOTE 1 - BASIS OF ACCOUNTING

This schedule includes the federal awards activity of Lincoln Memorial University and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments and Non-profit Organizations*. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of the basic financial statements. Catalog of Federal Domestic Assistance ("CFDA") numbers are presented for those programs for which such numbers were available. All programs are presented by the federal department.

NOTE 2 - LOANS

Loans made by the University to eligible students under the Federal Perkins Loan Program and federal student loans issued by the Federal Family Educational Loan Program during the year ended June 30, 2008 are summarized as follows:

Federal Perkins Loan Program	
Loans Disbursed	<u>\$ 207,855</u>
Federal Family Education Loan Program	
Federal Subsidized Stafford Loans	\$ 9,066,430
Federal Unsubsidized Stafford Loans	15,641,794
Federal PLUS Loans	<u>1,331,520</u>
	<u>\$ 26,039,744</u>

At June 30, 2008, the University had loans outstanding in the amount of \$1,250,122 with an allowance for doubtful accounts of \$346,354 under the Perkins Loan program. The outstanding loan balance is included in the accompanying Schedule of Expenditures of Federal Awards.



Crowe Chizek and Company LLC
Member Horwath International

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS

Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

We have audited the financial statements of Lincoln Memorial University (the "University") as of and for the year ended June 30, 2008, and have issued our report thereon dated the same date as this report. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the University's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the University's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. However, as discussed below, we identified a certain deficiency in internal control over reporting that we consider to be a significant deficiency.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the University's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a

misstatement of the University's financial statements that is more than inconsequential will not be prevented or detected by the University's internal control. We consider the deficiency described in the accompanying schedule of findings and questioned costs as item 08-01 to be a significant deficiency in internal control over reporting.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the University's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. However, we believe that the significant deficiency described above is not a material weakness.

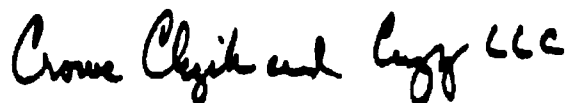
Compliance and Other Matters

As part of obtaining reasonable assurance about whether the University's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain other matters that we have reported to management in a separate letter dated August 29, 2008.

The University's response to the finding identified in our audit is described in the accompanying schedule of findings and questioned costs. We did not audit University's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of the Board of Trustees, management, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Crowe Chizek and Company LLC

Louisville, Kentucky
August 29, 2008



Crowe Chizek and Company LLC
Member Horwath International

REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH
MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE
IN ACCORDANCE WITH OMB CIRCULAR A-133

To the Board of Trustees
Lincoln Memorial University
Harrogate, Tennessee

Compliance

We have audited the compliance of Lincoln Memorial University (the "University") with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) *Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the year ended June 30, 2008. The University's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of the University's management. Our responsibility is to express an opinion on the University's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the University's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the University's compliance with those requirements. ^e

In our opinion, the University complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2008. However, the results of our auditing procedures disclosed instances of noncompliance with those requirements, which are required to be reported in accordance with OMB Circular A-133 and which are described in the accompanying schedule of findings and questioned costs as items 08-02 through 08-04.

Internal Control Over Compliance

The management of the University is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the University's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the University's internal control over compliance.

A *control deficiency* in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A *significant deficiency* is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control. We consider the deficiencies in internal control over compliance described in the accompanying schedule of findings and questioned costs as items 08-02 through 08-04 to be significant deficiencies.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control. Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

The University's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. We did not audit the University's response and, accordingly, we express no opinion on it.

We have noted certain other matters that we have reported to management in a separate letter dated August 29, 2008.

This report is intended solely for the information and use of the Board of Trustees, management, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Crowe Chizek and Company LLC

Crowe Chizek and Company LLC

Louisville, Kentucky
August 29, 2008

LINCOLN MEMORIAL UNIVERSITY
 SCHEDULE OF FINDINGS AND QUESTIONED COSTS
 June 30, 2008

PART I: SUMMARY OF AUDITORS' RESULTS

Financial Statements

Type of auditors' report issued	<u>Unqualified</u>	_____		
Internal control over financial reporting: Material weakness(es) identified?	_____	Yes	<u> X </u>	No
Significant deficiency identified not considered to be material weaknesses?	<u> X </u>	Yes	_____	None Reported
Noncompliance material to financial statements noted?	_____	Yes	<u> X </u>	No
Federal Awards				
Internal control over major programs: Material weakness(es) identified?	_____	Yes	<u> X </u>	No
Significant deficiency identified not considered to be material weakness(es)?	<u> X </u>	Yes	_____	None Reported
Type of auditors' report issued on compliance for major programs	<u>Unqualified</u>		_____	
Any audit findings disclosed that are required to be reported in accordance with OMB Circular A-133 (Section .510(a))?	<u> X </u>	Yes	_____	No

Identification of major programs:

<u>CFDA Number(s)</u>	<u>Name of Federal Program or Cluster Number</u>
84.063	Total Federal Student Aid (consisting of):
84.033	Federal Pell Grant Program
84.007	Federal Work Student Program
84.375	Federal Supplemental Educational Opportunity Grant Program
84.376	Academic Competitiveness Grant
	National Science and Mathematics Access to Retain Talent Grant
84.038	Federal Perkins Loan Program
84.032	Federal Family Education Loan Program
	Total TRIO Cluster (consisting of):
84.042	Student Support Services
84.047	Upward Bound

Dollar threshold used to distinguish between Type A and Type B programs	\$ 300,000			
Auditee qualified as low-risk auditee?	<u> X </u>	Yes	_____	No

LINCOLN MEMORIAL UNIVERSITY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
June 30, 2008

PART II: FINANCIAL STATEMENT FINDINGS

Finding 08-01 – Segregation of Duties of Information Technology

Criteria: Segregation of duties within the information technology area are extremely important to ensure potential changes to financial information are appropriately tracked and managed and therefore, system generated information is accurate and reliable.

Condition: The University retains source code for the Datatel applications. Programmers are employed to make changes to Datatel subroutines as needed and requested. Although change management procedures exist, programmers have access to production directories that would allow them to bypass the required approvals. Further, management is not monitoring changes to the production directories to make sure that only appropriately authorized changes are made.

Effect: This lack in segregation of duties could allow for unauthorized programming changes to be made within the Datatel system with no clear audit trail.

Cause: The cause of this finding appears to be lack of management oversight.

Recommendation: We recommend that the programmers' access to production be removed to allow for appropriate segregation of duties. If duties can not be segregated, management should implement appropriate monitoring controls over production directories where programs and data are stored.

Management's Response: The University has funds budgeted during the 2008-09 fiscal year to contract with a third party for a comprehensive review of processes and procedures in place within the Information Services Department. Management intends to implement, to the extent that it is cost beneficial, the recommendations of this third party review.

Additionally, the University continues to commit funds for additional personnel in the IS Department to effect the greatest possible segregation of duties, with particular attention given to the situation presented in this finding. Management believes that there will be significant improvement in this area prior to the completion of the 2008-09 fiscal year.

LINCOLN MEMORIAL UNIVERSITY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
June 30, 2008

PART III: FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

Finding 08-02 - Pell Grant Program (CFDA No. 84.063), Supplemental Educational Opportunity Grant Program (CFDA No. 84.007), Federal Perkins Loan Program (CFDA No. 84.038), Federal Family Education Loan Program (CFDA No. 84.032), Academic Competitiveness Grant (CFDA No. 84.375) and National Science and Mathematics Access to Retain Talent Grant (CFDA No. 84.376)

Criteria: Under 34 CFR 668.22(a)(3) & (4), a school is permitted to credit a student's account with the post-withdrawal disbursement of Title IV grant funds without the student's permission for current charges for tuition, fees, and room and board (if the student contracts with the school) up to the amount of outstanding charges. An institution must obtain a student's authorization to credit a student's account with Title IV grant funds for charges other than current charges. However, a school must notify a student, or parent for a parent PLUS loan, in writing prior to making any post-withdrawal disbursement of loan funds, whether those loan funds are to be credited to the student's account or disbursed directly to the student (or parent).

The notice to the student must include the source, type, and amount of the funds. In addition, the notice must inform the student that he or she may reject the funds or accept all or just a portion of the amount offered. The school may not disburse the funds directly to the student without the student first confirming that he or she wants the funds. The school must document the result of the notification process and the final determination made concerning the disbursement, and maintain that documentation in the student's file.

Condition: We noted that the University was not providing written notification to students concerning post-withdrawal disbursements or maintaining documentation of the final determination made concerning the disbursement.

Effect: The University is not in compliance with post-withdrawal regulations which could adversely effect future funding.

Cause: The cause of this finding appears to be lack of management oversight.

Recommendation: We recommend that the University review its current policies and procedures and make the necessary changes to ensure the institution is in compliance with all post-withdrawal federal regulations.

Management's Response: Management has reviewed this process and is currently obtaining student's written authorization to disburse post-withdrawal funds and is maintaining this documentation in the student's file.

LINCOLN MEMORIAL UNIVERSITY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
June 30, 2008

FINDING 08-03 - Federal Perkins Loan Program (CFDA No. 84.038) and Federal Family Education Loan Program (CFDA No. 84.032)

Criteria: According to 34 CFR 674.42(b) (Perkins Loan Program) and 34 CFR 682.604(f) and (g) (Federal Family Education Loan Program), students must receive exit counseling prior to leaving the University, if known, and/or the required materials mailed to the last known address within 30 days the University becomes aware that a student is no longer attending the institution.

Condition: During our review of exit counseling, we noted the following: 1) Perkins exit counseling for 4 of the 6 students selected, could not be produced by the University and therefore, we were unable to complete testing and 2) under the Federal Family Education Loan Program, we noted that exit counseling for eight of 33 students tested was not provided in accordance with the federal regulations.

Effect: The University is not in compliance with the federal regulations concerning exit counseling.

Cause: The cause of this finding appears to be the lack of management oversight.

Recommendation: We recommend that the University review its current procedures pertaining to exit counseling and make the necessary changes to ensure the appropriate materials are provided or sent to the borrowers in accordance with the federal regulations.

Management's Response: Management has reviewed the process for obtaining and documenting exit counseling and have made the appropriate changes to comply with this regulation.

FINDING 08-04 - Federal Perkins Loan Program (CFDA No. 84.038)

Criteria: According to 34 CFR 668.16(m)(1), a school is considered to have administrative capability when the cohort default rate for the Perkins loans made to students for attendance at the institution does not exceed 15%. Further, according to (m)(2)(i), the Department may allow the institution to continue to participate in Title IV programs but may provisionally certify the institution in accordance with 34 CFR 668.13.

Condition: Upon review of the Fiscal Operations Report and Application to Participate for the 2007-2008 year, we noted that the Perkins cohort default rate was 22.45%.

LINCOLN MEMORIAL UNIVERSITY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
June 30, 2008

Effect: In addition to affecting a school's administrative capability and limiting the institution's participation in the Federal Student Aid programs, a high default rate may lead to a determination of ineligibility to participate in the Federal Pell Grant or Perkins program or cause the Department to limit, suspend, or terminate an institution's participation in the Federal Student Aid programs.

Cause: The cause of this finding appears to be lack of adequate underwriting and collection procedures.

Recommendation: The University should review current policies and procedures over the Perkins Loan Program and make the necessary changes and work toward reducing the cohort default rate.

Management's Response: The University has taken steps to correct this issue by assigning new personnel, and implementing new policies and procedures to allow the default rate to come back into compliance.

PART IV: SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

None

CINDY L. SKARUPPA
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Harrogate, Tennessee 37752
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EDUCATION:

- 1988** **University of Miami, Miami, Florida**
1993 **Doctor of Education, June 1993**
 Major: Educational Leadership
 Outside Field: Politics and Public Affairs
- 1981** **Ohio State University, Columbus, Ohio**
 Master of Arts in Educational Administration
 Certified: Elementary and Secondary Principal
- 1975** **Ohio State University, Columbus, Ohio**
 Bachelor of Science in Education
 Major: Exceptional Children
 Minor: Elementary Education
 Certified: Reading (K-12)

PROFESSIONAL EXPERIENCES:

- 2009** **Vice President for Enrollment Management and Student Services**
Present **Lincoln Memorial University**
- 2007** **Vice President and COO for Enrollment Services, Advancement, IT,**
 and Athletics and Associate Professor
- 2009** **Brewton-Parker College, Mount Vernon, Georgia**
 Provide leadership to Admissions, Financial Aid, Registrar,
 Marketing, News and Public Information, Student Life, International
 Student Services, Advancement, IT, Athletics and five External
 locations for adult learners.
- 2004** **Vice President of Enrollment Management and Student Life**
2007 **Our Lady of the Lake University, San Antonio, Texas**
 Provided leadership for Admissions, Registrar, Financial Aid,
 Retention, First-Year Advising and First-Year Experience and
 managed the Title V Grant
- 2001** **Senior Associate Consultant, Noel-Levitz**
Present **Consultant to campuses on enrollment management**
 Full-time consultant in 2004 for approximately 9 months

Consultant for over 30 schools and projects

- 2001
2004** **Dean, College of Professional, Adult and Continuing Education and Professor
Lynn University, Boca Raton, Florida
Provided leadership for all undergraduate, graduate and doctoral evening degrees, off-campus program development and delivery and continuing education programs.**
- 2000
2001** **Dean, Academic Support Services and Professor
Lynn University, Boca Raton, Florida
Provided leadership for the following divisions:**
- **The ADA compliance officer for the University**
 - **The Advancement Program--support program for 300 students with Learning Disabilities.**
 - **The Academic Advising Center**
 - **The Library**
 - **The Office of Internships**
 - **The Institute for Distance Learning**
 - **The Registrar's Office**
- 1998
2000** **Associate Professor, Leadership Department
Director of Doctoral Programs
Barry University, Miami Shores, Florida**
- Developed two off-campus educational leadership cohorts; Palm Beach County and the Independent Schools in Dade County**
- Member of Task Force for the Ford Foundation Diversity Grant at Barry University**
- Co-advisor to the Doctoral Leadership Organization at Barry University Leadership Department**
- 1997
1998** **Provost
American College of Switzerland, Leysin, Switzerland**
- 1995
1997** **Chair and Associate Professor of Leadership Department
Barry University, Miami, Florida**
- 1989
1995** **Program Leader, Special Education
Florida International University, Miami, Florida**
- Assistant Professor, Educational Psychology &**

Special Education
Florida International University, Miami, Florida

Consultant Professor, University Inter Americana de Puerto Rico
Developed doctoral courses for Special Education Administration
Program.

1991
1993 **Project Director: Emotionally Handicapped**
& Severely Emotionally Disturbed Center Schools
Florida International University, Miami, Florida

- **Coordinate University resources**
- **Supervise FIU interns**
- **Provide staff development to school faculty**
- **Grant writing**
- **Assist in research development**
- **Teach University courses**

1990-91 **Visiting Instructor**
Florida International University, Miami, Florida

- **Taught undergraduate and graduate courses in Special**
Education and Educational Psychology
- **Supervised special education interns**

1989-90 **Adjunct Faculty**
Florida International University

- **Taught Language Arts method courses**
- **Supervised Elementary Education student teachers**

1988-90 **Graduate Assistant**
University of Miami, Miami, Florida

- **Assistant to Chair of Educational Leadership Department**
- **Co-facilitated the Danforth School Administrator Fellowship**
Program
- **Assisted in the preparation of SACS, NCATE and UPA reports**
- **Co-facilitated School-Based Management**
workshops/conferences
- **Assisted with off campus educational leadership doctoral**
cohorts in Naples and Broward Counties

1989 **Interim Executive Director, South Florida Management Development**
Network and South Florida Center for Educational Leaders

- 1985-88** **Elementary Principal**
Whittier Elementary School, Sidney, Ohio
- **Staff Development Coordinator**
 - **Director: ESOL Programs**
- 1984-85** **Elementary Principal**
Fairbanks Elementary School, Milford Center, Ohio
- 1980** **Summer School Principal**
Groveport Middle School, Groveport, Ohio
- 1975-84** **Teacher**
Groveport Middle School, Groveport, Ohio
- **Educably Mentally Handicapped**
 - **Math Teacher (6-12)**
 - **Coach, Girls' Softball and Volleyball**
- 1975** **Learning Disabilities Tutor (6-12)**
Groveport Local, Groveport, Ohio

RELATED EXPERIENCES:

- 2008** **SACS Steering Committee and facilitator of the Quality Enhancement Plan for SACS accreditation**
- 2008** **Member of the partnership between Georgia Student Finance Commission and GASFAA to implement a Leadership Academy**
- 2008** **Sub-committee of the Chamber Board, Georgia**
United Way Education Division Chair, Georgia
- 2008** **Rotary**
- 2007** **College Board Delegate**
- 2007** **United Way Board-Toombs-Montgomery County, Georgia**
Chamber Leadership Program Participant-Toombs-Montgomery County, Georgia
- 2001** **Independent Colleges and Universities of Florida (ICUF)**
2004

- 2001** **SACS Steering Committee. Lynn University**
- 2000** **Developed an Ed.D. program in Educational Leadership for Barry University and Miami Dade County Public Schools.**
- 2000** **Faculty Research Facilitator of Action Research for Nova Blanche Forman Elementary School, Ft. Lauderdale, Florida.**
- 2000** **Member of Principal Design Team. Florida Association District School Superintendents.**
- 1999** **Team Leader for the DOE University Educational Leadership Approval at St. Leo College, Florida.**
- 1999** **Team Leader for the DOE University Educational Leadership Approval at the University of South Florida.**
- 1999** **Developed an Ed.D. program in Educational Leadership for Barry University and the University of Orlando.**
- 1997** **Team Leader for the DOE University Educational Leadership Approval at the University of Central Florida**
- 1995** **Grant writing team for full-service school**
1997 **Gratigny Elementary, Miami Shores, Florida**
- 1991** **Florida International University Projects**
1995
- **Developed a streamlined proposal to conduct research in Dade County Schools.**
 - **Co-chair of the Research Writing Team for the proposed elementary school**
 - **Developed a Master’s Specialty Cluster for the study of Severely Emotionally Disturbed Students**
 - **Coordinated the NCATE process for the Special Education Department**
 - **Reactivated the Student Council for Exceptional Children, Advisor**
 - **Collaborated with the College of Engineering to provide educational services to children and adults in HUD facilities**

- 1988** **Technical Assistant for Florida Project LEAD**
1991 **Leadership in Educational Administrator**
 Development)
- **Provided training and technical assistance to administrators in Florida Schools in the area of Performance Management**
 - **Evaluated school district programs for Level II Educational Leadership Certification**
- 1987-88** **Chairperson of Competency-Based Education for Language Arts**
 Sidney City Schools, Sidney, Ohio
- Board of Directors for Bilingual Education**
 Ohio University, Ada, Ohio
- 1986-87** **Ohio Association of Elementary School Administrators State Task**
 Force on Merit Pay
 Columbus, Ohio
- 1984-85** **Chairperson of Competency Based Education for Mathematics**
 Fairbanks School District, Milford Center, Ohio

FUNDRAISING:

- 2006** **Success Coaches Grant from AT&T (1,000,000.00)**
- 2004** **SBC Grant for Technology to enhance student success (350,000.00)**
- 1994** **Project Phoenix Experiential Learning with EH/SED Middle School**
 Students (\$89,000.00)
- 1993** **Project United, FIU/Dade County collaborative to support graduate**
 students (\$12,000.00)
- 1992** **SEDNET, Dade County School Mediation Training for EH Middle**
 School Students (\$5,000.00)
- 1992** **Florida State Department of Education, External Training Project for**
 Out-of-Field EH Teachers (\$21,000.00)
- 1991** **Chapter 2 Grant, Dade County Public Schools first mainstreaming**
 grant for EH students (\$46,000.00)

- 1990 **Project LEAD, Florida State Department of Education Federal Grant to National LEAD in Washington D.C. (\$288,000.00)**
- 1987 **Computer Grant, Stolle Corporation (\$1,000.00)**
- 1987 **Team Accelerated Instruction (\$500.00)**
- 1985 **Artist in Education, Ohio Arts Council (\$3,000.00)**

PUBLICATIONS:

- Skaruppa, C. (June 2007), Avoiding excessive activity syndrome in retention planning, *Recruitment and Retention in Higher Education*, 21(6), 4-6.**
- Shamus, J., Shamus, E., Gugel, R., Brucker, B., Skaruppa, C. (July 2004), The effect of sesamoid mobilization, flexor hallucis strengthening, and gait training on reducing pain and restoring function in individuals with hallux limitus: a clinical trial. *Journal of Orthopedic Sports Physical Therapy*, 34(7), 368-76.**
- Kosnitzky, A. & Skaruppa, C. (2003), African-American male students with emotional and behavioral disorders: A study on the effects of ethnic identity on their preference for school counselors. *Professional School Counseling***
- Skaruppa, C.L., LeBlanc, P., Lacey, C.H. (2001). *Youth court : Advocating for all children.* (Report No. CG-031-787). Miami, FL. (ERIC document Reproduction Service No. ED465148)**
- Zuniga, L., Skaruppa, C.L., Powell, T. (2000). The role of acculturation in career advancement of Hispanic corporate managers. *Proceedings of the Academy of Human Resource Development, USA*, 34-3.**
- Maldonado, N., Skaruppa, C.L., Wolman, C. (1999) Moral and ethical leadership: Implications for higher education, *National Council of Professors in Educational Leadership Yearbook.* (1999)**
- Testa, M., Skaruppa, C.L., Pietrac, D. (1998) Linking job satisfaction and customer satisfaction in the cruise industry: Implications for hospitality and travel organizations. *Journal of Hospitality and Tourism Research*, 22(1).**
- Skaruppa, C.L., LeBlanc, P., Mackay, L. (Summer, 1998) Why should teacher educators model cooperative learning in university classrooms? *Southern Regional Association of Teacher Educators Journal*, 7(2) 4-11.**

LeBlanc Kohl, P., & Skaruppa, C.L. (Spring, 1997) Support for democratic schooling: Classroom level change via cooperative learning. *Action in Teacher Education*, 19(1) 28-38.

Skaruppa, C.L., Boyer, A., Edwards, O. (1997). Tuition reimbursement for parent's unilateral placement of students in private institutions: Justified or not? *West's Education Law Reporter*, 114(2) 353-358.

Barbetta, P.M., & Skaruppa, C.L. (1995). Looking for a way to improve your behavior analysis lectures? Try guided notes. *The Behavior Analyst*, 18(1), 155-160.

Skaruppa, C.L. (1995). *Test Bank to Accompany: Introduction to exceptional children*. Englewood Cliffs, NJ: Prentice Hall.

Skaruppa, C.L., Bussell, G., Angeliadis, M., Golliher, T., Purvis, D., Sakoof, M., Touchton, D. (1993). *Florida alternatives: Behavior management for exceptional students*. Florida Department of Education.

OTHER RESEARCH:

The following paper was accepted for the proceedings and for presentation in 2003: Skaruppa, C. & Kosnitzky, A (2003), "Retention!, Retention!, Retention!: Interventions for Maintaining your Current Students, the Non-attendees, and the Ones that Leave Early." Presentation at the 2003 Association for Continuing Higher Education (ACHE), Annual Conference.

Collaborated with CAEL in the development of "How well are we serving our adult learners: Investigating the impact of institutions on success and retention".

PAPERS:

Lacey, C.H., Baldrige, S., & Skaruppa, C. (1998). *Heading toward a new era: Baseline data on the preferred values of lay women and men who teach in Roman Catholic secondary schools*. Annual meeting of American Educational Research Association, San Diego, CA.

PRESENTATIONS:

"Low-Cost Enrollment Initiatives for Small Private Institutions".
Presentation at the Noel-Levitz National Conference on Recruitment, Retention, and Marketing, July 17, 2008. Chicago, Illinois.

“Student Success Coaching”. Presentation at the Noel-Levitz National Conference on Recruitment Retention, and Marketing, July 13, 2007. Orlando, Florida.

“Student Success”. Faculty Convocation at Houston Community College, September, 2006. Houston, Texas

“The Impact of Student Retention on Enrollment and Fiscal Health” at the NACUBO Conference, May 22, 2006. Minneapolis, Minnesota

“Leading Schools: Practicing Preventive Law”. Jewish Education Commission Educators’ Conference October, 2002.

“Liability in the Preschool: What Every Teacher Should Know”. Early Childhood Educators’ Conference August, 2002.

“The Relationship of Learning Styles to Computer Self-Efficacy and to Preferred Computer Productivity Software Packages with Teachers and Staff of Miami Dade County Public Schools”. Society for Information Technology and Teacher Education International Conference March 5, 2001, Orlando, Florida.

“Youth Court: Advocate for All Children”. Annual Conference of Association of Teacher Educators February 19, 2001, New Orleans, Louisiana.

“The Role of Acculturation in Career Advancement Among Hispanic Corporate Managers.”Academy for Human Resources Development International Conference March 8, 2000.

“Women: Working Wonders in the University Classroom” Florida Association for Women in Education, January 27, 2000.

“Brainy Ideas” Parent University, Broward County School District, January 22, 2000.

**“The Celebration of Teaching”
Opening Day Event, St. Thomas Aquinas High School, August, 1999.**

**“Constructivism and Authentic Pedagogy”
Professional Development Day, Barry University, March, 1999.**

**“Excellence in Teaching: Active Learning Strategies”
Johnson and Wales University, April, 1999.**

“Dialogue on Race/Racial Issues: Train the Trainer Model” Central and South Florida Higher Education Diversity Coalition, February, 1999.

**“Graduation Speech”
American College of Switzerland, May, 1998.**

“A New Leadership Paradigm to Prepare Education Leaders to Reinvent Schools”. Southern Regional Council on Educational Administration, November, 1996

“Cooperative Learning in the College Classroom: Fostering Democratic Values and Practice”. Association of Teacher Educators Summer Conference, August, 1996.

“The Use of Guided Notes in Applied Behavioral Analysis Courses” Florida Association of Behavior Analysts, September, 1995.

“Sustaining and Integrating Constructivist School-University Collaboration” American Educational Research Association, April, 1995.

“Strategic Planning & Managing of the School Improvement Plan” Florida Association of Staff Development Conference, September, 1994.

“Inclusion: A Thorny Issue”. Florida Association of Staff Development Conference, September, 1994.

“Behavioral Interventions to Increase Academic Outcomes” Florida Council for Exceptional Children, October, 1994.

“Walk in Their Shoes” Fourth Annual Art of Teaching Conference, October, 1994.

“Strategic Planning and Managing of School Improvement Plans”. Dade County Administrators, Region 2, November, 1994.

“Strategic Planning and Managing of School Improvement Plans”. National Association of Staff Development Conference, December, 1994.

“School Restructuring: Is the Jury Still Out on the Impact of School Based Management?” Florida Association of Staff Development Conference, September, 1993.

“Conflict Mediation Training with EH/SED Middle School Students” Miami Multi-Agency Mental Health Conference, May, 1992.

“Exceptionalities, Differences and Inclusion”

Peace Corp Fellows, September, 1992.

**“Mainstreaming and Behavior Management”
FIU student teachers, October, 1992.**

**“Development of an EH/SED Specialized Center School”
Miami Multi-Agency Mental Health Conference, May, 1991.**

**“Current Brain Research and Educational Implications for Early
Childhood” Early Childhood Conference, Miami, October, 1991.**

**“Development of an EH/SED Specialized Center School”
Florida Association of School Psychologists Conference, October, 1991.**

**“Performance Management for Administrators”
Broward and Dade Administrators, November, 1990.**

**“Implications of School Retention”
Sidney, Ohio Educators Staff Development, November, 1987.**

**“Japanese Education and Culture”
Sidney, Ohio Community Organizations, 1987.**

UNIVERSITY COMMITTEES:

Brewton-Parker College
Executive Council
Administrative Council
President’s Cabinet
Strategic Planning Committee
Web Committee
IT Committee
Safety Committee
Marketing Committee
Orientation Committee
Retention Committee

Our Lady of the Lake University
President’s Executive Council
Strategic Budgeting and Planning Committee
National Advisory Council of OLLU
Administrative Council
Board of Trustees Enrollment Management Committee
Customer Service Committee

**Faculty Committee on Student Life and Enrollment Management
Scholarship Committee
Faculty Assembly**

Lynn University

**Academic Council
Retention (Co-Chair)
Professional Standards
Institutional Research Board
Technology Committee
Distance Learning Committee
Constitution Committee
Curriculum Committee
Graduate Council**

Barry University

**Faculty Evaluation
Marketing
Newsletter
Doctoral Review Council
Professional Development Day
Academic Affairs
Faculty Senator
Ethics Committee
Business Affairs Liaison
Salary Committee
Strategic Planning Committee for Senate**

Florida International University

**Project CoStarr
Library
Academic Council
Peace Corps, Dean's Project
Budget Committee (Salary Compression)
10 Percent Admissions Committee
University Women's Issues
University Judicial Committee
Curriculum Committee**

AWARDS AND HONORS:

1990 Louise P. Mills Scholarship, Miami Women's Panhellenic

1989 School of Education Alumni Scholarship, University of Miami

- 1989 **“Who’s Who Among Students in American Universities and Colleges”**
- 1988 **“Who’s Who in American Education”**
- 1987 **“Hall of Fame Award for Top Elementary School in Ohio”**
- 1986 **“Educator to Japan Award”**

CONSULTANCIES:

Noel-Levitz (a few campuses include: Trent University, Canada, Oklahoma Baptist University, Oklahoma, St. Scholastica, Minnesota, St. Joseph, Brooklyn, McNeese State University, Louisiana)

**Palm Beach County Youth Court, Palm Beach, Florida
“Evaluator of Youth Court Program”**

**Palmer Trinity School, Miami, Florida
“Action Research for Laptop Program”**

**Scandinavian Cruise Lines, Copenhagen, Denmark
“Hospitality Supervision”**

**Carnival Cruise Lines, Miami, Florida
“How to Communicate, Give Feedback and Praise”**

**Bradenton School District, Bradenton, Florida
“Shared Decision Making”**

**St. Stephens Independent School, Coconut Grove, Florida
“Strategic Planning Process”**

**Dade County Public Schools
“Strategic Planning and Managing the School Improvement Plan”**

**Chicago Calumet High School, Chicago, Illinois
“Team Teaching and the Interdisciplinary Approach”**

**Hebrew Academy, Miami Beach, Florida
“Inclusion Project”**

**John F. Kennedy Community College, Chicago, Illinois
“Team Teaching”**

PROFESSIONAL AFFILIATIONS:

- **Georgia Student Finance Commission**
- **Georgia Foundation for Independent Colleges**
- **SACRAO and AACRAO**
- **NACADA**
- **NASFAA**
- **College Board Assembly Delegate**

GORDON ROBERT RUSSELL

**Associate Dean, Professor of Law and Law Library Director
Duncan School of Law
Lincoln Memorial University
601 W. Summit Hill Dr.
Knoxville, TN 37902**

EDUCATION

**University of New Mexico
J.D. 1994 graduated Cum Laude**

**University of Western Ontario
LL.B. 1987**

**Brigham Young University
M.L.S. 1982
B.A. History and Political Science 1978 graduated Cum Laude**

EMPLOYMENT

**Duncan School of Law Associate Dean, Professor of Law and Law Library Director Mar.
2009 -**

Charleston School of Law Associate Dean and Professor of Law Mar. 2004 – Feb. 2009

**St. Thomas University Law School Associate Professor and Director of the Law Library
July 1998 - May 2004**

**Southern New England School of Law Associate Professor & Director of Information
Technology June 1996 - July 1998**

**University of New Mexico Law Library Associate Professor/Associate Law Library
Director June 1995 -May 1996 Assistant Professor/Head of Public Services Jan. 1992 -
May 1995**

University of Miami Law Library Head of Reference 1990 - 1992

**University of Manitoba, E.K. Williams Law Library Assistant Professor/Reference Law
Librarian 1987 - 1990**

TEACHING

First Year: First Year Legal Research and Writing.
Upper Level: Advanced Legal Research, Computer Assisted Legal Research, International Legal Research, Interviewing, Negotiation and Counseling and an online web based course in Computer Assisted Legal Research for law students, Technology and the Law
LL.M. Int'l. Tax: Thesis I (Tax Research)

ACTIVITIES

PUBLICATIONS

Coauthored with Roy Balleste *Implementing Virtual Reference: Hollywood Technology in Real Life*, 23(4) *Computers in Libraries* 14, 2003.

Co-edited *Law Library Collection Development in the Digital Age*. Haworth Press, Inc. 2002.

Re engineering the Law Library Resources Today for Tomorrow's Users: A Response to 'How Much of Your Print Collection Is Really on WESTLAW and LEXIS-NEXIS?' 21(2/3) *Legal Reference Services Quarterly* 29, 2002.

Redefining Academic Legal Reference - Meeting the Challenge of Serving Distributed Learners, 2nd International Conference on Technology in Teaching and Learning in Higher Education June 27-29 2001.

Re-Engineering the Law Library as a Virtual Support Center prepared for the ICTE 2000 Conference, April 2000 forthcoming in ICTE Conference Proceedings.

Bibliography: NAFTA & Mexico and a FolioViews database prepared for the United States-Mexico Law Institute's Fifth Annual Conference, Sept. 18-21 1996, Santa Fe.

Bibliography: NAFTA & Trade and a FolioViews database prepared for the United States-Mexico Law Institute's Fourth Annual Conference, Sept. 28-30 1995, Santa Fe.

Briefing the Case: NAFTA Environmental Bibliography, published in 26(3) *SWALL Bulletin* 33 (May 1995).

Bibliography: U.S./Mexico Trade, GATT, Labor and Dispute Resolution, United States-Mexico Law Institute's 3rd Annual Conference, Sept. 15-18 1994, Santa Fe.

A Pathfinder on the Admissibility of DNA Evidence in Criminal Cases, 13(3) *Legal Reference Services Quarterly* 19 (1994).

Select Bibliography: NAFTA and the Side Agreements on the Environment and Labor, United States-Mexico Law Institute's 2nd Annual Conference, Oct. 28-30 1993, Santa Fe.

PRESENTATIONS

Outsourcing Faculty Publication Pages. CALI Conference, Baltimore, MD, June 21, 2008.

Transformation - The ABA Standards on 1/3 of a Residential Class Being Taught in Creative Ways. CALI Conference, Baltimore, MD, June 19 2008.

Using Video Clips and Clicker Technology in Class. AALS Mid-Year Meeting Conference on Evidence, Cleveland, OH, June 5, 2008.

Legal Writing And Analysis Workshop for Paralegals. IPE Seminar Charleston, SC., March 4, 2008.

Understanding Search Tools for More Effective Queries for Paralegals. Audio Webcast IPE Institute for Paralegal Education Online Learning, January Tuesday January 29, 2008.

Panelist on Building the Library Insights from New Law Schools. AALS Directors' Lunch Panel, New York, New York, January 3, 2008.

The Internet Revolution: Savvy Research Strategies for Paralegals, IPE Seminar, Charleston, SC, July 19, 2007.

What to Count, What to Report: The Revised ABA Annual Questionnaire. American Association of Law Libraries Conference, New Orleans, LA, July 16, 2007.

Blogs, Working Papers, Electronic Publishing: Will Changes in Legal Scholarship Affect the Future Development of Library Collections? American Association of Law Libraries Conference, New Orleans, LA, July 15, 2007.

Integrating Feedback: Create a Response Oasis in an IT Mirage. CALI Conference, Las Vegas, NV, June 20, 2007.

Integrating Advanced Legal Research into Upper-level Seminar Courses. Institute for Law School Teaching 13th Summer Conference, Boston, MA, June 9, 2007.

Integrating Real-time Feedback in the Classroom with New Technology. Charleston Connections Conference, Citadel, Charleston, SC, May 2007.

Reinventing Technical Services in the Digital Age. Southeastern Association of Law Libraries Conference, Baton Rouge, LA, Apr. 20, 2007.

Electronic Books - Acquisition, Access, Bibliographic Control and Use. Mid-America Association of Law Libraries, Tulsa, OK, October 20, 2006.

The Law Library in 2015. SEALS Conference, July 2006.

Constructing the Law School Technology Using Outsourcing. CALI Conference - Fort Lauderdale, FL, June 2006.

Building a Library in the Digital Age or How Much Print is Enough? SEALL Conference NC, April 2006.

The Digital Law Library and Virtual Reference. OCLC Virtual Reference Conference November 2003, San Antonio, TX.

The Future of the Law Library. SEALS Conference - Friday, July 25, 2003, Ritz-Carleton, Amelia Island, FL.

Experiencing the Virtual Reference Desk. CALI Conference - June 19, 2003, Duke University, Durham, NC. (<http://www.cali.org/conference/2003/agenda.htm#THU-2-230>)

The Incredible Shrinking Law Library. CALL Conference -May 27, 2003, Niagra on the Lake, Ontario.

The Librarians Role in Space Planning - Fast Forward. American Bar Association Section of Legal Education and Admissions to the Bar. Law School Facilities Committee. Bricks, Bytes and Continuous Renovations Conference, March 20, 2003, Suffolk University Law School, Boston, MA.

Capturing Key Evidence Through Electronic Discovery in Florida. NBI Seminar, November 12, 2002, Miami, FL.

Virtual Technology and Artificial Intelligence: The Next Step for Law Libraries. CALI Conference - June 2002, Chicago, IL.

Virtual Support Centres: Redefining Academic Legal Reference – Meeting the Challenge of Supporting an Online LL.M. program. Integrating Asynchronous and Synchronous Learning Components With a Commercial Online Writing Lab (Smarthinking.com) 17th Annual BILETA Conference, April 2002, Free University, Amsterdam (<http://www.bileta.ac.uk/02papers/russell.html>)

The Nuts and Bolts of Electronic Discovery for Florida Paralegals, IPE Seminar, January, 2002, Miami, FL.

Panelist for David In, Goliath Out? Do We Need Larger Libraries to

Accommodate More Books? AALL Conference, July 2001, Minneapolis, MN.

Presentation on Outsourcing: The St. Thomas Experience at the CALI Conference, June 2000, Chicago, ILL.
(<http://www.cali.conference/2000/SESSDESC.HTM#RUSSELL>)

IPE Seminar on *Internet Legal Research for Paralegals*, May, 2000, Miami, FL

Presentation on Re-Engineering the Law Library to be a Virtual Support Center, at the International Conference on Technology and Education, April, 2000, Potchefstroom University, South Africa.

Presentation on Online Legal Research, St. Thomas University Alumni, Sept. 1999.

Presentation on Library Technology, CALI Conference, June 1999, Eugene, OR.

Presentation on Integrating Web Presentation on Law School Computing Under the Law Librarian at the New Director's Workshop - AALS Jan. 1997, Washington, D.C.

Presentation on Pathfinders on the Internet for the Canadian Association of Law Libraries Conference, Kingston, Ontario. May 25, 1996.

Presentation for Surfin' the Net -- A Lawyer's Hands-on Introduction and Guide to the Internet, March 15, 1996. A 6 Credit CLE sponsored by the UNM School of Law and the Friends of the UNM Law School Library.

Received an Award from Lexis for *Advanced Legal Research Folio Database*, Award presented at AALS January 1996.

Presentation for the Judicial Education Center on Legal Research to N.M. Magistrates, November 1994 and *Probate Judges* on Jan. 24, 1995.

Technology in the Classroom Using Web Course in a Box at the CALI/LEAP Conference, June 1998, Chicago, IL.

Presentation for the Judicial Education Center on Legal Research to N.M. Magistrates, November 1994 and *Probate Judges* on Jan. 24, 1995.

Presentation on Indian Legal Research to Tribal Court Judges, June 1994.

Organized Public Services/Technical Services: New Wine in Old Bottles. 1994

AALL Conference, Seattle, WA.

Presentation "*Paraprofessional at the Reference Desk*" 1994 AALL Conference, Seattle.

Organized panel "*Collection Development*" 1994 SWALL Conference, Dallas, TX

Organized session on NAFTA at 1993 SWALL Conference.

Presentation on FolioViews at CALI Conference, May, 1992.

Presentation on INTERNET at CALL Conference May 1991.

Panelist for joint SFALL/DCLA Conference March 1991.

Presented a series of seminars sponsored by the Law Society of Manitoba on computer assisted legal research, U.S. legal research and WordPerfect.

Presented "*Charter Research*" AALL Conference June, 1989.

COMMITTEES

2009-2010 Chair COSELL

2009 Member of the AALL Academic Law Libraries Special Interest Section's Task Force on the ABA Standards Review.
(<http://www.abanet.org/legaled/committees/comstandards.html>)

2008-09 Member American Bar Association Committee on Libraries and the ABA Legal Education Law School Facilities Committee that is planning the ABA Bricks and Bytes Conference, March 10-12, 2010 in Philadelphia.

2007- 2008 Member of the ABA Section on Legal Education Law Libraries Committee.

2007- 2009 Member AALL Indexing Legal Periodicals Committee.

2007 – 2008 Vice Chair/Chair Elect COSELL (Consortium of SouthEastern Law Libraries)

2003 Member ABA Site Evaluation Team, Ava Maria School of Law, Lansing Michigan.

2003 Vice President/President Elect SFALL (South Florida Association of Law Libraries).

2003 Chair AALL Indexing Legal Periodicals Committee.

2002 - 2003 Member AALL Indexing Legal Periodicals Committee

**2001 - Member American Association of Law Schools Executive Board of the AALS
Section on Law Libraries.**

1999 - 2004 Member Board of Advisors Nova University ParaLegal Studies Program.

1999 - 2000 Member AALL Academic SIS Program Committee.

Member ABA Site Evaluation Team, MSU/DCL, Lansing Michigan Oct. 30 - Nov. 3, 1999.

1997-98 Chair AALL Indexing Legal Periodicals Committee.

1996-97 Member AALL Indexing Legal Periodicals Committee.

1995-96 UNM Faculty Senate Budget Committee.

1994-95 UNM Law School/Indian Law Clinic Liaison Committee.

1994-95 AALL OBS/SIS Committee on Education.

1993-94 SWALL Education Committee.

1993 SWALL Program and Local Arrangements Committees.

Chair, CALL Computer Assisted Legal Research SIG 1988-92.

Member, UMFA Grievance Committee, UMFA Board of Representatives 1988-1990.

Chaired University Library Staff Development Committee 1988-89.

CURRENT RESEARCH INTERESTS

Writing on an article on the building a library collection in the digital age. Researching the development of the moot court in American legal education.

OTHER INTERESTS

Optimist, Dixie Youth & Little League Baseball coach for 7 years.

CURRENT MEMBERSHIPS

**American Association of Law Librarians (AALL)
South Eastern Association of Law Libraries (SEALL).**

LINCOLN MEMORIAL UNIVERSITY
DUNCAN SCHOOL OF LAW

LAW LIBRARY REFERENCE SCHEDULE
SPRING 2010

Send your IM requests to: lmulawlibrarian@gmail.com

Monday:

12:00 to 3:30

3:30 to 6:30

6:30 to 9:30

Wednesday:

12:00 to 3:30

3:30 to 6:30

6:30 to 9:30

Librarian on Duty:

Ann Long

David Walker

Gordon Russell

Tuesday:

12:00 to 3:30

3:30 to 6:30

6:30 to 9:30

Thursday:

12:00 to 3:30

3:30 to 6:30

6:30 to 9:30

David Walker

Ann Long

Gordon Russell

Reference questions or requests can also be sent via email:

Dean Russell gordon.russell@lmunet.edu

David Walker david.walker@lmunet.edu

Ann Long ann.long@lmunet.edu

Associate Dean for Academics

Reports to: Dean of the Law School

Department: Law School

Classification: Administrative/Faculty

Division: Academic Affairs

Date: February 1, 2010

Job Summary: The Associate Dean for Academics will be responsible for fielding and responding to student concerns, problems, and complaints drawing upon and involving the University's resources when appropriate. He or she will be responsible for academic counseling to law students, including visiting and transfer students. The Associate Dean for Academics will work with the Dean, the Assistant Dean for Assessment, the Faculty Curriculum Committee and the faculty to develop curriculum and course schedules, and make faculty assignments. He or she will make recommendations to the Dean for the hiring of adjuncts and will work with the adjuncts. The Associate Dean for Academics will address grading and ranking issues, and handle other routine academic administration matters as requested by the Dean.

Duties and Responsibilities: *promote the mission of Lincoln Memorial University and the Duncan School of Law to all faculty, staff, students and to the community at large; *promote effective working relationships among faculty, staff, and students; *participate on Law School committees; *provide academic counseling to law students including visiting and transfer students; *work with the Dean, the Assistant Dean for Assessment, the Faculty Curriculum Committee and the faculty to develop curriculum and course schedules; *make faculty assignments; *review applications for adjunct faculty; *conduct interviews with adjunct faculty; *make recommendations to the Dean for the hiring and retention of adjunct faculty; *make recommendations to the Dean for the hiring and retention of faculty assistants; *supervise faculty assistants; *work with the Registrar to address any grading issues and ranking issues; *review and address any applications for grade changes in accordance with the Law School's policy; *review and address any student complaints with regard to grade changes; *review and address any request by a student to change his or her status from part-time to full-time or from full-time to part time and to counsel student with regard to the consequences of the granting of any such request; *address student attendance issues; *review and address requests for directed study courses; *review and address issues with regard to proposed syllabi for special topics courses; *counsel students who are to be placed on academic probation discussing resources available to assist the student in the student in returning to good standing; *following-up with students on academic probation to assist in their progress towards returning to good standing; *review and address student requests to drop courses after the add/drop period; *review and address student requests for a leave of absence; *serve on the Committee on Academic Integrity; *review and address requests for waivers from the mandatory grading distribution; review and address requests for waivers from the mandatory mean; *review and address any variances requested by students as permitted in the Student Handbook and Catalog; *review and address any student requests for a change in section assignments; *review requests for transfer credits; *review requests for permission to download additional software on issued laptops and work with Information Systems in obtaining authorization in the event the Associate Dean for Academics deems the request appropriate; *writing and producing student handbooks,

directories, and other appropriate Law School publications; *advising students on the upper-level writing requirement; *communicating with students regarding academic matters such as withdrawal, probation and other academic standards issues; *working with the law faculty and academic support personnel on matters of academic standards and assistance to students having academic difficulties; *in conjunction with the Director of Admissions, developing and implementing outreach programs to attract and retain a diverse student body; *promote understanding of the Law School requirements and policies for faculty, staff, and students; *maintain records, reports, and other documents that support the criteria for accreditation for SACS, the TBLE, and the ABA and other organizations as may be necessary; *promote effective fiscal management; *maintain strict confidentiality regarding Law School and University matters; and *perform other duties as assigned.

Knowledge, Skills, and Abilities: *Knowledgeable about the best practices for all aspects of academics in law schools with particular emphasis on teaching, learning, and academic program effectiveness; *an understanding and appreciation of the methods and objectives of higher education with a particular emphasis on law schools; *Ability to communicate and work well with faculty, staff, students, and the community at large; *good overall verbal, non-verbal, and written communication skills; *excellent organizational skills; *high-level of computer skills including but not limited to proficiency in Microsoft Office® including Word, Excel, Outlook and PowerPoint as well as Turning Point and a other technology tools which will assist in effectively carrying out the duties as assigned; *demonstrated ability to complete multiple assignments, meet deadlines; *effective interpersonal and speaking skills that facilitate his or her interactions with a diverse constituency of administrators, faculty, staff, students, accreditation agencies, and the public; * the ability to administer, organize and maintain a positive working environment; *must have a willingness to work with others; *ability to self-motivate and *work independently when required; and *ability to maintain confidentiality.

Qualifications: Required: *earned J.D. degree from an institution accredited by the American Bar Association; *basic understanding of academic planning and curricula in law schools; *basic knowledge of administrative program planning and review; and *ability to communicate (written and verbal) effectively to a variety of constituents.

Preferred: *ability to use office technology (especially work processing, statistical software, and excel programs).