

Student Handbook for the 2016-2017 Academic Year

Last updated: 19 January 2017



Villanova University Charles Widger School of Law is a Catholic and Augustinian institution that seeks to reflect the spirit of St. Augustine by the cultivation of knowledge, by respect for individual differences and by adherence to the principle that mutual love and respect should animate every aspect of the Law School's life.

The Law School welcomes all to its community, regardless of race, gender, religion or creed, sexual orientation, gender (including identity and expression), national or ethnic origin, age, economic status or disability. The School of Law is committed to serving the poor and the disadvantaged. As an inclusive institution, it celebrates diversity as enriching the educational environment for everyone.

The policies stated in this Handbook are intended as guidelines only and are subject to change at the sole discretion of the University. This Handbook should not be construed as and does not constitute a contract guaranteeing continued student status.

Emergency Numbers

Campus EMERGENCY	610-519-4444
Public Safety Department	610-519-6979
Health Services	610-519-4070

Frequently Called Numbers

Bookstore (University Shop)	610-519-4160
Bursar (University)	610-519-4258
Counseling Center	610-519-4050
Graduate Tax Program	610-519-7043
Public Safety Escort Service	610-519-6979
School of Law Admissions	610-519-7010
School of Law Alumni Relations	610-519-7054
School of Law Associate Dean for Academic Affairs	610-519-7005
School of Law Associate Dean for Faculty Research	610-519-8011
School of Law Career Strategy & Advancement	610-519-7030
School of Law Dean	610-519-7007
School of Law Development	610-519-7054
School of Law Emergency Closing	610-519-7744
School of Law Financial Aid Office	610-519-7015
School of Law Library	610-519-7020
School of Law Receptionist	610-519-7000
School of Law Registrar	610-519-7017
School of Law Security Officer	610-519-3005
School of Law Student Affairs	610-519-5228
School of Law Vice Dean	610-519-7006
Veterans' Adviser	610-519-4034

When dialing from an on-campus phone, dial bolded numbers only.

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2016 - 2017 Academic Calendar

FALL SEMESTER

Wednesday - Friday, August 17-19.....Mandatory First Year Sign-in and Orientation
Monday, August 22 Classes begin
Monday, September 5 NO CLASSES - VLS CLOSED - LABOR DAY
Saturday, September 24 St. Thomas of Villanova Day of Service
Friday, October 7.....No Classes - Student Break
Monday, October 10No Classes - Student Break
Tuesday, November 22.....Friday Schedule. Thanksgiving recess begins after last class
Monday, November 28 Classes resume. All classes end after late class
Friday, December 2 Examination period begins
Thursday, December 15 Examination period ends after last examination

SPRING SEMESTER

Monday - Friday, January 9-13Mandatory Module Week
Monday, January 16NO CLASSES - VLS CLOSED - MARTIN LUTHER KING JR. DAY
Tuesday, January 17 Classes begin
Friday, March 3 Spring Break begins after last class
Monday, March 13 Classes resume
Friday, April 14 NO CLASSES - VLS CLOSED - GOOD FRIDAY
Tuesday, April 25 Friday schedule. All classes end after last class
Friday, April 28 Examination period begins
Tuesday, May 9 Examination period ends after last examination
Friday, May 19 COMMENCEMENT

Academic Rules and Policies

ACADEMIC RULES

1. The degree of Juris Doctor (J.D.) will be awarded to candidates who have successfully completed three academic years of law study, have met the course requirements and have successfully completed 91 semester hours of credit and all other requirements.
2. After the first year, a student may not take fewer than 12 or more than 18 credit hours of courses during a semester. Different rules may apply to the joint degree programs, see [JOINT PROGRAMS](#).
3.
 - (a) Regular attendance is required in all courses. Failure to maintain regular attendance may be grounds for exclusion from a course. A student who misses class in a single course more than twice the number of times per week that the course meets will be referred to the Associate Dean for Academic Affairs, who may impose the sanction of exclusion from the course. Regardless of the Associate Dean's decision to impose such sanction, a faculty member retains the discretion, consistent with his or her individual policy, to factor attendance into a student's grade consistent with paragraph (d) of this Rule.
 - (b) Conformity to standards of professional responsibility, civility, and respectful behavior and to any rules published by the instructor concerning student conduct in connection with the course is required in all courses. A student whose behavior in a course does not meet such standards or the published rules for the course may be excluded from the course.
 - (c) In trial advocacy, appellate advocacy, research paper, practical writing courses, clinics, or in any course in which students are informed that part of the grade will be based on student participation, a student who interferes with the academic process by either frequently declining to participate or by unsatisfactory participation may be excluded from the course.
 - (d) A faculty member assigning a grade in any course may factor into the student's grade attendance, class preparation and participation, and conformity with published rules for the course (i) by increasing or decreasing by one step what would otherwise be a student's grade; or (ii) in a course in which the grade is not otherwise based entirely on an exam, by adjusting a student's grade according to the professor's individual published policy. The faculty and Dean when deciding honors, awards, scholarships, and similar matters also may take into account a student's record of attendance, class preparation and participation, and conformity with published course rules.
4. A student may enter or withdraw from an elective course during the first week of the semester. In the event a course does not meet during the first week of the semester, a student may withdraw within two class days of the first meeting and may enter another elective course within such two-day period, after which a student may not drop or add a course under any other circumstances without permission from the Professor and the Office of Academic Affairs. A student may not withdraw from a class after the final class meeting for the semester.
5. The Law School applies the following grading system:

Grade Quality Points

A 4.00

A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67 – minimally acceptable work
D	1.00 – unsatisfactory work
F	0 – work not acceptable for academic credit

The faculty adopted a recommended grade distribution policy. The policy applies only to classes in which an examination is given and that have an enrollment of 30 or more students. It is a recommended distribution pattern only, and reflects the general consensus of grading patterns at the Law School over the past several years. It is not designed either to raise or lower the GPA. The recommended distribution of grades is:

A	10%
A-	15%
B+	15%
B	25%
B-	15%
C+	10%
C	5%
C-, D, F	0 to 5%

The recommended distribution contemplates variations of plus or minus two percentage points at any grade level, and provides for rounding up or down at the faculty member’s discretion. It specifically does not recommend that any grades below C be awarded in any class to be consistent with the grade distribution, but it is the consensus of the faculty that the grades of C-, D and F should be assigned for work that does not meet acceptable academic or professional standards.

6. An average, weighted in proportion to the credits earned in each course, will be computed for courses taken in each year.
7. A cumulative weighted average, calculated by weighting the average for all courses taken at the Law School, is used for determining class rank and any matters dependent upon class rank.
8. At the end of the first year, a student will be excluded who has failed to achieve a weighted average of 2.00.
9. At the end of the second year, a student will be excluded who has failed to achieve a cumulative weighted average and annual weighted average of 2.00.

10. At the end of the third year, a student who has failed to achieve a cumulative weighted average and annual weighted average of 2.00 will be excluded and not be eligible for graduation.
11. No student who has been excluded under Rules 8, 9 or 10, or for any other reason may be reinstated except upon favorable action on a petition to the Dean stating and fully documenting reasons in support of such petition. Such petitions will be granted only in the most extraordinary circumstances. [See [READMISSION AFTER EXCLUSION](#) under Academic Policies]
12. A student who fails to take a final examination because of illness or other imperative cause, promptly and properly substantiated, may request permission to take a make-up examination.
13. A student who fails a required course but is otherwise eligible to continue in the Law School must retake the class the next time it is offered and achieve a grade of “C” or better in the class. The “F” will show on the transcript, and will calculate into the weighted average (GPA). If the student attains a “C” or better on the re-examination, the student will receive credit for the course, which will show as a “pass” (“P”) for the course on the transcript.
14. A student who fails Legal Analysis, Writing and Oral Advocacy I (Legal Writing) shall not be permitted to continue in Legal Writing II or take Legal Writing III. Instead, the student must successfully complete the Legal Writing Remediation Program during the spring semester of the student’s first year. Upon successful completion of the Remediation Program the student must retake Legal Writing I in the fall of the student’s second year, take Legal Writing II in the spring of the student’s second year, and take Legal Writing III in the fall of the student’s third year. A student who fails Legal Writing II must retake it in the spring of the student’s second year and must take Legal Writing III in the fall of the student’s third year. In both cases, the student must earn a “C” or better in the repeated course to earn credit and satisfy the requirement (consistent with Rule 13), and if the student does so, a “P” will show on the retake. The “F” will remain on the transcript and will calculate into the student’s GPA. A student is not eligible for Journal membership or to participate in the Reimel Competition until the student has successfully completed Legal Writing I and II. A student who does not pass either Legal Writing I or II on the second attempt will be excluded from the Law School.
15. **General Rule.** Any student whose cumulative grade point average places her/him in the bottom twenty (20) percent of the class at the end of the first, second, third, or fourth semester of law school will be required to participate in programming administered by the Academic Success Program for the following semester.

Programming under this rule shall be administered by the Associate Dean for Academic Affairs and Director of Academic Success and Bar Support Programs, who will establish mandatory counseling and support programs. All students to whom this rule applies must comply with all requirements established by the Director.

Strategic Legal Analysis. Any student whose cumulative grade point average places her/him in the bottom twenty (20) percent of the class at the end of the third, fourth, or fifth semester of law school must register for and successfully complete the Strategic Legal Analysis course during the third year of law school.

Compliance. At the end of each semester, each student to whom this rule applies shall complete a report that certifies compliance with all program requirements and submit it to the Director of Academic Success and Bar Support Programs for signature and submission to the Associate Dean for Academic Affairs. If the Associate Dean determines, in his or her sole discretion, that the program requirements have not been met, additional measures may be taken, including inclusion of a record of the student’s lack of compliance in the student’s academic file.

Course Selection Approval. All students to whom this rule applies should have their course registration proposal preapproved by the Director of Academic Success and Bar Support Programs or their faculty advisor.

Ineligibility for concentrations and joint degree programs. Any student whose cumulative grade point average places her/him in the bottom twenty (20) percent of the class at the end of the second semester of law school will be ineligible for concentrations and joint degree programs. However, if the student's cumulative grade point average places her/him above the bottom twenty (20) percent of the class at the end of the student's fourth semester of law school, this ineligibility will be lifted.

16. A student admitted with advanced standing (transfer students) will not be given a class rank based on cumulative weighted average and will not be eligible for prizes or awards based thereon. Transfer students will be eligible for *summa*, *magna* and *cum laude* honors at graduation, applying a formula that compares the lower of either the student's three year GPA (original school plus Villanova Law) or the student's two year GPA (only the Villanova GPA) to the cut off GPA of cumulative ranked students awarded honors.

ACADEMIC POLICIES

ACADEMIC CREDIT POLICY

Work Expected for Award of Academic Credit

The expectation is that a student will invest at least 45 hours of time in class attendance, preparation for class, exam taking, and other work for an award of one credit.

Courses with regularly scheduled classes: For a regularly scheduled class, students should expect to attend 12 hours of class and spend at least 30 hours preparing for class for each academic credit. Thus, for a three-credit classroom course, a student should expect to attend 36 hours of class and spend at least 90 hours outside of class preparing.

ABA Standard 310, Interpretation 310-1 provides that "fifty minutes suffices for one hour of classroom or direct faculty instruction." The Standard requires the equivalent of a 15-week period, which "may include one week for a final exam." Thus the required direct instruction time per credit is $14 \times 50 \text{ minutes} = 700 \text{ minutes} = 11.67 \text{ hours}$, which is rounded to 12 hours. In our 13-week, 55-minute class hour structure, the class time for one credit is $13 \times 55 \text{ minutes} = 715 \text{ minutes} = 11.9 \text{ hours}$, which is rounded to 12.

Research Paper Courses: An exception is provided for three-credit Research Paper courses, awarding three credits even though the classes are scheduled to meet only 24 hours over the course of the semester; the additional award of credit recognizes the amount of out-of-class time students are expected to spend preparing for class, conferencing with the professor, and writing their paper(s) for the class.

Clinics: Students enrolled in Clinics should expect to devote at least 45 hours per credit awarded to class attendance, preparation for class, and work on clinic cases. Students should understand, however, that in some cases the time required may exceed the baseline of 45 hours per credit due to the demands of representing clients.

Externships: See the Externship Policy available on the Law School website under Externships.

Co-curricular activities: For co-curricular activities such as membership on a journal or on the Moot Court Board, students should expect to devote at least 45 hours of relevant work (time-on-task) for each credit awarded.

Modules or other courses offered over an accelerated time period: Modules and accelerated courses must meet for an equal amount of time over the shorter time period and require the same out of class preparation as regularly scheduled classes.

Courses offered entirely online and courses with an online component: Class time will be computed by assessing the “time on task” that an average student spends on watching videos, reading assignments, listening to podcasts, posting to discussion boards, participating in live online sessions and all similar work that is relevant to the learning and teaching goals of the course.

Other Degree Programs: Any degree that is awarded by the College of Liberal Arts or Business School will comply with the General University Credit Policy. This applies to the Master of Public Administration, Master of Business Administration, and Master of Taxation degrees.

ACCOMMODATIONS

The Law School works diligently at meeting the needs of students with disabilities, and grants reasonable accommodations provided that the requested accommodations do not fundamentally alter the nature of the academic program or compromise an essential aspect of the academic program.

Students seeking academic accommodations must submit current documentation, including supporting reports of tests and other measurements and assessments provided by a qualified treating professional, and transmitted directly from that professional with an original cover letter signed by the treating professional, to the Director of Student Affairs. The Committee may request additional information if necessary, as the process contemplates collaboration among the treating professionals, those educational institutions that have granted accommodations in the past, the Law School and the student. The student may be asked to sign a release to allow the free exchange of information among all those involved with meeting his or her needs. The Committee will also consult with the Office of Learning Support Services to assess the requests and documentation and to identify the most effective accommodations. The Committee will make a determination of what accommodations will be offered. If a student is dissatisfied with the academic accommodation recommended by the Committee, concerns may be addressed to the Dean and the Office of Academic Affairs. The process contemplates an ongoing assessment of needs and the reasonable means of meeting those needs. The current policy and forms are accessible on the Academic Success Programs website: <http://www1.villanova.edu/villanova/law/currentstudents/academicsuccess.html>.

The granting of academic accommodations is strictly confidential; faculty members are not notified unless the particular accommodation requires cooperation of the faculty member, and then disclosure is limited to only what is necessary. A new request for accommodations must be filed for each semester the student seeks accommodations.

Students with physical disabilities that require accommodations unrelated to the academic program are coordinated through the Director of Student Affairs.

All requests for exam accommodations must be submitted no later than one month prior to the last day of classes for the semester.

ADDRESSES/EMERGENCY CONTACT INFORMATION

Students must have current local and permanent addresses, email addresses and mobile phone numbers on file with the Registrar's Office **at all times** including summer and vacation. Students can update their information using the Emergency Contact Form on the Registrar's webpage: <http://www1.villanova.edu/villanova/law/currentstudents/registrar/registrarforms/adressemergencycontact.html>.

ADVISORS

First-year students are assigned a faculty member as an advisor by the Registrar. Students may access advisors' names on NOVASIS. The faculty advisor's core role is to (i) be a resource for a student who has academic questions, including course selection for the second and third years of law school, or who has personal concerns, and (ii) serve as faculty for the Professional Development Course. The role of the faculty advisor with respect to academic issues is to be a resource regarding academic policies and course selection in general rather than to offer any advice as to questions related to the subject matter of any law school course other than the Professional Development Course. The faculty advisor does not provide any substantive academic instruction to advisees. The role of the faculty advisor as a resource with respect to personal concerns is to be able to identify appropriate help within the Law School structure (for example, the Director of Student Affairs, the Director of Academic Success Programs, the Office of Academic Affairs, and the University Counseling Center).

ANNOUNCEMENTS

Official announcements, including information regarding class cancellations and reschedules, special events, academics, registration, examinations, policies, dates, deadlines, and other announcements from faculty and the administration are posted on the Law School website, accessible through the "Announcements" link on the Current Students pages. Students must check this "Announcements" page at least once each day, and are deemed to have notice of all information contained there. The website is considered the official source for formal announcements.

ATTENDANCE

Academic Rule 3 requires regular attendance by students and imposes sanctions - including exclusion from class or lowering of the grade - for non-attendance and lack of preparation and participation. To implement this policy, the Rule provides that a student who misses more than twice the number of weekly classes in a course will be referred to the Associate Dean for Academic Affairs, who will determine the extent to which the student's absences are for excusable reasons and decide whether the sanction of exclusion is appropriate. A faculty member may, by individual policy published to the class, reduce the number of absences which will constitute a violation of the regular attendance requirement if the faculty member judges that the needs of the course require it. A student who is present for less than one-half of a class will be deemed to be absent from that class. A student whose non-attendance has been referred to the Office of Academic Affairs should notify the Office of Academic Affairs of any bases for excusable absences.

Excusable reasons for an absence include but are not limited to illness, injury, religious observances, client meetings or court appearances (for students participating in clinics), job interviews, and taking the MPRE. Students are to avoid absences whenever reasonably possible, even when they may fall within one of the categories of excusable reasons. Students may not enroll in courses where class schedules conflict and preclude the possibility of full attendance in all classes. Students engaged in clinics and externships must insure that their regular clinic or externship schedule does not conflict with regularly scheduled classes.

Recording Attendance. Student attendance will be monitored by a sign-in sheet that is posted or circulated in the classroom and that requires the full signature of students in attendance, or using student response pads. Each student bears the responsibility to sign the sheet as a record of his or her attendance and to keep track of his or her attendance. Signing a sign-in sheet for another student is a violation of the Academic Code of Conduct.

AUDITING COURSES

- (a) All regularly matriculated J.D. students may audit any course with the consent of the professor and the permission of the Office of Academic Affairs. The professor may impose terms upon granting of this consent. A student auditing a course must register for that course as an auditor, and must maintain regular attendance. Students may not audit a course that conflicts with a regularly scheduled class in which a student is registered or with regularly scheduled sessions of clinics and externships. Auditors normally will not take the exam for the course, but this may be a requirement imposed by the faculty member as a condition for granting permission to audit.
- (b) Successfully completed audited courses appear on the student transcript with the notation "AU." No credit or grade is awarded.
- (c) A student who has audited a course may not later take that same course for credit, nor may a student who has taken a course for credit later audit the course.

CLINIC/ EXTERNSHIP AND OTHER LIMITATIONS

Concurrent enrollment prohibited: No student may take more than one experiential class (clinic or externship) in a single semester.

Credit limits for experiential courses:

Total credits: No more than a combined total of 17 credits from clinics and externships will be counted toward the total credits needed for graduation.

Annual credits: No more than a combined total of 14 credits from clinics and externships taken in a single academic year will be counted toward the total credits needed for graduation.

Credits for externships: No more than a total of 9 credits from externships will be counted toward the total credits needed for graduation.

Exemption from credit limitation: In some circumstances, such as participation in a full-time semester externship, the Associate Dean for Academic Affairs may grant an exemption from the above limitations. Please see the Director of Experiential Learning.

Judicial Externships: Students participating in Judicial Externships may receive credit for a second judicial externship only if that externship is served with a different court at a different level (for example, a first externship with a trial court and a second with an appellate court). To be eligible for a second judicial externship, the student must obtain written permission from the Director of Experiential Learning verifying that the second externship will be served with a different court at a different level.

Credit Limitations on Non-Instructional Courses (Including Co-Curricular Activities and Experiential Courses): No more than a combined total of 27 credits in total of courses that fall within the following categories will be counted toward the total credits needed for graduation without the permission of the Academic Dean: externships, journals, moot court, and courses taken in parts of the university outside the Law School for which credit toward the J.D. degree is granted.

CO-CURRICULAR ACTIVITIES

Law Review: Students are eligible for an invitation to join *Law Review* based on grades at the end of the first year of law school. In addition, students may compete for a position on *Law Review* by participating in an open writing competition at the end of the first and second years of law school. The advisor to the *Law Review* is Professor Michael Risch.

Environmental Law Journal: Students may compete for a position on the *Environmental Law Journal* by participating in the open writing competition at the end of their first or second year of study. The advisor to the *Environmental Law Journal* is Professor Todd Aagaard.

Jeffrey S. Moorad Sports Law Journal: Students may compete for a position on the *Jeffrey S. Moorad Sports Law Journal* by participating in the open writing competition at the end of their first or second year of study. The advisor to the *Jeffrey S. Moorad Sports Law Journal* is Professor David Caudill.

Moot Court Board: Students are eligible for an invitation to join the Moot Court Board at the end of their first year of law school by participating in the open competition sponsored by the Board at the end of their first or second year of law school. Students who advance to the semi-finals and better in the Reimel Competition are invited to join the Board. The advisor to the Moot Court Board is Professor Jessica Webb.

Limitation on Co-Curricular Activities: Students may not participate simultaneously on more than one of the following co-curricular activities: *Environmental Law Journal*, *Law Review*, Moot Court Board, *Jeffrey S. Moorad Sports Law Journal*. Further, a student who has accepted an editorial position on the *Environmental Law Journal*, *Law Review* or the *Jeffrey S. Moorad Sports Law Journal*, or an executive board position on the Moot Court Board, may not participate in an open competition and may not accept an invitation to another co-curricular activity that would, under the policy stated, require resignation from the position previously accepted.

University Approved Drivers: All students traveling by vehicle to participate in co-curricular activities outside the Law School must become University Approved Drivers in order to operate any Villanova owned, leased or rented vehicle in connection with such travel (this includes vehicles rented from such companies as Avis, Hertz, etc.). Please see Anthony Cancelli, Director of Business Support Services, for further information.

DIRECTED RESEARCH POLICY

To register for Directed Research, a student must obtain approval of the sponsoring faculty member and the Associate Dean for Academic Affairs using the Directed Research form on the Registrar's website. If a student is registered for Directed Research in a particular semester, the paper must be completed and a grade turned in for that semester. No incomplete is permitted.

- A faculty member must approve a student proposal for Directed Research before the student may register for Directed Research.
- Approval must be obtained before the end of the drop/add period.
- No student may undertake more than one Directed Research project with a particular instructor while at the Law School.
- No student may receive credit for more than two Directed Research projects while at the Law School.
- No student may receive credit for more than one Directed Research project in a semester.
- No student may take more than six total credits of Directed Research and Research Paper Courses (not including practical skills courses) while at the Law School.
- Only full-time members of the faculty, including Legal Writing Professors, may supervise a student in a Directed Research.

EXAMINATIONS

Published Exams

Bound copies of previously published Law School examinations are on reserve in the Library. Many published exams are also available from the online exam database found on the Law School website under Current Students> Registrar> Exams.

General Examination Regulations

Detailed examination policies, procedures and regulations will be posted on the Registrar's website prior to each examination period. Students must familiarize themselves with all examination requirements and policies.

Examination Numbers: Examinations are graded anonymously using numbers instead of names. These numbers are available to students each semester on their class schedule in NOVASIS. The Registrar's Office cannot distribute exam numbers on the same day the student is taking the exam, nor during the time just before exams are being administered. Examination numbers only, and not names, must be typed into the exam software, written on blue books or answer sheets and on the examination.

Materials: Authorized examination materials and equipment for each examination will be posted on the Registrar's website, and stated in the Professor's examination instructions. Use of unauthorized materials in an examination is a violation of the Code of Conduct. Students may not possess mobile phones of any type nor other electronic devices of any kind during examinations unless their use is explicitly approved in the examination regulations/materials permitted. Students will be required to leave all such devices at the front of the examination room and may claim them after the examination is over.

When examination regulations/materials permitted specify that the use of a hand held calculator is permitted, this refers to a non-memory basic mathematical calculator only.

Time and Place: All students must report to regularly assigned exam rooms unless otherwise instructed by the Registrar. Students must report to the assigned exam room prior to the time specified by the Registrar, allowing enough time for students to set up and to hear the exam instructions. Computer users who arrive without leaving enough time to set up their computers may be required to write the examinations. (See [Computer Use During Exams](#), below.)

Improper Disclosure: Because of scheduling conflicts and other matters, some students may not have taken exams that others have finished. Students must not disclose the form, content, degree of difficulty or any other information pertaining to an examination, or discuss the exam with students who have not taken the exam.

Take Home Examinations: Take home examinations are distributed electronically. Each student must download his or her own exam (and only for his or her own use) according to the instructions specified by the Registrar's Office. The Registrar's Office carefully monitors when each student downloads each examination question and uploads their examination answer and reports any anomalies to the Office of Academic Affairs for appropriate action. Students are not permitted to collaborate on take home exams.

Computer Use During Exams: Computers may be used to take exams only as part of the Law School's computer exam program or as specified for take-home exams. Computers may be used as a resource (material permitted) if the professor so specifies. See the exam regulations published each term for more specific information. Students participating in the computer exam program must register and complete online training during each semester in which they wish to use a computer. Training will not be waived under any circumstances.

Students participating in the computer examination program must use their own laptops. These must be approved as suitable by Academic Computing. A limited number of computers are available for students who do not own laptops, and are assigned on a first come, first served basis. All efforts are made to insure that there are no problems with saving and retrieving examinations, and someone from Academic Computing is on call while exams are being administered. In virtually all instances, Academic Computing has been able to resolve problems with exams on computers. In the rare instance where an answer is irretrievably lost, the student assumes the risk of a lost examination, including the possibility that the student may have to retake the examination. Should a problem with a computer arise during an examination that the Academic Computing team determines presents too great a risk of possible loss, the student will, at the sole discretion of Academic Computing, be required to complete the examination using pen and paper.

Ebooks, or ereaders, such as the Amazon Kindle, Barnes and Noble Nook, or Apple iPad, may not be used to access materials, such as your textbook, during exams.

Honor Code Violations: All students are bound by the Code of Conduct. It is published in this *Student Handbook* and all students are deemed to know the Code's provisions. Students are required to report code violations of which they are aware.

Emergency or Illness: Should an emergency or serious illness arise preventing a student from getting to school to take an exam, the student must immediately contact the Registrar (610-519-7017) or, in her absence, the Office of Academic Affairs (610-519-7053). The student must not speak to the Professor whose exam may be affected, as this may interfere with the Law School's anonymous grading policy. Written documentation of the illness will be required.

Should an emergency or serious illness arise during an examination, the student must immediately contact the Registrar or, in her absence, the Office of Academic Affairs or the Honor Board Proctor. The student must not speak to the Professor whose exam may be affected, as this may interfere with the Law School's anonymous grading policy.

Questions Arising During the Examination: All questions during a scheduled exam are handled only by an Honor Board Proctor or the Registrar, who may contact the Professor, the Registrar or the Office of Academic Affairs. Students must not attempt to contact the Professor directly during the examination. Honor Board members will be available throughout the exam outside the examination room.

Accommodations: See [ACCOMODATIONS](#).

Rescheduling Exams: Examinations are rarely rescheduled. A student may request a reschedule if two or more exams directly conflict (same time, same day). In extremely rare circumstances a student may request a reschedule because of a direct conflict with a compelling personal obligation that cannot be rescheduled. If the reschedule is approved by the Associate Dean for Academic Affairs, the rescheduled examination will be administered on the next available exam day or on the reschedule day at the discretion of the Office of the Registrar.

GOOD STANDING AND LETTERS OF GOOD STANDING

A student is in academic good standing if the student has maintained an annual and cumulative GPA of 2.0 or greater. Letters of good standing that are to be sent to other educational institutions are issued by the Office of the Registrar. Requests must be submitted in writing to that office and must include the exact name(s) and addresses of the party to whom the letter must be sent. A letter of good standing issued by the Law School will state that the student is actively enrolled in the Law School and will be sent directly to the school.

Students requesting letters of good standing for transfer must follow the [Transfer Procedure](#). Students considering transfer are strongly encouraged to contact the Office of Academic Affairs to discuss the process and consequences of transfer. Enrollment certifications for attendance (for insurance or loan deferral purposes) can be downloaded through your NOVASIS account via a link through the National Student Clearinghouse.

GRADES

See [Academic Rule 5](#), for the letter grade array. Please note that the Law School does not have an “Incomplete” grade. All course work must be finished in the semester during which the student is registered for the course.

Grades in examination courses are entered anonymously. Law School policy permits Professors to raise or to lower an anonymously entered grade one step (i.e., from a C to a C+, from a C to a C-) based on class performance and attendance. The policy also allows for in-class performance, exercises, midterm or other methods of evaluation to be considered in assigning a grade. The time, place and manner for the distribution and availability of grades will be announced by the Registrar. Grades will be posted to your NOVASIS account.

In the spring semester, the grade reports for third year students are distributed on or before Commencement Day. First and second-year grade reports are posted, generally during the second or third week of June.

After final grades have been submitted, a student’s grade can be changed only if there is a clear clerical or arithmetic error, and only with the approval of the Academic Dean.

The University reserves the right to refuse to release grade reports, transcripts, bar certifications, and diplomas for a student with delinquent financial obligations to the University.

GRADUATION REQUIREMENTS

Every student must ensure that he or she meets all graduation requirements. The Registrar’s Office will provide students with the information it has, but responsibility for verifying that the requirements are met remains solely with the student. Students should access the on-line degree audit in NOVASIS to help them verify degree requirements.

All regular J.D. students must satisfactorily complete 91 credits over the course of three years of full-time study and must complete six consecutive full-time semesters to be eligible for the Juris Doctor degree. Except for leaves of absence granted for good cause shown, the degree must be completed in three years. In no case will the period of time in which to complete the degree be extended beyond five years from the original matriculation. The first-year required curriculum consists of 34 credit hours of study (33 credit hours for the Class of 2019). In addition, the following upper level courses are required:

- Constitutional Law II;
- Legal Writing III (must be taken in the fall or spring of the second year);
- Legal Profession;
- A Research Paper Course (any class that is a 6000 level course, however, participation in a journal or law review does not fulfill this requirement);

- A Practical Skills Writing Course (any class that is a 5000 level course, including Clinics. A clinic satisfies the practical writing requirement and counts towards the experiential learning requirement. In other words, a clinic “double counts” towards both practical writing and experiential learning);
- Professional Development (each year is worth one credit);
- 1L and 2L module;
- One externship or clinic for class of 2017;
- Six (6) credits of experiential learning for class of 2018 and beyond. At least three (3) credits shall be earned in a clinic or an externship. The additional three (3) credits may be earned through the one-credit second year module and any of the following: a clinic, an externship, or any other course designated by the Administration as providing experiential learning (a clinic satisfies the practical writing requirement and counts towards the experiential learning requirement, or in other words, a clinic “double counts” towards both practical writing and experiential learning); and
- Sixth semester of Legal Writing for the class of 2020 and beyond. This requirement can be satisfied by the following courses: Advanced Legal Writing, Strategic Legal Analysis, Securities Litigation and Enforcement and any 5000 level course that currently satisfies the Practical Writing Requirement. A course taken to satisfy the Practical Skills Writing course requirement may not double count for the sixth semester Legal Writing Requirement.

Several courses, though not required, are considered basic foundation courses, and students are advised to take them: Administrative Law, Business Organizations, Decedents’ Estates and Trusts, Evidence, Introduction to Federal Taxation and Trial Advocacy. These courses provide the conceptual building blocks upon which other areas of legal study and legal practice build.

GRADUATE COURSES IN THE COLLEGE OF LIBERAL ARTS AND SCIENCES

A J.D. student may take up to six credits of graduate-level course work in other colleges for credit toward their J.D. degree. Students would take such courses in their second or third year. For students interested in taking courses in Graduate Arts and Sciences, the following policies and procedures apply:

1. Prior Approval
 - a) Law Students must obtain prior approval for the course from the Associate Dean for Academic Affairs of the Law School.
 - b) Once approval has been granted, the student then submits a request to the Dean of Graduate Studies, who will seek the approval of the graduate program director. Students should specify which courses they seek to take and provide copies of the undergraduate transcripts so that the program director can evaluate whether the student has the necessary background for the course.
 - c) If the graduate program director and Graduate Dean approve the request, the Graduate Dean will contact the Registrar to have the law student registered in the course and inform the Bursar’s Office to coordinate the billing.
 - d) Because the Communication Master’s program is an entrepreneurial (self-financing) program, law students will not be permitted to take individual graduate courses in Communication. They may take courses in this program if they seek to earn a graduate certificate (five courses) or Master’s degree (ten courses), in which case they must apply to the program.
2. Tuition

- a) Tuition for a graduate course in Arts and Sciences taken by a law student is covered by the student's Law School tuition, with no transfer of funds from the Law School to Graduate Arts and Sciences, as long as the course is taken in the fall or spring term.
 - b) Tuition for graduate courses in Arts and Sciences taken in the summer term are not covered by Law School tuition. Law students wishing to take a graduate course in the summer will be billed at the Graduate Arts and Sciences tuition rate.
3. Grading: The Law School will accept the grades given in Graduate Arts and Sciences.
 4. Academic Calendar: Law students who take a graduate course are expected to follow the academic calendar used by Graduate Arts and Sciences.

GRADUATE TAX COURSES

A J.D. student may take courses in the Graduate Tax Program for credit towards the J.D. degree, but the student must obtain the permission of the Director of the Graduate Tax Program (GTP) and the Associate Dean for Academic Affairs. A letter grade and credit will be awarded, but the grade for the graduate tax course will not be averaged into the student's grade point average. GTP courses taken by J.D. students will not count toward the Certificates awarded as part of the LL.M. program. GTP courses taken by students as part of the J.D. program will not count toward the LL.M., should the student later enroll in the J.D./LL.M. program, unless the student is formally accepted into the joint J.D./LL.M. program during law school. Typically a J.D. student (not in the J.D./LL.M. program) will be approved to take no more than two GTP courses for J.D. credit.

INCOMING STUDENTS

Admission to the Law School requires that an official transcript showing the final granting of a bachelor's degree be on file in the Registrar's Office prior to Orientation. As noted in the acceptance letter, admission is contingent upon receipt of this transcript. Students who have not fulfilled this requirement will not be issued grades and will not be permitted to register for courses.

Incoming students must be present and must sign-in on the first day of Orientation in order to hold their seats in the incoming class.

First year students take a set curriculum and are assigned to classes by the Registrar. These assignments are not modifiable.

JOINT PROGRAMS

J.D./LL.M. Joint Program in Taxation

Students accepted into the J.D./LL.M (Taxation) Program may work toward an LL.M. degree in taxation while completing their J.D. degree. The J.D. degree is awarded upon the completion of six semesters of full-time study, and the LL.M. degree is awarded when the remainder of the requirements for the advanced degree is completed. During the regular three years of law school, the student may take up to 2 advanced J.D. tax courses (from a prescribed list) and 4 graduate tax courses which double count. That is, the graduate tax courses are considered electives for purposes of the J.D. degree, and the advanced J.D. tax courses count toward the 13 courses needed for the LL.M. degree. In addition, J.D./LL.M. students are waived out of Tax I in the LL.M program, thus giving them the opportunity to take an additional elective. It is therefore possible to acquire the J.D. and LL.M degrees in 3-1/2 academic years as compared to a minimum of four academic years for both degrees if taken separately. Since additional tuition is not charged for the graduate tax courses

taken during the J.D. course of study, an overall cost savings results. Further, with the consent of the Associate Dean for Academic Affairs of the Law School and the Director of the Graduate Tax Program, J.D. students have the opportunity to pay for an additional 2 graduate tax course while in the joint program. Those additional courses will *not* count toward completion of the J.D. degree but will count toward completion of the LL.M degree. Students therefore have the chance to complete two-thirds of the LL.M program requirements while still in law school.

To optimize the benefits of the program, a J.D. student should apply for the joint degree program before the beginning of the fourth J.D. semester. J.D. Introduction to Taxation and a minimum G.P.A. of 2.67 is a prerequisite for application to the program. Prospective applicants are encouraged to student take J.D. Introduction to Federal Tax in the third J.D. semester. This will allow the student to enroll in Tax II in the spring semester of the second year of law school and spread the other graduate tax courses over her fourth through sixth J.D. semesters, as well as the graduate tax summer semester between her fourth and fifth J.D. semesters. While a qualified J.D. student can enter the joint program at a later time, to do so may diminish the cost and temporal benefits of the joint program.

Further information is available from the Graduate Tax Office, Room 183.

J.D./LL.M. International Studies (Abroad)

Students accepted into this J.D./LL.M. program receive their J.D. degree from Villanova and their LL.M. in a specialized area of international law from a host law school located abroad, usually in a total of three to three and one-half years, depending upon which law school abroad the students attend. The students spend the first two years at Villanova, during which time they must successfully complete all first-year courses and graduation requirements. During the spring of the students' second year at Villanova, they may apply for admission into the J.D/LL.M. International Studies program. Admission is highly competitive, and enrollment is limited. Admission is based upon a student's application and academic record (including classwork, grade point average, and professors' recommendations, discretion of the Associate Dean for Academic Affairs and the Dean). Eligibility to apply will be determined by Villanova, and admission will be determined by the host school abroad. If admitted, the student will spend the third year of law study at the host law school abroad.

Awarding of the J.D. and LL.M. degrees is conditioned upon successful completion of all courses at Villanova and all courses and requirements, including successful completion of any thesis or dissertation requirement at the host law school abroad. That is, the courses taken at the LL.M. host law school count toward the Villanova J.D. degree. Because it would normally take at least four years to complete both degrees, an overall cost savings results. Students who participate in the program will be eligible to graduate with Latin honors (i.e., *summa cum laude*, *magna cum laude*, and *cum laude*) based upon their cumulative grade point average earned during their two years of study in residence at Villanova Law School, when compared with the three-year cumulative grade point average of their original graduating class. However, students admitted into the program should understand that because they will not be enrolled in courses on the Villanova Law campus during the third year, and because the academic year of the host school abroad may run for twelve months beginning in August or September, they will not be eligible for admission to Order of the Coif or membership on the editorial board of one of Villanova's law journals or on the Executive Board of the Moot Court Board. Students are, however, permitted to serve on the staff of the Law School's law journals, at the discretion of the journals. Although the students will complete the LL.M. degree after their original class graduates from Villanova, it is possible for the students to walk with their class at graduation. Please note: due to the variation in schedules between Villanova and the host schools, students enrolled in the program must confirm their understanding that they may not be able to take the July bar examination that would have followed their original graduation date. Specifically, students

enrolled in the J.D./LL.M. International Studies program may not be able to take a bar examination until, at the earliest, the February following their completion of both the Villanova and host school portions of their programs.

Students who transfer to Villanova Law after completing a year of study at another law school are not eligible to enroll in the J.D./LL.M. International Studies Program.

For more information, please contact the Director of International Programs.

J.D./M.P.A Joint Program in Public Administration

Students accepted to the J.D./M.P.A. Program receive their J.D. from the Law School and their M.P.A. from the College of Liberal Arts and Sciences. Four Law courses will count towards the J.D. and the M.P.A. degree. Four M.P.A. courses will count towards the J.D. and the M.P.A. degree. Only students enrolled in the J.D./M.P.A. Program may have four courses in each program double counted as described above. The M.P.A. Director and the School of Law's Associate Dean for Academic Affairs identify the Law and M.P.A. courses that may count in each program. The School of Law will accept the four M.P.A. courses toward the J.D. so long as the student earned a "C" or better. The School of Law will allow the M.P.A. courses to appear as a Law courses on the transcript, but the grades for those courses will not affect the Law School grade point average (GPA). The Arts and Sciences Graduate Dean will accept four law courses toward the M.P.A. so long as the student earned a "C" or better. The Registrar will list the Law courses as Law courses on the M.P.A. transcript, but the grades will not affect the M.P.A. Program GPA. In short, the Law courses will be treated as "transfer" credits.

Students must maintain a 2.75 GPA in the School of Law and a 3.00 GPA in the M.P.A. Program in order to remain in the J.D./M.P.A. program. Students may enroll in either the J.D. /M.B.A. Program or the J.D./M.P.A. Program, but not both.

While completing the J.D. degree, students must complete at least the four M.P.A. courses that will count only in the M.P.A. Program and the four M.P.A. courses that will count in both programs. The remaining four M.P.A. courses may be taken after completing the J.D. degree. The M.P.A. degree must be completed within the normal timeframe stated by Graduate Studies. Students may not take M.P.A. courses at another institution to complete the degree. If a Law student works an externship approved by the Law School and by the M.P.A. Director, then M.P.A. 8010 will be waived. Otherwise, the student must complete an internship for an additional 3 M.P.A. credits.

J.D./M.B.A. Joint Program in Business Administration

Students accepted into the J.D./M.B.A. Program receive their J.D. degree from the Law School and their M.B.A. degree from the School of Business. The J.D. will be awarded upon satisfactory completion of 6 semesters in residence at the Law School and all J.D. requirements (including credits earned through the M.B.A. program which apply toward the J.D. program). J.D./M.B.A. students must complete the first year of law school in the regular course. After successful completion of the first year, they may begin taking M.B.A. courses while remaining full-time students at the Law School.

J.D./M.B.A. students must take at least 10 credits in every semester (including those M.B.A. courses which count toward the J.D. degree). They may take no more than a combined total of 18 credits counting toward the J.D. degree, considering courses taken in both schools, during any semester. Any student wishing to register for more than 18 credits (including credits earned toward both the J.D. and M.B.A.) must obtain approval from the Associate Dean for Academic Affairs. In no case, however, will a student be permitted to take more than a combined total of 21 credits in any semester.

The Law School will accept 12 credits for courses taken at the School of Business, and the School of Business will accept a maximum of 9 credits taken at the Law School, providing the courses are selected from the list of courses approved for joint credit published by each school. Contact the J.D./M.B.A. Faculty Advisor, Jennifer O'Hare, for specific information.

Joint Programs – Misconduct and the Continuing Obligation of Disclosure

A J.D. student enrolled in a joint program who engages in misconduct (whether academic or non-academic) in the non-Law School part of the program will be subject to disciplinary proceedings and possible penalty under the Law School's policies independent of whether or not action was taken and/or a penalty imposed by the authorities at the other school.

Students involved in joint programs must promptly notify the Office of Academic Affairs in writing if any incidents occur or information develops in the non-Law School part of the program, including while in attendance at partner schools, that relate to character and fitness, as laid out in the policy on [Candor and Disclosure](#) in this Handbook.

NAME CHANGES

Name changes must be reported to the Registrar's Office immediately. You must provide supporting documentation which consists of the original purpose of the name change (i.e., marriage certificate, divorce decree, or court ordered) AND another source of identification in which the name has already been changed officially (i.e., driver license, passport, Student Visa, or work ID (not Wildcard)).

REGISTRATION

Students are required to register each spring for *both* semesters of the upcoming school year. All information pertaining to registration can be found on the Registrar's webpage. It is especially important that students observe the dates set for priority registration, including early registrations for clinics and externships; students registering after these dates will greatly reduce their chances of getting the classes they want. Students should consult with their Faculty Advisers or other faculty members regarding course selections. Students are further required to read the course descriptions before registering, as there are prerequisites and other conditions that apply to many of the classes. The dates for dropping and adding courses are in the registration materials.

While upper level students are not required to be present for a specific registration day, they are required to obtain first-day assignments, books and materials before classes begin, and to be fully prepared for the first meeting of every class in which they are enrolled.

READMISSION AFTER EXCLUSION

The Law School does not readmit students who have been excluded for failure to achieve the required grade point average or for other reasons, except upon favorable action on Petition for Readmission. That Petition must demonstrate the most extraordinary circumstances caused the failure. The decision to readmit or not is within the sole discretion of the Dean (see [Academic Rule 11](#)). If a student is readmitted, the student is considered to be in good standing and making satisfactory progress. In some instances, the student will be required to meet special conditions, repeat all or some courses, or enter a special program.

RELIGIOUS HOLIDAY POLICY

Villanova University's Mission Statement, embraced by the Law School, calls on us "to reflect the spirit of St. Augustine...by respect for individual differences, and by adherence to the principle that mutual love and respect should animate every aspect of University life." As a Catholic and Augustinian Law School, Villanova seeks to support and respect the diverse religious beliefs and traditions of all members of our community.

As part of this commitment, the Law School makes every reasonable effort to allow members of the community to observe their religious holidays and days of observance, consistent with the Law School's obligations, responsibilities, and policies. Students who expect to miss a class due to the observance of a religious holiday should discuss the matter with their professors as soon as possible. Absence from classes for religious reasons does not relieve students from responsibility for any part of the course work required during the absence. Faculty, if possible, will try to accommodate students with make-up work, with reasonable alternative opportunities to complete their academic assignments, and by recording the class when possible. Deadlines typically will not be extended for long term assignments.

If a required religious observance conflicts with a regularly scheduled exam, the student should contact the Registrar as soon as possible. The Registrar will make every reasonable effort to accommodate the student's needs.

ROME STUDY ABROAD PROGRAM

Villanova University Charles Widger School of Law and the University of St. Thomas School of Law (Minneapolis) offer a Summer Law Study Abroad Program in Rome, Italy. The Program allows students to earn up to six (6) semester hours of credit selected from four different course offerings.

Because this is a Villanova-sponsored program, no prior approval is required, and credits are automatically applied to the Law School transcript. The grades Law School students earn will calculate into the cumulative average. Applicants must be in good academic and disciplinary standing and must have completed one year of law school to be eligible to enroll. For further information contact the Director of International Programs.

SUMMER ABROAD PROGRAMS

A student may receive up to six credits for attending an ABA-approved summer abroad program offered by an accredited American school of law, provided that a student achieves a grade of C, its equivalent or better, for each course for which credit is sought. The student must obtain permission from the Director of International Programs in advance by submitting a request detailing the program and the courses desired, using the on-line form. Typically, only courses that do not duplicate courses offered at the Law School will be approved, although exceptions to this policy may be made at the discretion of the Office of Academic Affairs. Credit will be recorded and the course will appear on the student's Law School transcript upon receipt of an official transcript from the host school, but the grade will not calculate into the student's GPA.

TAKING CLASSES OUTSIDE THE LAW SCHOOL

As full-time students in the Law School, law students may not take classes in any other program or institution without the permission of the Office of Academic Affairs, except as noted in the policy on [Graduate Courses in the College of Liberal Arts and Sciences](#).

TRANSFER CREDITS

Except as provided under Summer Abroad Programs, the Law School does not accept transfer credit for courses taken by Villanova Law School students at other law schools. This does not apply to students accepted with advanced standing (transfer students).

TRANSFERRING OUT

Students considering transferring after the first year are strongly encouraged to consult with the Office of Academic Affairs to discuss the consequences of transferring.

All Requests for transfer documentation must be submitted to the Office of Academic Affairs by filing a Transfer Request Form (available at <http://www1.villanova.edu/villanova/law/currentstudents/registrar/registrarforms.html>). The Law School will complete the transfer packet including official transcript, letter of good standing, and any forms required by the transferee school. Individual letters of recommendation must be arranged by the student and are not part of the package. The student must include all forms required by the transferee schools with the Transfer Request Form, and must be sure to complete the student-supplied information and signatures as required. All letters of good standing issued to educational institutions for transfer will state that the student is actively enrolled in the Law School. Packets will be sent directly to the schools, using the address supplied by the student. An administrative fee of \$35 will be charged for each packet (that is for each school to which the student applies). The usual turn-around time for transfer packets is 5 full business days. The student must complete one (1) Transfer Request form per school, must include a check for \$35 made out to Villanova University Charles Widger School of Law for each school to which the student is applying and submit their completed Student Records Release Form (one form for each school to which the student is applying). The Request form(s), check(s) and Student Records Release Form(s) must be submitted along with any additional forms needed to be completed to the Office of Academic Affairs, Suite 370.

Students who have accepted judicial externship placements for either the summer or the upcoming academic year commit to fulfilling those placements and therefore cannot transfer from the Law School. Students who have accepted judicial externship placements for the summer and fail to return to the Law School for the Fall Semester for any reason will not receive credit. Federal regulations require the termination of work study funds once a student decides to transfer, and Research Assistantships, as a form of financial aid, will also be terminated as soon as a student formally notifies the Law School that the student is transferring.

There are other issues and consequences that may apply for students applying for transfer so it is important to discuss plans to transfer with the Office of Academic Affairs.

Students who apply to transfer must notify the Office of Academic Affairs in writing within 3 days of accepting the other law school's offer. A student is considered registered until written notification to the contrary is received by the Office of Academic Affairs.

Students considering transfer must inform programs in which they are involved such as journals, moot court, clinics and the on-campus interviewing program of their plans, and must be considerate in giving timely notice of decisions to such programs.

VISITING OUT

Students requesting permission to visit for a semester or a year at another law school must obtain permission from the Office of Academic Affairs. Permission will be granted only if the student shows the most compelling reasons for the visit, has completed all required courses, and has at least a 3.0 cumulative grade point average.

WITHDRAWAL FROM CLASSES

Students may not drop a course after the final class meeting for the semester. (See Academic Rule 4 on page 10 for the withdrawal process.)

WITHDRAWAL, LEAVES OF ABSENCE AND READMISSION

Notification of withdrawal or a petition for a leave of absence must be submitted in writing to the Office of Academic Affairs before the final class meeting of the semester. Once the semester is over and the reading and examination period has begun, a student may not withdraw or request a leave except in the most extraordinary circumstances. If a student does not notify the Associate Dean in writing of the student's withdrawal, a failing grade will be entered for all courses for which the student is registered and has not successfully completed all requirements.

Military Leave of Absence

Any student who is forced to withdraw in order to fulfill a military obligation will be granted a leave of absence for that purpose, and will be entitled to return to the Law School if a request for readmission is made within a reasonable time after discharge from the service. A student seeking a military leave of absence must request the leave in writing, supported by appropriate documentation, addressed to the Office of Academic Affairs.

Leaves of Absence

- (a) A student who wishes a leave of absence and can demonstrate good cause may petition the Associate Dean for Academic Affairs in writing for a leave of absence. If the Associate Dean finds good cause, a leave may be granted. Depending on the circumstances, the grant of a leave may require the student to meet certain conditions before or upon return. Only one leave of a maximum of one year is generally permitted. Only in the most extraordinary of circumstances will the Associate Dean permit one additional year, for a total of two years.
- (b) Students returning from a leave of absence must notify the Office of Academic Affairs in writing by the date specified in the letter granting the leave, must complete the character and fitness questionnaire included with that letter and meet other conditions imposed as part of the leave approval.
- (c) A student who withdraws without obtaining a leave of absence and who wishes to return to the Law School must petition the Office of Academic Affairs for readmission. Such petitions ordinarily will not be granted.

Withdrawal

A student wishing to withdraw must notify the Office of Academic Affairs in writing.

General Information and Policies

ACADEMIC SUCCESS PROGRAMS

The Office of Academic Success Programs is designed to help students achieve academic success in law school. The Office of Academic Success Programs provides services to students through study skills seminars, structured study groups led by upper class students, instructional materials, one-on-one meetings, Bar preparation, and an informational web page. See [Academic Rule 15](#) regarding the Academic Success Program.

ALCOHOL POLICY

The Administration and the SBA have adopted an alcohol policy applicable to student events. The Alcohol Policy is coordinated by the Director of Student Affairs. This policy applies to the Journals, Moot Court, SBA, and all recognized student organizations.

I. Alcohol Policy

1. The Alcohol Policy has been established in an effort to balance the interests of students and those of the Law School community and to encourage responsible decisions about alcohol. Therefore, Law School funds, including the Student Activity Fee Fund administered by the Student Bar Association (SBA), shall not be used to purchase alcohol to be served at any Law School event that includes student participation, any SBA event or any student organization event, except for the “Authorized Events” (listed below under Part II) or as the Dean or the Dean’s designee shall authorize.
2. Alcohol (beer and wine only) may be served at “Authorized Events” (listed below under Part II), only if no less than thirty days prior to the event, the sponsoring group submits to the Director of Student Affairs a written request for approval that includes an Alcohol Plan specifically addressing all of the issues listed in Paragraphs 3 and 12 below, and that request is approved.
3. The SBA and other student organizations, including the Villanova Law Review, the Villanova Environmental Law Journal, the Villanova Sports & Entertainment Law Journal, and the Moot Court Board, may organize off-campus events at which alcohol may be served to students, but no Law School funds, including Student Activity Fee Funds, may be used to purchase alcohol or to subsidize the cost of alcoholic drinks, including, without limitation, the use of such funds to pay cover charges at bars or arrange for discounted drink prices.
4. In addition, such events must be approved by the Dean or the Dean’s designee and shall be subject to the requirements listed in Paragraph 12 below and the following requirements:
 - a) **No less than 30 days** prior to the event, the sponsoring group must submit to the Director of Student Affairs a written request for approval that includes an [Alcohol Event Form](#) specifically addressing all of the issues in Paragraph 11 below.
 - b) A fully executed and completed [Insurance and Indemnification Statement](#)
 - c) A fully executed and completed [Vendor](#) Checklist. The vendor checklist requires a certificate of insurance and a copy of the liquor license.

The fully executed and completed Insurance and Indemnification Statement and Vendor Checklist, in form and substance satisfactory to the University Office of Insurance and Risk Management, must be delivered to the Director of Student Affairs no less **than 2 weeks prior** to the date of the event. Because the venue will need time to review and complete, student groups are reminded to allow enough time in their planning to meet the deadlines required for approval.

5. The SBA and other student organizations, including the Villanova Law Review, the Villanova Environmental Law Journal, the Villanova Sports & Entertainment Law Journal, and the Moot Court Board, sponsoring events (on-campus or off-campus)

involving alcohol must meet with the Director of Student Affairs well in advance of finalizing the event. Failure to timely request approval for any event may result in rejection of the request. Any questions regarding these requirements should be raised with the Director of Student Affairs.

6. The SBA and other student organizations, including the Villanova Law Review, the Villanova Environmental Law Journal, the Villanova Sports & Entertainment Law Journal, and the Moot Court Board, shall not advertise any event before receiving approval as an “Authorized Event.”
7. Student organizations, other than the SBA, may sponsor or co-sponsor no more than **two events** with alcohol per semester, including on-campus or off campus.
8. Law School funds shall not be used to purchase alcohol or reimburse students for the purchase of alcohol in connection with law school-funded student travel.
9. Organizations sponsoring events on-campus (in the law school building or grounds) must work with the Director of Events to ensure that manner in which alcohol is served and liability issues are properly addressed by the vendor. The selection of vendor to serve the alcohol at student organization events in the law school building must be approved by and is at the discretion of the Director of Events and in any event must be either University Catering or a vendor approved by the University.
10. No alcohol may be served or consumed outside of the approved venue in the law school building, including, without limitation, in any classroom.
11. No alcohol may be auctioned or raffled. No alcohol may be served at any event on campus where attendees are charged for attendance or where donations are sought, unless 90 days prior to the event, the sponsoring group has submitted a written request for approval that includes an Alcohol Plan and, if applicable, a request for an Alcohol Catering Permit from University Catering, and the event request is approved by the Dean or the Dean’s designee and, if applicable, the Alcohol Catering Permit is approved/obtained by the University.
12. The Alcohol Plan must specify:
 - a description of the promotion and advertising of the event;
 - the amount and type of alcohol to be served (beer and wine only);
 - a description of the manner in which alcohol is being served, and a commitment that the group understands that alcohol may only be served by professional, licensed servers who can properly address the liability issues involved, and designation of who the professional servers are;
 - a plan for monitoring alcohol consumption at the event, including preventing under-age attendees from drinking;
 - a detailed plan for providing designated drivers, taxi cabs, and other manners designed to encourage all guest to travel safely;
 - a designation by name and role within the organization of at least two who are designated as responsible persons from the sponsoring student organization who will be present throughout the event;
 - a provision for non-alcoholic drinks at the event;
 - a provision for food to be served throughout the event;
 - a specific start and stop time of the event, and specific start and stop time for serving of alcohol; and
 - an explanation of the source of funding for the event.

II. Schedule of Authorized Events

The following list of student organization events have been presumptively approved and may serve alcohol provided that the requirements of Part I are satisfied:

1. Barristers Ball;
2. Public Interest Auction;
3. Two SBA events per semester (not the activities fair); and

In addition, from time to time and under compelling circumstances, additional student organization events involving alcohol in the law school building may be approved as an “Authorized Event” by the Dean or the Dean’s designees, provided that, among other things: (1) the event complies with Part I; (2) if the requesting group is a student organization funded by the SBA and it seeks funds from the SBA for the event, it has submitted the proposed event to the Director of Student Affairs at least two weeks in advance; and (3) other than in the case of the SBA, the event has also been approved by the Faculty Advisor of the requesting student organization.¹

Approval as an “Authorized Event” is only for the specified event and on the specified date, and is not to be considered as annually approved or an addition to the Schedule of Authorized Events for subsequent years.

ASSOCIATE DEAN FOR ACADEMIC AFFAIRS

The Associate Dean for Academic Affairs handles academic matters including: curriculum, long-range planning, class scheduling, administration of examinations, administration of course evaluations, academic and non-academic discipline, exclusions of students for cause, adding and dropping of courses, withdrawals and leaves of absence, student records, and miscellaneous academic matters. She is responsible for matters relating to the Registrar’s Office, Clinical Programs, Externships, Student Affairs and Academic Success Programs. She is also available to hear student grievances and concerns.

ASSOCIATE DEAN FOR FACULTY RESEARCH

The Associate Dean for Faculty Research is responsible for supporting, promoting and publicizing faculty scholarship, including scheduling faculty workshops and arranging faculty exchange programs.

BAR REQUIREMENTS

The rules for admission to the bar differ greatly from state to state. Some states require applicants for the bar examination to register with the bar examiners at the time they begin their law studies, and to take certain courses while in law school. Some states, including Pennsylvania, require additional examinations (such as the Multistate Professional Responsibility Exam or MPRE) which are given on

¹ *The end of the year Journals/Moot Court Recognition Dinner are considered Law School institutionally sponsored events and do not need to be approved as an Authorized Event.*

dates other than the usual bar examination dates. Students assume responsibility to know and to comply with these bar requirements and should contact the appropriate bar examiners directly. Students must contact the bar examiners for the states they are interested in directly to obtain requirements, deadlines and other necessary information. Links to all state bar examiner's web pages are available on the Academic Success Programs home page. For those bar examiners who do not have websites, the address and phone number are given. Students are also advised that all jurisdictions impose character and fitness requirements, and that these differ from jurisdiction to jurisdiction. Students should inquire into these requirements early in their law school careers.

Please also note that students undertake a continuing duty to update their answers to the Law School application character and fitness questions (see below Candor and The Bar and [CANDOR AND DISCLOSURE TO THE LAW SCHOOL](#)).

Candor and The Bar: Many jurisdictions verify bar applications and the criminal background checks that are routinely conducted in conjunction with bar admission against individual applicant's law school applications to determine whether the applicant was fully candid and forthcoming in applying to law school. Dishonesty may pose an extremely serious obstacle to gaining admission to the practice of law. Students must be sure that they have been fully candid in their applications to Villanova. Contact the Associate Dean for Academic Affairs if you think you might need to amend your application.

BOOKS

Books assigned for the Law School's course of study are available at the University Shop in Kennedy Hall. Information will be available on the Registrar's website: <http://www1.villanova.edu/villanova/law/currentstudents/registrar.html>. Instructors' materials (course packets) are available through the University's Graphic Services department. Information on ordering and pickup is available on the Registrar's website. The University Shop offers in-store and online purchasing, book rentals, and a 5% discount on in-store purchases when you pay with your Wildcard. Visit www.villanovabookstore.com for hours and other information.

BULLETIN BOARDS

A notice posting area, where student organizations and miscellaneous notices may be posted, is located on the ground floor in the locker area. Student groups may display posters, notices, and flyers on the bulletin boards only, not on walls, doors, windows, or painted surfaces anywhere in the building. The organization posting the notice must remove it immediately after the event.

The Law School reserves the right to remove all postings that are not dated and approved, or do not comply with the University's non-solicitation policy.

All individuals or groups posting notices on the bulletin boards are asked to kindly use pushpins rather than staples on the bulletin boards. To reduce clutter, groups are asked to please remove outdated postings from bulletin boards and not post multiple copies of the same announcement. Please do not cover, deface or take down anyone else's posting.

CAMPUS MINISTRY

The Villanova Center for Campus Ministry addresses the spiritual needs of students, faculty, staff and alumni of the University community, including the Law School. Brian McCabe from the University Office of Campus Ministry is assigned to the Law School to work in the areas of student counseling, retreat planning, young adult formation, and other Campus Ministry-related initiatives. His

office is located in the Student Services Suite. Please stop by or feel free to contact him at brian.mccabe@villanova.edu or 610-519-4086 with any questions.

Retreats, sacraments, worship, prayer, spiritual direction and service opportunities are coordinated through the Campus Ministry Centers of 1) Worship, 2) Service and Social Justice, 3) Spirituality and Discernment, 4) Pastoral Ministry Education.

On Thursdays during the academic year, Mass will be celebrated in the Law School Chapel at 12:10 p.m. Daily Mass is celebrated in Corr Chapel located on the main campus in Corr Hall at 12:05 p.m. every day that the University is open and 5:30 p.m., when classes are in session. Saturday Evening Vigil Mass is celebrated in Corr Chapel at 5:30 PM and Sunday Masses are celebrated at 7:30 & 10:30 a.m., 5:30, 7:00, & 9:00 p.m. in the St. Thomas of Villanova Church on the main campus. There are several opportunities for prayer and devotions during the week at 5:00 p.m. in Corr Chapel such as Centering Prayer, Rosary, and Exposition of the Blessed Sacrament. Please consult the Campus Ministry web site for more details.

The Sacrament of Reconciliation is available in the St. Thomas of Villanova Church on Tuesdays and Wednesdays from 3:30 p.m. to 4:30 p.m. or by appointment by calling Campus Ministry.

Many churches, synagogues and other houses of worship are located in the Villanova area. Contact Campus Ministry at 610-519-4080 for further information. Campus Ministry is located on the main campus in St. Rita Hall next to the Church.

The **Room for Interfaith Prayer and Meditation** is located in Room L04 on the Lower Level of the Law School. This quiet space is available for individual or small group prayer. Please feel free to use as needed. For regular use or to ensure specific times, the room may be reserved through Marlene Musonge (marlene.musonge@law.villanova.edu, 610-519-5576) in the Student Services Suite. For any questions, to offer new ideas, or to learn more about the room or options for prayer and meditation practices at Villanova please contact Brian McCabe (brian.mccabe@villanova.edu, 610-519-4086).

CANDOR AND DISCLOSURE TO THE LAW SCHOOL

In signing the Villanova Law School application, every applicant certifies that all information included is complete and accurate. Further, every applicant undertakes a continuing duty to update the information asked in the character and fitness questions of the application (regarding academic and disciplinary actions in academic institutions, criminal charges, and dismissals from employment, etc.). Admitted students also undertake an ongoing duty to update the information requested in these questions. Thus, every student must promptly notify the Associate Dean for Academic Affairs in writing if any incidents occur or information develops after submission of the student's application, including while in attendance at the Law School, that would be responsive to these character and fitness questions.

In addition, if the student believes he or she did not include something on his or her original application that should have been disclosed, the student must promptly notify the Associate Dean for Academic Affairs. If you are unsure as to whether or not you should disclose something, you should discuss the matter with the Associate Dean for Academic Affairs. The Associate Dean for Academic Affairs may impose a community service obligation, require counseling or other stipulations as a condition of accepting the disclosure.

Please note that many bar examiners request copies of applicants' law school applications and match these against the background checks that are conducted in conjunction with bar application. Discrepancies will create significant problems for students seeking bar admission and may have serious consequences with respect to students' status at the Law School.

CAREER STRATEGY AND ADVANCEMENT

The Office of Career Strategy and Advancement provides information on full-time and part-time law related jobs and career counseling to Villanova Law students and graduates. Students who wish to participate in programs sponsored by the Office are required to comply with all policies and requirements issued by that Office. Policies are posted on the Career Strategy Blackboard site and are available in the Office. Failure to comply with these policies and requirements may result in revocation of all on-campus interviewing privileges and access to other Career Strategy services and programs.

Work-study jobs require special application forms which are available through the Financial Aid Office.

Part-time employment during the school term should be undertaken with great care since the study of law requires a full-time commitment. This is particularly important for first-year students, who are strongly discouraged from working during their first year, even in a part-time capacity.

During the second and third year, absent special circumstances, Villanova law students are discouraged from engaging in employment for more than 20 hours per week in any week in which the student is enrolled for more than twelve credits.

Employment does not constitute an excusable absence from class attendance.

Résumé and Grade Report Accuracy: Students must make certain that all information, particularly grade information, contained in all job application materials is accurate. With respect to grades, grade point average must not be rounded up, and must be reported as it appears on the transcript. Intentionally supplying incorrect information would be an unethical practice. Unintentional inaccuracies reflect poorly upon the individual student as well as all Villanova students and the Law School. Even rare and isolated instances harm the entire community. Appropriate disciplinary action will be taken should inaccurate information be discovered on a student's résumé and other job application materials.

CERTIFICATION FOR STUDENT PRACTICE

In accordance with PA Board of Law Examiners Rules 321-322, Villanova University Charles Widger School of Law will certify law students who meet the requirements of Rule 321 and are enrolled in a Law School clinical program or are serving as interns with governmental or nonprofit agencies.

To receive certification under Pennsylvania Rules, the student must complete the **Pennsylvania Board of Law Examiners' Application for Rule 321 and 322** which can be accessed online at <http://www.pabarexam.org/>. The completed form must then be turned in to the Office of Academic Affairs. The Law School also requires the name and attorney number of the attorney who will supervise the student.

Students seeking certification under another Jurisdiction's rules must follow this procedure and provide a current copy of that state's certification rules to the Office of Academic Affairs.

CHILD ABUSE REPORTING POLICY

Any student of Villanova University who accepts responsibility for a child as an integral part of a program, activity or service sponsored by the University or comes into direct contact with a child as part of their employment with Villanova, and has reason to believe that the child has been subjected to child abuse, must report the information to the Pennsylvania Department of Human Services ("DHS") toll-free ChildLine at (800) 932-0313. A child is any individual under age 18. Proof that abuse or neglect occurred is not required, and any uncertainty to report suspected abuse or neglect should be resolved in favor of making a report. Within 48 hours of the oral report, the

student must follow up with a written report to DHS or the county agency assigned to the case and provide a copy of the report submitted to DHS to the University's Public Safety Director (9-6982; david.tedjeske@villanova.edu) or, in his absence, the Vice President for Administration and Finance (9-4532; ken.valosky@villanova.edu). For additional information regarding what is meant by "child abuse" and the obligation to report child abuse, see the University's Child Abuse Reporting Policy (the "Policy") available on the University website at <https://www1.villanova.edu/villanova/president/uco/minors/childabuse.html> or contact the University's Public Safety Director (9-6982; david.tedjeske@villanova.edu).

CLASS RESCHEDULES

Class cancellations and reschedules will be listed in the Announcements section of the Current Students page of the website.

CLASSROOM TECHNOLOGY

The use of classroom technology, including lectern computers and control panels, is restricted to Law School faculty and staff, or individuals who have been trained by Academic Computing staff. Wired lecterns may not be moved, rotated, disconnected, or otherwise adjusted by anyone except Academic Computing staff or individuals under the supervision of Academic Computing staff, including student workers serving as representatives of the Academic Computing department.

COMPUTERS

Computer Facilities

The Law School provides wireless access throughout the entire building. In addition, the Law School offers PC workstations available for student use in various locations in the Law Library. All PC's are networked to high speed printers for student use. Printers/photocopiers are located at the end of the corridors on all three floors, at the end of the cafeteria corridor, and throughout the Library. Mechanical problems with any of the copiers should be reported to UNIT's TechZone, as all printers/copiers are maintained and serviced through TechZone staff. Network issues should be reported to Computer Services. The library also contains study carrels where students with laptop computers may access the network and Internet.

Printers/copiers are Wildcard-operated. Each student will be allocated \$50 credit for printing per semester. Additional pages will be available via charge to the student's Wildcard.

Lexis provides two small printers to which students may print from Lexis only at no charge. They are located in the Library's second floor copy room.

Use of the Law Library computer facilities is limited to Villanova Law students by password log-in to the network. All computers and network connections provide access to the Law School's local area network, Internet, email, Lexis and Westlaw, library databases, Computer Assisted Legal Instruction (CALIs), word processing and other software. Remote access to Library databases is also provided.

Students with questions about wireless access should contact the TechZone@VLS Office in the Law Library.

Computers in Classes

Students are not required to have laptop computers when coming to Villanova Law; however, many students use laptop computers for taking notes in classes and for Law School exams. Seats in the Law School's classrooms, seminar rooms and court rooms are wired with AC power outlets for students to plug in their laptop computers. Some professors may not allow laptop use in their classes.

During class, computers should be used only for class-related activities.

Students should be aware that federal law prohibits copying or downloading copyrighted materials, such as computer programs or music files, without a license, unless doing so is a fair use under Federal guidelines.

Law students are able to take final exams on computer, see [Computer Use During Exams](#).

COMPLAINT POLICY

A. Reporting a Complaint

The Law School wishes to hear any student concerns about significant problems that directly implicate the school's program of legal education and its compliance with the ABA's Standards and Rules of Procedure for Approval of Law Schools. Any student having such a concern should submit it in writing to the Associate Dean for Academic Affairs. The complaint should state the facts that form the basis for the complaint and how the matter implicates the Law School's program of legal education and its compliance with a specific identified ABA standard(s).

B. Resolving the Complaint

When a formal written complaint has been made in accordance with section A, the Associate Dean for Academic Affairs shall investigate as soon as possible, but in no event later than 20 business days after the filing of the written complaint with the Associate Dean for Academic Affairs. The Associate Dean for Academic Affairs shall attempt to resolve the complaint, if possible, within the 20 business day period. If resolution is not possible, the Associate Dean for Academic Affairs may refer the matter to the appropriate administrator, administrative body, or an administrative official designated by the Dean (the "Dean's designate").

If referral of the complaint is made as referenced above, the administrator, administrative body or Dean's designate shall attempt to resolve the complaint as soon as possible, but in no event later than 20 business days after referral by the Associate Dean for Academic Affairs.

Upon completing the investigation of the complaint, the Law School shall communicate its findings and, if appropriate, its intended actions to the complainant.

C. Appeal Process

If the complainant is dissatisfied with the outcome or resolution, that individual has the right to appeal the decision. The complainant should submit his/her written comments in a timely manner to the Dean of the Law School, but in no case more than two weeks after communication to the complainant of the findings of the investigation. The Dean's decision shall be communicated to the complainant and the investigator(s) within 20 business days and shall be final.

D. Maintaining a Written Record of the Complaint

The Law School shall maintain a complete written record of each complaint and how it was investigated and resolved. Written records shall be maintained in a confidential manner in the Office of Academic Affairs for five years from the date of final resolution of the complaint.

E. Protection Against Retaliation

The Law School prohibits retaliation by a faculty member, administrator, staff employee, or student against any student who makes a complaint under this Policy.

F. Not Exclusive Complaint Policy or Procedure

The Villanova Law School Student Handbook contains separate Policies, including among others, those pertaining to sexual harassment or other discrimination complaints and complaints under the Academic Code of Student Conduct or Non-Academic Student Misconduct Hearing Procedure. Where more than one Policy may apply to the complaint, the Law School shall follow the Policy that it deems most appropriate to the situation.

COPYRIGHT AND OTHER INTELLECTUAL PROPERTY

Copyright

All University constituents must respect the rights of software developers and legally abide by federal and local intellectual property and copyright laws.

Users who buy their own software agree to comply with all the provisions imposed by the software vendor in the software license agreement. Unless otherwise specified, the provisions ordinarily limit the user's right to copy software or they define under which circumstances the software can be copied and the number of copies that can be made.

Unless noted otherwise, users are not permitted to copy software made available by the University to any other computer. Many agreements link software licenses to specific computers by serial number. In the event where a computer is replaced and the software is transferred to another computer, the software agreement needs to be changed accordingly.

All software used on all computers on campus must be properly licensed.

Intellectual Property

In the interest of advancing the scholarly activity of our community, promoting academic integrity, and supporting both individual and institutional interests, the University has established intellectual property policies which govern the recognition, disclosure, publication, and distribution of discoveries made in the normal course of activities at the University. Students, staff, and faculty are both protected and bound by these policies. The applicable policies on intellectual property may be found at: <http://www1.villanova.edu/villanova/hr/policies/university/intellectualproperty.html>

Students must comply with all laws and University policy applicable to intellectual property. Intellectual property includes copyrights, patents and trademarks, which are further described in the policies at the link above, the links below and the following section titled "Use of Name and Trademark."

Patent Policy (Paragraph 52, pages 92-94) and **Copyright and Coursepacks** (Paragraph 24, pages 53-55) can be found at https://www1.villanova.edu/content/villanova/vpaa/facultyservices/jcr_content/pagecontent/download/file.res/Faculty%20Handbook%20Final%20Version%20modified%202-27-2015.pdf

Use of Name and Trademark

A trademark is a word, phrase, symbol or design (or a combination of them) that identifies and distinguishes the source of the goods or services of one party from those of others. The University has registered with the U.S. Patent and Trademark Office trademarks for a variety of the names (and nicknames) of the University as well as its logos, brands, seal, emblem and insignia. Students may not use their University status or the University's name, trademarks, seal, emblem, insignia, or facilities including the Law School seal, logotype and insignias in any print, video or electronic announcement, advertising or promotional material, publication, correspondence or commercial which could in any fashion be construed as implying University endorsement of any product, project, service or activity. Exceptions to the general prohibition may be granted for students at the discretion of the Vice President for Student Life or the Associate Dean for Academic Affairs for the Law School, in consultation with the Vice President for Communications and the University's Vice President and General Counsel. For all requests related to the creation of promotional materials (apparel, accessories, gifts) utilizing Law School or University marks (seal, logo), please refer to the Law School's [Licensing Guidelines](#).

COPYRIGHT INFRINGEMENT AND ILLEGAL FILE SHARING

The unauthorized copying, sharing or distribution of copyrighted material is strictly prohibited. It is a violation of federal law, the Copyright Act, and of the Policies of the Law School and the University. Students who infringe a copyright may be subject to disciplinary action under the Code of Conduct, up to and including expulsion. For further information on the University policy and Villanova's plan to combat copyright infringement visit <http://www1.villanova.edu/villanova/unit/about/policies/copyright.html>.

COUNSELING

The Director of Student Affairs is a trained counselor who is available for Law students who are experiencing personal problems. The University Counseling Center (located in the Health Services Building) provides short term confidential counseling for all Villanova students (see [COUNSELING CENTER](#)).

COUNSELING CENTER

The University Counseling Center provides services that help students function optimally with regard to emotional, academic, social and psychological issues. The staff is experienced in supporting students through the normal developmental challenges of their current life stage. For students who encounter a more difficult condition such as depression, anxiety, panic, or disordered eating, the staff is also experienced in diagnosis, crisis intervention, and treatment of these conditions. Services are available to all students currently taking classes toward a degree, including all law students. All services are free of charge to current students.

The counseling center is located on the second floor, Room 206, Health Services Building, 610-519-4050. Appointments are scheduled by phone or in person Monday through Friday between 9:00am and 5:00pm. There is usually less than a 3 day wait for an appointment,

and students can be seen the same day if necessary. All contacts with the Counseling Center are confidential, except in situations where laws or ethics require notification of a family member.

The Counseling Center provides individual personal counseling, referrals, consultations, counseling groups, and educational programs, see <http://www1.villanova.edu/villanova/studentlife/counselingcenter.html>.

COURSE EVALUATIONS

Course evaluations are administered at the end of every semester for each course. All students are urged to complete this anonymous evaluation for each of their courses. These evaluations provide useful information to both the faculty members and the administration, and are also helpful to students when choosing a course and/or professor.

CRIME REPORTING POLICY

The University encourages students to report criminal activity immediately to the Department of Public Safety. Public Safety officers are on-duty 24 hours a day, seven days a week to respond to reports of crimes on campus. There are several ways to contact Public Safety to report a crime:

- by calling 610-519-4444 to report a crime in progress;
- by visiting the Public Safety Department in Farrell Hall;
- by activating a campus emergency phone;
- through the Department of Public Safety website: www.publicsafety.villanova.edu. Crimes may be reported anonymously through the website.

DEVELOPMENT AND ALUMNI RELATIONS

The Development and Alumni Relations offices are located on the third floor in the External Affairs Suite. The Alumni Relations office maintains contact with alumni through various reunions and events and collaborates on student/alumni events; the Development Office raises revenue for the Law School. The staffs of both offices sponsor and involve themselves in a variety of student activities.

DIPLOMAS

Third-year students who are candidates for a degree must file intent to graduate/ diploma order forms with the Law School Registrar, setting forth the candidate's name as it is to appear on the diploma together with the candidate's undergraduate college, degrees received and years of receipt and other relevant information. This form must be filled out and returned before the deadline announced to assure the diploma will be ready. The University reserves the right to refuse to issue diplomas and bar certifications for students delinquent in financial and other obligations to the University.

DRUG FREE SCHOOLS

The Policy on Drug Free Schools and Drug Free Workplace is the University's response to federal legislation, the Drug-Free Schools and Communities Act Amendments of 1989. It is distributed annually to all students, faculty, and staff in an effort to educate our

community about the continuing commitment to achieve a drug-free environment and to provide effective resources for our community. For further information or for additional copies of the policy, see <http://www1.villanova.edu/villanova/hr/policies/university/drugfreeschools.html> or contact the Department of Human Resources or the Dean of Students' office.

E-MAIL

Each student is assigned a Law School e-mail account and is required to check this account at least once each day. Faculty and the Administration use e-mail to communicate with students and to send official notices. Students are deemed to have knowledge of all communications from the Faculty and Administration which are sent to their Law School e-mail address. Additionally, various professors may have more specific requirements with respect to e-mail and Blackboard classrooms.

The Law School has adopted an e-mail policy which is posted on the Law School website under Technology Services. Students using the Law School's e-mail system must comply with this policy.

Students may not send mass emails to the entire Law School. Mass e-mail from student organizations must be sent through the SBA or the group's faculty advisor in accordance with the mass e-mail policy listed in the Student Organizations Handbook.

EMERGENCY CONTACT

Law students are required to complete the Emergency Contact Information form through NOVASIS. This information will be kept on file with the Registrar.

EMERGENCY PREPAREDNESS

The University has a detailed emergency plan and representatives from the Law School serve on the University's Emergency Response Committee. The full text of the University Preparedness Plan is available on the Villanova University web site. Questions regarding the Plan or the Committee should be directed to the Associate Dean for Finance and Administration.

ESCORT BY PUBLIC SAFETY

An escort service is available for students leaving the building late. Call Public Safety at 610-519-6979.

EVENTS

Student organizations, staff, and faculty members planning events which involve food or outside vendors must work with the Law School's Director of Events, Nicole Garafano. Students must meet with Ms. Garafano at least two weeks prior to the event. She can be reached at 610-519-7066, garafano@law.villanova.edu, or in her office, Room 174 in the Student Services Suite.

FACILITIES

The Director of Operations, Joseph Mariani, has overall responsibility for the building and facilities. For minor housekeeping, maintenance, and facilities issues, please contact Mr. Mariani at mariani@law.villanova.edu or 610-519-3111.

FINANCIAL AID INFORMATION

Information about all types of financial aid, including scholarships, loans, and work-study is available in the Financial Aid section of the Law School's website. In addition, you will also find instructions on applying for financial aid, relevant expenses for attending law school and other information that should be of interest to financial aid applicants.

FIRE DRILLS/ALARMS

In order to protect the safety of all students, faculty and staff, when a fire alarm sounds, everyone must evacuate the building immediately and wait outside the building until instructed to return.

FOOD

Food and drinks are permitted throughout the Law School building. Please do use care with what kinds of food you take outside the Blank Rome LLP Dining Room.

The Blank Rome Dining Room is a full service cafeteria. Hours of operation will be posted. The Law School also operates a Coffee Bar outside the Library near the Goldberg Commons. A microwave, sink, refrigerator and vending machines are located in the locker room.

Organizations planning events that involve catering must work through the Director of Events, see [EVENTS](#).

From time to time, the Law School may issue special directives regarding food products that could be hazardous to community members with severe allergies.

HANDICAPPED ACCOMMODATIONS

All public areas of the Law School are accessible to persons in wheelchairs.

HEALTH CENTER

The Student Health Center is located on the third floor of the Health Services Building. Visits to the Student Health Center are covered under the Health and Wellness fee (each semester) incurred by full-time Undergraduate and Law Students. Students are financially responsible for the costs of any laboratory tests, some over-the-counter medications, and all prescription medications. The Student Health Center does not bill insurance companies, nor does the Student Health Center operate as a pharmacy. Students who incur charges at the Student Health Center may request reimbursement from their insurance company.

The Student Health Center is open 24 hours a day, 7 days a week during the academic school year. Exceptions include holidays and scheduled breaks. Summer hours are generally 8 a.m. - 4 p.m., Mondays through Fridays.

Please call the Student Health Center at 610-519-4070 with any questions regarding hours of operation.

The Student Health Center provides a variety of services including immunizations, allergy shots, women's health services, and referrals to off-campus specialists. <http://www1.villanova.edu/villanova/studentlife/health/center.html>

HEALTH INSURANCE

All law students must carry health insurance coverage during their time in law school. This is a University requirement that is applicable to every law student. The University follows a hard waiver process. That is, every student must provide proof of insurance to the Bursar by a specific date. All students who do not provide proof of insurance will automatically be enrolled in the University plan and will be charged for that plan. Details regarding this are sent to all law students by the Bursar. Questions regarding this should be directed to the Health Center at 610-519-4070. You may use any plan that meets certain minimum requirements. Questions regarding the University Student Health Plan should be directed to the Student Health Center.

HOTLINE

The University has established a Hotline administered by EthicsPoint, a third party provider, available 24/7 to report concerns on an anonymous basis. The Hotline allows a student or employee to report any instance of misconduct in the academic or workplace setting, such as fraud, mismanagement of funds or other violation of law or University or Law School policy. The Hotline, administered by EthicsPoint, also provides a student or employee anonymous reporting options for complaints involving the violation of the University's Sexual Assault, Sexual Harassment and Sexual Misconduct Policy. For details, see the Sexual Assault, Sexual Harassment and Sexual Misconduct Policy, Section IV.C. Anonymous Reporting. The Hotline may be accessed at:

<https://www1.villanova.edu/villanova/president/uco/hotline.html>

HOURS

The Law School administrative offices are typically open from 9:00 a.m. to 5:00 p.m., Monday through Friday, except as otherwise posted. The offices are closed on Saturdays, Sundays and holidays. During the summer months, the offices are open 9:00 a.m. to 5:00 p.m. Monday through Thursday, and 9:00 a.m. to noon on Fridays.

The Law School building is accessible 24 hours, seven days a week. After 7:00 p.m., students must swipe their Wildcard for entrance to the building. After 9:00 p.m. the library can be accessed only via Wildcard swipe. All entrances are locked between 7:00 p.m. and 7:00 a.m.; classrooms open at 7:00 a.m. and lock at 10:00 p.m. On weekends and holidays the building is open only to the Law School community via Wildcard swipe. These hours are subject to change during the summer, holiday breaks, or as deemed appropriate by the Law School Administration.

HOUSING

Housing information is available from the Admissions Office and is posted online. Other notices about housing are posted on the bulletin board located in the locker room on the ground floor. The University makes no representations with regard to the housing or those providing it.

I.D. CARDS (WILDCARDS)

Students must obtain University-issued Villanova Law Student Identification Cards (Wildcards) which are required for numerous Law School and campus services, including printing/photocopying and after-hours access to the Law School building and Library. Replacement ID cards can be obtained for \$25.00 from the Wildcard Office, Dougherty Hall, 610-519-4179.

The Wildcard also serves as a debit card for purchases on campus and with some community merchants. It is accepted at the Law School Blank Rome LLP Dining Room and Coffee Bar. The University Bookstore offers a 5% discount when the Wildcard is used to pay for purchases.

For more information visit the Wildcard Services website, <http://services.jsatech.com/index.php?cid=29/>.

Money can be added to a student's Wildcard account at the Wildcard Office in Dougherty Hall and through the Wildcard Services website using a Mastercard, Visa, or Discover card, or through ACH or echeck transfers.

ILLEGAL, DISHONEST, OR FRAUDULENT CONDUCT

Villanova University is committed to upholding the highest standards of honest behavior, ethical conduct and fiduciary responsibility with respect to University funds, resources and property. The University also expects members of the University community to comply with all state, local and federal statutes, rules and regulations when conducting University business. To that end, the University prohibits and does not tolerate illegal, dishonest or fraudulent conduct of any nature. All members of the University community are expected to uphold this policy. Violation of this Policy by students will result in appropriate disciplinary action, up to and including expulsion.

Complaint Procedure, Investigation and Corrective Action

The University encourages any person who believes that an incident of illegal, dishonest or fraudulent conduct has been committed to report the incident immediately in accordance with the Complaint Procedure outlined in the Policy. The University has also established a hotline for reporting concerns on an anonymous basis at any time. The Hotline is provided through EthicsPoint, a third party provider, and can be accessed at www.villanova.ethicspoint.com or 1-855-236-1443. See also [HOTLINE](#).

Retaliation Prohibited

The University prohibits and does not tolerate retaliation against any individual who files a complaint of illegal, dishonest or fraudulent conduct; is involved as a witness or participant in the complaint or investigation process; or refuses to engage in illegal, dishonest or fraudulent conduct.

A complete copy of the Policy can be found at <http://www1.villanova.edu/villanova/hr/policies/university/illegalconduct.html>.

LIBRARIES

Law Library Access

Twenty-four hour access to the Law Library is available to Villanova Law Students by swiping their Wildcard at the building main entrance AND then at the law library entrance, the double-doors at the back corner of the Goldberg Commons. Law Library access may be limited during holidays, semester breaks, the summer, and examination periods. Information on changes to access hours is available at the Circulation Desk and changes in hours are e-mailed to students.

Law Library Staff Hours

The Law Library Reference Desk is staffed with research librarians the following hours during the semester:

Monday - Thursday	9 a.m. - 7 p.m.
Friday	9 a.m. - 5 p.m.
Sunday	1 p.m. - 6 p.m.

The Law Library Circulation/Reserve Desk is staffed the following hours during the semester:

Monday - Thursday	8 a.m. - 10 p.m.
Friday	8 a.m. - 8 p.m.
Saturday	9 a.m. - 8 p.m.
Sunday	9 a.m. - 10 p.m.

These hours are subject to change. Please inquire at the Circulation/Reserve desk.

Law Library Policies

The collection in the Law Library is primarily a research collection for students and faculty. Therefore, circulation privileges are limited.

To check books out of the Library or its Reserve area, present your valid Wildcard to the Circulation Desk attendant. The Law Library is for the use of all members of the Law School community. The successful sharing of the Law Library's resources depends on cooperation among its users. Students are expected to return materials by the due date and to respond to email and other communications from library staff. Students with outstanding materials will have holds placed on their accounts by the Registrar.

University Library (Falvey)

University Library facilities are available to law students. Students will need to show or swipe their Wildcard for entry and to withdraw books. Check the Falvey Library web page for their hours: <http://library.villanova.edu/>. Note that law student interlibrary loan requests must be submitted through the Law Library, not Falvey.

LOCKERS

Lockers are available to all law students. The locker room is located on the ground floor down the hall from the Blank Rome LLP Dining Room. First-year students are assigned lockers at Orientation. To request a change of locker, contact Cheryl Baro, Financial and Operations Coordinator, at baro@law.villanova.edu. Students who have forgotten their combination may contact Mrs. Baro. Mechanical problems with lockers should be reported to Joe Mariani, Director of Operations, at mariani@law.villanova.edu. Only Law School-issued locks may be used. Locks not issued by the Law School will be removed. Lockers must be emptied at the end of each academic year.

LOST AND FOUND

Lost articles may be turned in at and claimed from the Library Circulation Desk. Items that are unclaimed after 14 days will be discarded. The University's Lost and Found is managed by the Department of Public Safety, located in Farrell Hall (use 610-519-6985 for non-emergency calls).

MAIL

Student mail, packages, and faxes should be addressed to student residences, not to the Law School.

A US Postal Service drop box is located at the train station. A UPS drop box is located inside the Law School parking garage.

NON-DISCRIMINATION POLICY AND TITLE IX NOTICE

The Law School is committed to the belief that “with respect to the fundamental rights of the person, every type of discrimination, whether social or cultural, whether based on sex, race, color, social condition, language, or religion, is to be overcome and eradicated as contrary to God’s intent” (Vatican Council II, Gaudium et Spes No. 29). Therefore, the Law School admits students of any race, color, age, sex, religion or creed, or national/ethnic origin to all rights, privileges, programs, and activities generally accorded or made available at the Law School. It does not discriminate on the basis of race, color, age, sex, religion or creed, national/ethnic origin, veteran status, sexual orientation, gender (including identity and expression), or disability in the administration of its educational programs, admissions policies, scholarship and loan programs, athletic, and other Law School programs, or in its employment policies.

Inquiries concerning equal opportunity policies may be referred to Ryan Rost, Title IX Coordinator, 204 Tolentine Hall, Villanova University, Villanova, Pennsylvania, 19085-1699 (Telephone 610-519-8805), ryan.rost@villanova.edu.

Title IX Notice

Title IX of the Education Amendments of 1972 (“Title IX”) prohibits discrimination on the basis of sex in any federally funded education program or activity. Sexual harassment, which includes sexual assault and other sexual misconduct, is a form of sex discrimination. Under the University Sexual Assault, Sexual Harassment and Sexual Misconduct Policy, the University prohibits sexual harassment, sexual assault, sexual exploitation, stalking and retaliation. Title IX and the University’s Policy also applies to acts of domestic or dating violence, also known as intimate partner violence. As a recipient of federal funds, Villanova University complies with Title IX and has appointed Ryan Rost as the Title IX Coordinator with overall responsibility for Title IX compliance. She can be reached at 204 Tolentine Hall, (610) 519-8805, ryan.rost@villanova.edu.

Any student, employee or applicant for employment or admission to the University who believes that he or she has been discriminated against on the basis of sex, in violation of Title IX, or has been a victim of sexual assault, sexual harassment or other sexual misconduct, may file a complaint with the Title IX Coordinator or Deputy Coordinator designated below. The Title IX Coordinator or Deputy Coordinator will assist the complainant in identifying the appropriate University policy (with its grievance procedure) to resolve the complaint in a prompt and equitable manner. The Title IX Coordinator or Deputy Coordinator may consult with other Villanova administrators, as needed, to resolve the complaint in the most effective manner.

The Title IX Coordinator is supported by several Deputy Title IX Coordinators, all of whom are knowledgeable and trained in state and federal laws that apply to matters of sexual assault, sexual harassment or other sexual misconduct, as well as University policy and procedure.

Ryan Rost | Title IX Coordinator
204 Tolentine Hall | (610) 519-8805 | ryan.rost@villanova.edu

Debra Patch | Deputy Title IX Coordinator

Associate Director, Public Safety
Garey Hall, First Floor | (610) 960-4788 | debra.patch@villanova.edu

Kathleen Byrnes | Deputy Title IX Coordinator
Associate Vice President for Student Life and Sexual Harassment Complaint Officer
Room 202 Dougherty Hall | (610) 519-4550 | kathleen.byrnes@villanova.edu

Albert Baladez | Deputy Title IX Coordinator
Director, Employee Relations and Compliance, Human Resources
Room 105F St. Mary's Hall | (610) 519-4238 | albert.baladez@villanova.edu

Lynn Tighe | Deputy Title IX Coordinator for Athletics
Senior Associate Athletic Director for Administration
Field House, Second Floor | (610) 519-4121 | lynn.tighe@villanova.edu

NON-HARASSMENT POLICY

It is the University's policy that all employees and students should be able to enjoy and work in an educational environment free from harassment of any nature. Harassment based on personal characteristics such as race, color, national origin, religion, gender, sexual orientation, gender (including identity and expression), age, veteran status, or disability violates this policy, "Harassment" is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, and that has the purpose or effect of creating an intimidating, hostile, or offensive employment or educational environment; or has the purpose or effect of unreasonably interfering with an individual's employment or academic performance.

Any questions regarding this policy should be directed to:

Ellen Krutz, University Affirmative Action Officer and Associate Vice President for Human Resources, St. Mary's Hall, Suite 163, 610-519-4237, ellen.krutz@villanova.edu, or

April Barton, Associate Dean for Academic Affairs, Law School, Dean's Suite Room 378, (610) 519-7005, barton@law.villanova.edu, or

Ryan Rost, Title IX Coordinator, 204 Tolentine Hall, 610-519-8805, ryan.rost@villanova.edu.

NOTARY PUBLIC

The following Law School staff members are Notaries Public:

Cheryl Baro, Financial & Operations Coordinator, Room 141

Kathleen Cooper, Paralegal, Clinical Programs Office, Room 120

Andrea Meals, Paralegal, Clinical Programs Office, Room 120

These staff members are generally available during regular business hours; however you must be prepared to make an appointment. There may be times when appointments may not be readily available. Accordingly, please plan well in advance of any deadline. All persons whose signatures are to be notarized must be present and have a photo ID.

PARKING

The University Public Safety Department supervises all parking areas. Students wishing to use these facilities must purchase annual parking permits. An owner's card, driver's license and a Law School I.D. card must be presented. Parking permits are purchased online and are available for pick up at the Pavilion on main campus during the first two weeks of the academic year and from the Public Safety Office thereafter. Transfer of Parking Permits is prohibited and may result in loss of parking privileges and other disciplinary action.

Student parking is available in the parking garage or in open spaces in front of the main entrance to the Law School building.

Vehicles parked in faculty, staff, reserved or other unauthorized places are subject to fines and may be towed. Owners must make arrangements and pay costs to retrieve towed vehicles. Parking restrictions on the use of reserved areas apply at all times including evenings and weekends. For information, contact the University Public Safety Department at 610-519-6990. The Associate Dean for Finance and Administration serves as liaison with the University Parking and Public Safety offices. Visitor parking passes may be obtained from the Library Circulation Desk.

PETS

In keeping with University policy, pets are not permitted in the Law School building. Service dogs are permitted.

PHONES AND OTHER ELECTRONIC DEVICES

Phones should be turned off in classes, lectures, meetings, and other presentations. If a pressing emergency requires a cell phone to be on, it must be a silent signal, and the individual must exit the room to take the emergency call. Please also be considerate of others when using phones in and around the building, being especially aware of how distracting loud conversations can be to others attempting to work or study. Avoid engaging in conversations outside classrooms, offices and in or near the library.

Students may not possess mobile phones of any type nor other electronic devices of any kind during examinations unless their use is explicitly approved in the examination regulations/ materials permitted. Students will be required to leave all such devices at the front of the examination room and may claim them after the examination is over. When examination regulations/materials permitted specify that the use of a hand held calculator is permitted, this refers to a non-memory basic mathematical calculator only.

PHOTOCOPYING

Wildcard-operated photocopiers with fax capability are located at the end of all three floors of the Law School, at the end of the Cafeteria corridor and throughout the Library. Photocopies are 5 cents per page. For related information on printing, please refer to [COMPUTERS](#).

PHOTOGRAPHY AND VIDEO APPEARANCES

Students attend many events on campus and off campus, including educational, athletic and social events at which photographs or video recordings may be taken by or on behalf of University or Law School personnel or by other students or unaffiliated third parties. Attendance at such an event is deemed to constitute consent by and on behalf of the student to the use of the student's image, voice or

likeness in any live or recorded transmission or photographic reproduction of such event in any media, for any purpose whatsoever, including the commercial purposes of the University, the Law School, its sponsors, licensees, advertisers and broadcasters.

RECOMMENDATIONS

Students must complete a Student Records Release Form when requesting letters of recommendation from faculty or administrators. The form is available online: <http://www1.villanova.edu/villanova/law/currentstudents/registrar/registrarforms.html>. Completed forms should be submitted to the Office of Academic Affairs.

RECORDING CLASSES

The use of recording devices in classes is permissible only with the prior approval of the professor. The Administration cannot arrange to have individual students' classes recorded. Students may request that a professor record a class, however, it is the professor's sole discretion to decide whether to do so.

RESERVING ROOMS

Rooms may be reserved only for official Law School functions/events and only by faculty, staff, and the officers of officially recognized law student organizations. Student groups seeking room reservations must reserve rooms by emailing vlrooms@law.villanova.edu. Teaching Assistants should contact their faculty member's support staff for room reservations.

RESTROOMS

Students may use the restroom that corresponds with their gender identity. Restrooms should be used in a respectful manner, honoring the privacy of others. Restroom facilities are located throughout the building on each floor and in the library. A family, gender-inclusive bathroom is located in the locker area on the ground floor.

STUDY ROOMS

Study rooms are for the use of Villanova Law Students only. They are for groups of 2 or more and may be reserved for 2 hours per day per group. The Library Study Rooms reservation book is located in the Library; the reservation book for Study Rooms 301D, 301E, and 301F is located in Room 260.

SEATING CHARTS

Many classes require seating charts with pictures. Students must sign the seating chart in the classroom as instructed by the faculty member.

SECURITY

For regular business involving the Public Safety Department, you may contact an officer 24 hours a day at 610-519-6979. Office personnel may also be reached at this number from 8:00 a.m. to 4:00 p.m. For emergency calls requiring a campus security officer, telephone 610-519-4444 (dial 94444 if using a campus phone) any time day or night. An escort service is available for students leaving the building late. Call Public Safety at 610-519-6979.

SEXUAL CONDUCT BETWEEN LAW SCHOOL FACULTY AND CURRENT STUDENTS

Sexual conduct between a member of the faculty at Villanova University Charles Widger School of Law (tenured, tenure-track, non-tenure track, visiting, and adjunct faculty, as well as teaching fellows) and a student currently enrolled at the Law School, who do not have a pre-existing marital or other analogous relationship, violates the faculty member's ethical obligation under his or her employment agreement with Villanova University.

SEXUAL HARASSMENT POLICY AND COMPLAINT PROCEDURE

It is the policy of Villanova University, and the Law School as a part of that University, to maintain an employment and educational atmosphere free of any pressures on employees and students relating to sexual harassment. Consistent with applicable federal and state laws, the University endorses the objective that employees and students be free of situations where sexual considerations form the basis for business or educational decisions.

Sexual harassment may be described as unwelcome sexual advances, requests for sexual favors, and other physical, visual, or verbal behavior of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or,
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or professional performance or creating an intimidating, hostile, or demeaning employment or educational environment.

A single isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need to show a repetitive series of incidents to provide a hostile environment, particularly if the harassment is physical.

Examples of potentially sexually harassing behaviors include, but are not limited to, the following:

- Unwelcome sexual advances, sexual innuendo, or requests for sexual favors in person, by phone, by electronic message or photo, written words or images such as graffiti, and social media postings;
- Unwelcome behavior of a sexual nature by a faculty member, coach, or other staff member directed towards a student, a colleague, or other community member;
- A person in a position of authority (such as a faculty member, coach, supervisor) suggesting that an educational or employment benefit will result from submission to some unwelcome behavior of a sexual nature or will be denied for refusal to engage in sexual activity;

- Repeated sexual remarks, offensive stories, remarks about sexual activity or experiences, sexual innuendoes or other suggestive comments that are unwanted and unwelcome by another;
- Displaying or showing pictures, cartoons, or other printed materials of a sexual nature in the workplace or in an educational setting where there is insufficient academic relevance;
- Exposing the private parts of one's body to another person, or in public forums.

Sexual harassment will not be tolerated at the Law School, and employees or students who engage in such conduct are subject to the full range of the disciplinary policies. Retaliation against someone for bringing a concern forward, or for cooperating in the investigation of a complaint, is a violation of the Policy. The full Policy and Complaint Procedure can be found at www.hr.villanova.edu (for complaints against employees) or as set forth below.

Informal Procedure for Resolution of Complaints: Except for instances of Sexual Assault, Law School community members may choose to attempt informal resolution of complaints of sexual harassment, but are not required to do so. The Law School and the University have many offices and individuals who may be able to provide counseling, support or advice for a person who believes that he or she is the victim of sexual harassment. The Law School Academic Dean and the Law School Director of Student Affairs are excellent resource people with whom to discuss these matters.

Formal Procedure for Resolution of Complaints: Where a person wishes to make a formal complaint, the following procedure may be invoked for the formal examination of the allegation.

A formal, written complaint, using the University's standard form, shall be submitted to the University Sexual Harassment Complaint Officer. The purpose of the complaint form is to assist the complainant in formulating a concise statement of his/her concern and to assist the Sexual Harassment Complaint Officer to see the basic facts of the allegation, along with the complainant's requested action.

The complete Sexual Harassment Complaint Procedures can be found on the University website at: <http://www1.villanova.edu/villanova/hr/policies/university/sexualharassment/complaints.html>

In cases involving alleged harassment by a student, the Sexual Harassment Complaint Officer will refer the matter for disposition under the Non-Academic Student Misconduct Hearing Procedure.

Confidentiality: Confidentiality is essential in any effort to investigate and resolve allegations of sexual harassment. The interests of both the complainant and the respondent must be protected as information is gathered and evaluated. Therefore, only persons who have a "need to know" within the investigation and resolution of complaints and appropriate senior administrative officials are entitled to information in the application of this procedure. University employees or students who disclose to persons not in the "need to know" chain of information which is obtained within the informal or formal steps of this procedure may be subject to disciplinary action.

Filing Complaints: Complaints of sexual assault, sexual harassment or other sexual misconduct, as well as inquiries concerning the application of Title IX, may be filed as set forth in the [Title IX Notice](#) in this publication.

SHOWERS

Shower facilities are located in the ground floor restrooms, near the Blank Rome LLP Dining Room.

SMOKING POLICY

Smoking is prohibited both inside and within 75 feet of all University buildings, including the Law School.

SNOW AND EMERGENCY CONDITIONS

The Law School rarely closes because of weather or other conditions. However, should circumstances make it necessary to close the School or delay the opening of School, a message will be broadcast using the NOVA Alert system. Please note that students must register for the NOVA Alert System on NOVASIS. If possible the message will also be posted on the Law School homepage (www.law.villanova.edu) under News and Events. In addition, the Law School has an Emergency Cancellation Line: 610-519-7744. This is a listen-only number and will carry details regarding closing, late opening, early closing and library access. Please do not call the main number to obtain the closing information available on the Emergency Cancellation Line. Information on emergency closings will also be broadcast on KYW1060AM (our snow closing number is 471 in Delaware County).

SOLICITATION

Non-Solicitation Policy

To avoid disruption of business operations or disturbance of faculty, staff, visitors, and students, the University has implemented this Non-solicitation Policy (the “Non-solicitation policy”). For purposes of the Non-solicitation Policy, “Solicitation” (or “Soliciting”) shall include, canvassing, soliciting or seeking to obtain membership in or support for any organization, requesting contributions, and posting or distributing handbills, pamphlets, petitions, and the like of any kind (“Materials”) on University property or using University resources (including without limitation bulletin boards, computers, mail, e-mail and telecommunication systems, photocopiers and telephone lists and databases). “Commercial Solicitation” means peddling or otherwise selling, purchasing or offering goods and services for sale or purchase, distributing advertising materials, circulars or product samples, or engaging in any other conduct relating to any outside business interests or for profit or personal economic benefit on University property or using University resources. Solicitation and Commercial Solicitation performed through verbal, written, or electronic means are covered by the Non-solicitation Policy. Items to be distributed or offered for sale, which contain University trademarks, names (including building names) or design elements (T-shirts, posters, etc.), must be approved by the Office of University Communication.

I. Students

- A. Any Solicitation or Commercial Solicitation undertaken by a student, registered student club, or student organization must be approved by the Law School Office of Student Affairs, conducted in compliance with the Student Handbook and procedures established by the Law School Office of Student Affairs, and comply with all applicable laws and University policies.
- B. Any Solicitation or Commercial Solicitation undertaken by a student or student organization at a University athletic event or facility must be approved by the Athletic Department, and must be conducted in compliance with the Solicitation at Athletic Events policy established by that department.
- C. Solicitation or Commercial Solicitation by Law School students and organizations must be approved by the Law School Office of Student Affairs, and must be conducted in compliance with procedures established by that office.
- D. Student violators of the Non-solicitation Policy and/or procedures are subject to disciplinary action under the Code of Student Conduct (or Student Handbook for Law students, as applicable).

- E. Inquiries regarding the Non-solicitation Policy should be directed to the Office of Student Development (or Law School Office of Student Affairs as applicable).

IV. Non-Profit Organizations

The University recognizes the value of charitable organizations and encourages employees and students to be active participants in organizations that support or contribute to the mission of the University. With the exception of University authorized charitable giving campaigns such as the United Way, any charitable organization that wishes to solicit funds for a charitable donation must be sponsored by a recognized student organization, faculty member or employee and obtain the approval of the Office of Auxiliary Services, which will coordinate with the appropriate University department. The organization will be provided with a stamp or certification of approval. Sales will normally be conducted from assigned tables in the Connelly Center. Arrangements should be made through, and inquiries regarding the Non-solicitation Policy should be directed to, the Office of Auxiliary Services. In addition, any Solicitation or Commercial Solicitation by a charitable organization at a University athletic event or facility requires the prior approval of the Athletic Department, and must be conducted in compliance with the Solicitation at Athletic Events policy established by that department.

V. Non-Villanova Individuals or Organizations

- A. Non-employees or non-students may not engage in Solicitation or Commercial Solicitation (including distributing any kind of written or printed Materials) on University property at any time. Exceptions to the Non-solicitation Policy must be approved by the Office of Auxiliary Services.
- B. The Office of Auxiliary Services will not approve Commercial Solicitations by vendors that relate to the promotion or consumption of alcoholic beverages or tobacco, or products or services that are contrary to the policies or mission of the University.
- C. Door-to-door Solicitation or Commercial Solicitation is not authorized.
- D. The Non-solicitation Policy does not prohibit normal business contacts by authorized vendor representatives engaging in business with the University in compliance with other University policies, provided such contacts are made with the consent of University officials.
- E. Vendors approved for vending privileges to the University community may, in the discretion of the Office of Auxiliary Services, be permitted to sell their products at restricted locations on campus for a limited number of days per year, provided that they register with the Office of Auxiliary Services and pay the assigned fee.
- F. The provisions of this Section V shall apply to the Law School buildings except that with respect to solicitation in or around those buildings, the Dean of the Law School shall replace the Office of Auxiliary Services.
- G. Non-employees or non-students who have not been authorized to enter University property shall be considered trespassers. Trespassers violating this policy who have no affiliation with Villanova University will be removed from University property, given trespass warnings not to return, and may be subject to arrest and prosecution.
- H. Inquiries regarding this Section V of the Non-solicitation Policy should be directed to the Office of Auxiliary Services.

The Office of Student Affairs, located in the Student Services Suite, provides a broad range of support services to law students, including on-site counseling and referrals to campus resources. The Student Affairs Office provides leadership and support to the [Student Bar Association](#) and other [student organizations](#), and collaborates with a variety of [University offices](#) to provide a wide range of programs to help Villanova Law students develop personally and professionally.

STUDENT ORGANIZATION RECOGNITION POLICY

All student organizations must be approved by the Law School Administration and the Student Bar Association. A list of recognized student organizations is available with the SBA and the Director of Student Affairs. All student organizations must file a Student Organization Recognition Form (SORF) by the September deadline to be on active status for the academic year. Only recognized student organizations may sponsor events, reserve rooms, table in the Law School building, and publish notices in the official weekly announcements email. Each organization is assigned a storage space in the Student Organization Room and an e-mail account. Membership must be open to all in the VLS community. Recognition will be denied to any organization that selects its membership on the basis of race, color, age, sex, religion or creed, national/ethnic origin, veteran status, sexual orientation, gender identity, or disability. Groups must comply with Law School and University policies and regulations.

STUDENT RECORDS

Villanova University, in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, has adopted this Student Records Policy to address the following issues with respect to education records: (1) disclosure of directory information; (2) confidentiality of personally identifiable information; and (3) student rights to inspect, review and seek amendment of their records. In general, education records are defined as records maintained in any form by the University that are directly related to a student.

I. Disclosure of Directory Information

Information concerning the following items about individual students is designated by the University as directory information and maybe released or published without the student's consent: full name; student identification number; address (local, home or electronic mail); telephone number; photograph or video; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; degrees, honors and awards received (including Dean's List); most recent previous educational institution attended; participation in officially recognized University activities and athletics; and weight and height of members of athletic teams. Students who do not wish directory information to be released or made public must inform in writing the Office of the Registrar.

II. Confidentiality of Personally Identifiable Information

All personally identifiable information contained in student records other than directory information is considered confidential information. This information includes, but is not necessarily limited to: academic evaluations; general counseling and advising records; disciplinary records; financial aid records; letters of recommendation; medical or health records; clinical counseling and psychiatric records; transcripts, test scores, and other academic records; and cooperative work records. "Personally identifiable information" means that the information includes: (a) the name of the student; (b) the address of the student; (c) a personal identifier such as social security number; or (d) a list of personal characteristics or other information that would make the student's identity easily traceable.

The University will generally not disclose personally identifiable information to third parties without the written consent of the student. The signed and dated consent should specify the records to be disclosed, the purpose of the disclosure, and to whom the records are to be disclosed. However, personally identifiable information may be disclosed, without the student's consent, to the following individuals or institutions, in accordance with FERPA, including in the following circumstances:

- (a) To University officials (or office personnel ancillary to the officials) who require access for legitimate educational purposes such as academic, disciplinary, health or safety matters. University officials may include, without limitation, the Board of Trustees, the President, Vice Presidents, Deans, Directors, Department Chairs, Faculty Members, NROTC Commanding Officer, attorneys in the Office of the Vice President and General Counsel, Judicial Officers, Counselors, Resident Advisers, Coaches and Admissions Officers. University officials also include contractors, consultants, volunteers and other outside parties, such as an attorney or auditor providing services on behalf of the University for which the University would otherwise use employees.
- (b) To the party(ies) who provided or created the record(s) containing the personally identifiable information.
- (c) To officials of other educational institutions to which the student seeks or intends to enroll or where the student is already enrolled, for purposes related to the student's enrollment or transfer (on condition that the student upon request is entitled to a copy of such records).
- (d) To appropriate federal, state or local officials or authorities, consistent with federal regulations.
- (e) To the U.S. Attorney General (or designee) pursuant to an ex parte order under the U.S. Patriot Act in connection with certain investigations or prosecutions.
- (f) To organizations conducting studies for, or on behalf of, educational agencies or institutions.
- (g) To accrediting organizations to carry out their accrediting functions.
- (h) To parents of a dependent student as defined in Section 152 of the Internal Revenue Code of 1986.
- (i) To parents of a student under the age of 21, where the information pertains to violations of any federal, state or local law or of any University rule or policy governing the use or possession of alcohol or a controlled substance, and the student has committed a disciplinary violation.
- (j) In connection with the student's application for, or receipt of financial aid.
- (k) To comply with a judicial order or lawfully issued subpoena (on condition that a reasonable effort is made to notify the student of the order or subpoena, if legally permitted to do so).
- (l) In case of an emergency, to appropriate parties, including parents, to protect the health or safety of the student or other individuals, where the University determines that there is an articulable and significant threat to the student or other individuals.
- (m) The disclosure of information concerning registered sex offenders provided under state sex offender registration and campus community notification programs.
- (n) The outcome of a disciplinary proceeding to a victim of or alleged perpetrator of a crime of violence or non-forcible sex offense.
- (o) The outcome of a disciplinary proceeding where a student is an alleged perpetrator of a crime of violence or non-forcible sex offense and is determined to have violated the University's rules or policies.

If required under FERPA, the University will inform a party to whom a disclosure of personally identifiable information is made that it is made only on the condition that such party will not disclose the information to any other party without the prior written consent of the student.

III. Non-Education Records

The following are not considered education records, and thus are not protected by FERPA and this policy:

- Employment records of students as University employees.
- Campus law enforcement records created and maintained by the Public Safety Office, in accordance with the requirements of FERPA.
- Records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in his or her paraprofessional capacity, and that are made, maintained, or used only in connection with treatment of the student and are disclosed only to individuals providing the treatment. These records may be reviewed, however, by a physician or other appropriate professional of the student's choice.
- Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons, that are in the sole possession of the maker of the record and are not accessible or revealed to any other individual except a temporary substitute for the maker.
- Records that only contain information about a person after that person was no longer a student at the University and that are not directly related to the individual's attendance as a student (e.g., information collected by the University pertaining to accomplishments of its alumni).
- Grades on peer graded papers before they are collected and recorded by a faculty member.

IV. Inspection and Review Rights; Right to a Hearing

A currently or previously enrolled student has the right to inspect and review his or her educational records. This right does not extend to applicants, those denied admission, or those admitted who do not enroll. Offices may require that requests for access be submitted in writing, and may ask for, but not require, the reason for the request. The University will comply with requests to inspect and review a student's records that it has determined to honor within a reasonable period of time, but in no case more than forty-five days after the request was made.

Records to which students are not entitled to access include:

- Confidential letters and statements of recommendation placed in a student's record before January 1, 1975, or confidential letters and statements of recommendation to which students have waived their rights of access. (Students may be invited but not required to waive their right of access to confidential letters of recommendation for admission, honors or awards, or employment. Failure to execute a waiver will not affect a student's admission, receipt of financial aid, or other University services. If a student signs a waiver, he/she may request a list of all persons making confidential recommendations.)
- Financial records of the parents of the student or any information contained in those records.
- Those portions of a student's records that contain information on other students.
- Those records listed in Section III above.

A student who believes that any information contained in his or her educational records is inaccurate or misleading, or otherwise in violation of his or her privacy rights, may request that the University amend the records. The student should first discuss his or her concerns with the individual responsible for the office where the records are maintained. If the student is not satisfied with the resolution, the student should contact the individual to whom that person reports. If still not satisfied, the student may contact the appropriate vice president or designee. The final level of appeal is a formal hearing. To obtain a hearing, the student should file a written request with the Vice President for Student Life. The hearing will be conducted in accordance with the requirements of FERPA.

The substantive judgment of a faculty member about a student's work (grades or other evaluations of work assigned) is not within the scope of a FERPA hearing. A student may challenge the factual and objective elements of the content of student records, but not the qualitative and subjective elements of grading.

If as a result of a hearing the University determines that a student's challenge is without merit, the student will have the right, and will be so informed, to place in his or her records a statement setting forth any reasons for disagreeing with the University's decision.

Students have a right to file complaints concerning alleged failures by the University to comply with the requirements of FERPA and the implementing regulations. Complaints should be addressed to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington DC 20202-5901. Students are encouraged to bring any complaints regarding the implementation of this policy to the attention of the Vice President and General Counsel.

TRANSPORTATION

The University operates a shuttle service with both on-campus and off-campus routes. For schedules visit <http://www1.villanova.edu/villanova/parking/shuttle.html>. You must show your Wildcard to board the shuttle.

Buses traveling on Lancaster Avenue and the High Speed Line running between West Philadelphia and Norristown have stops at the University and provide public transportation from many of the local communities.

A commuter train runs through the campus with a station stop near the Law School building. Information concerning schedules and rates may be obtained from the stationmaster, on the Southeastern Pennsylvania Transportation Authority website (www.septa.org), or by calling SEPTA at 215-580-7800.

TUITION PAYMENT

Bills for tuition and fees are electronically presented on the Bursar's website and mailed to each student by the University Bursar's Office. Any questions concerning the payment of tuition and fees should be directed to that Office, not to the Law School.

A student who has any outstanding debt to the University, and who has not made arrangements for payment with the Bursar's Office, may be prevented from registering, pre-registering, taking examinations, or receiving grade reports, bar certifications, transcripts, and diplomas. The University has no institutional provision for the payment of tuition and fees through an installment plan. However, as a service to our students and their families, the University makes available information concerning commercially available tuition payment plans. This information may be obtained from the Bursar's Office in Kennedy Hall on main campus.

In the event of withdrawal from the Law School, the University will make an appropriate refund of tuition. The formula for tuition refund is available on the Financial Aid website: <http://www1.villanova.edu/villanova/law/admissions/finaid.html>.

VETERANS

The Veterans Administration Office is located in the University Registrar's Office, Room 202, Tolentine, on the Main Campus. The telephone number is 519-4033. All applicants for veterans' benefits must be processed through the Law School Registrar's office. A special form must be filed for benefits while attending Bar Review course after graduation.

WEAPONS AND DANGEROUS PRACTICES

University Policy, applicable to the Law School, provides that no student shall engage in any activity which shall endanger the health, safety, well-being or property of another member of the School or University community, or the institution.

The sale, possession, production, purchase or use of explosives, fireworks, incendiary devices, guns, other lethal weapons, or reasonable facsimile thereof on University and Law School property are prohibited, as are conspiracies or attempted activities of this nature.

WEBSITE POLICIES

The Law School has adopted several policies regarding website uniformity, web server access, personal web pages, website content and use, and online privacy. The policies are posted on the Law School website under Technology Services. Student organizations must provide to the Director of Student Affairs their organization purpose as well as up-to-date contact and office information. This information will be posted on the official Law School website.

WORKING

Part-time employment during the school term should be undertaken with great care since the study of law requires a full-time commitment. This is particularly important for first-year students, who are strongly discouraged from working during their first year, even in a part-time capacity.

During the second and third year, absent special circumstances, Villanova law students are discouraged from engaging in employment for more than 20 hours per week in any week in which the student is enrolled for more than twelve credits.

Employment does not constitute an excusable absence from class attendance.

VOTER REGISTRATION

The Office of Student Affairs is responsible for a good faith effort to make voter registration forms available to law students for federal elections and state elections for governor and other state chief executive offices. HEOA sec493(a) (1).

Faculty and Administration

	<u>Room</u>	<u>Ext.</u>
SENIOR ADMINISTRATION		
Mark Alexander, B.A., J.D., Arthur J. Kania Dean, Professor of Law	376	97007
Todd Aagaard, B.A., J.D., M.S., Vice Dean, Professor of Law	377	97006
April M. Barton B.S., J.D., Associate Dean for Academic Affairs, Director of the Reza Taleghani J.D./M.B.A. Program,		

Director of the J.D./M.P.A. Program	378	97005
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Jennifer A. Henfey, B.S., J.D., Associate Dean for Finance & Administration, Executive Director of Career Strategy and Advancement	214	97031

FULL-TIME FACULTY

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Sherry Vetterlein, B.A., J.D.

Metty Vithayathil, B.A., J.D.

Marguerite Weese, B.A., B.S., J.D., LL.M.

Ayanna Williams, A.B., J.D.

R. Seth Williams, B.A., J.D.

Andrew Youman, B.A., J.D.

Marc J. Zucker, B.A., J.D.

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FULL-TIME FACULTY

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Joy Sabino Mullane, B.A., J.D., LL.M., Associate Professor of Law

School of Business

Shelly C. Rhoades-Catanach, B.S., Ph.D. Associate Professor

EMERITUS FACULTY

Michael Mulrone, B.S.C., J.D., Professor Emeritus of Law

DISTINGUISHED PROFESSOR OF PRACTICE

J. Richard Harvey, Jr., BSBA, MSc

GRADUATE TAX ADJUNCT FACULTY

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Timothy C. Boyle, B.S.B.A., M.B.A.

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Christopher M. Harvey, B.S., J.D., LL.M.
Timothy J. Holman, B.A., J.D.
Joel E. Horowitz, B.A., J.D., LL.M.
Richard S. Hyman, B.S., M.T.
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Jonathan Lander, B.A., J.D., LL.M.
Edward A. Liva, B.S., B.A., J.D., LL.M.
Scott Masaitis, B.A., J.D., LL.M.
Michael J. McGoldrick, B.A., M.L.D., LL.M. (Taxation), LL.M. (Corporate)
Erica R. McReynolds, B.A., J.D., LL.M.
Drew A. Morris, B.A., J.D., LL.M., M.B.A.
Daniel C. Munce, B.A., J.D., LL.M.
Thomas Ostrander, B.A., J.D., LL.M.
Phillip Pillar, B.A., J.D., LL.M.
Thomas M. Rath, B.B.A., J.D., LL.M.
Joseph E. Ronan, Jr., B.A., J.D., LL.M.
David Shapiro, B.A., J.D.
Michael E. Steinsaltz, B.S., J.D., LL.M.
Christopher P. Woehrle, B.A., J.D., LL.M.
David B. Zelikoff, B.A., J.D.

Sexual Assault, Sexual Harassment, and Sexual Misconduct Policy

This entire Policy, including Appendices, can be found at <http://www.villanova.edu/sexualassault>

Villanova University seeks to foster and maintain a community of mutual respect and concern for all of its members. There can be no greater violation of the terms of that community, or of the essential dignity of any member of it, than an act of sexual assault, sexual harassment, or other forms of misconduct described in this Policy (referred to as “sexual misconduct”). These acts constitute the deepest affront to University standards and will not be tolerated in any form.

All members of this community – students (current and applicants), faculty, staff, applicants for employment, persons doing business with or acting on behalf of the University, and visitors to campus – are protected under this Policy and share in responsibility for creating and maintaining an environment that promotes the safety and dignity of each person. Towards that end, this Policy provides the framework for eliminating sexual assault, sexual harassment, and other sexual misconduct from our community, preventing its recurrence, and addressing its effects.

Under Title IX of the Education Amendments of 1972 (Title IX), sexual assault and other forms of sexual misconduct are forms of sexual harassment and are prohibited. Any person found responsible for such violations will face disciplinary actions up to and including dismissal or expulsion from the University. For a listing of other potential sanctions, see Section 13 of the [Non-Academic Student Misconduct Hearing Procedure](#). Acts of sexual assault or sexual misconduct may also be prosecuted under the Pennsylvania Criminal Code. This Policy applies to all on-campus conduct, as well as any off-campus conduct that has an adverse impact on any member of the University community or the University.

Should an incident of sexual assault, sexual harassment, or other sexual misconduct occur, the University has both reporting procedures and support resources in place so that an individual does not need to face the effects of such an incident alone. The first concern is for the safety, health, and well-being of those affected. Confidential, semi-confidential, and non-confidential (yet private) options for support and reporting are available both on and off campus. These options are set forth below and detailed in Appendix A of the full policy found

at <http://www1.villanova.edu/dam/villanova/studentlife/documents/healthpromotion/Villanova%20University%20Sexual%20Assault%20Policy%20COMPLETE.pdf>.

All members of the University community have an obligation to assist in preventing harassment. Responsibilities include: (1) participating in periodic training to learn how to recognize and report concerns; (2) conducting themselves in a manner that does not violate this policy; (3) intervening when possible to prevent harassment of another; (4) reporting incidents and assisting victims to report; (5) respecting the privacy rights and confidentiality rights of those involved; and (5) cooperating in University investigative and disciplinary procedures.

When an incident is reported, the University will respond promptly and equitably to all allegations of sexual assault, sexual harassment, or other sexual misconduct to ensure the safety of the reporting person and the Villanova community in order to provide an environment that is free from gender and sex discrimination.

Anyone making a report, filing a complaint, or participating in the investigation or resolution of an allegation of a sexual assault, sexual harassment, or other sexual misconduct is protected by law and this Policy from retaliation. The University will take prompt responsive action to all reports of retaliation.

When used in this Policy, a **Complainant** refers to the person who reports that he or she has been the subject of sexual assault, sexual harassment, or other sexual misconduct. A **Respondent** is the person who is reported to have committed acts of sexual assault, sexual harassment, or other sexual misconduct. A **Reporter** refers to the person who is reporting that he or she is aware of or has witnessed a sexual assault, sexual harassment or other sexual misconduct as defined in this policy.

II. PROHIBITED CONDUCT AND DEFINITIONS

The University expects all members of the Villanova community to conduct themselves in a manner consistent with the Villanova Mission Statement and its *Enduring Commitments* available at http://www1.villanova.edu/villanova/president/about_university/mission./html, the *Environmental and Relational Expectations* as described in the Code of Student Conduct, the Human Resources Handbook, and the Faculty Handbook.

Villanova University prohibits sexual assault, sexual harassment, and other sexual misconduct, as detailed in the definitions below. The University reserves the right to address behavior regardless of whether the conduct also violates federal, state and/or municipal civil or criminal law. Pennsylvania state law definitions can be found in Appendix D.

A. PROHIBITED CONDUCT

SEXUAL ASSAULT. Having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated. Sexual Assault includes rape, fondling, incest and statutory rape, defined as follows:

- **Rape - Attempted or Actual Penetrations:** Having or attempting to have non-consensual vaginal, anal, or oral penetration, however slight, with any object or body part, with another person.
- **Fondling - Non-Consensual Sexual Contact:** Having or attempting to have any non-consensual, non-accidental touching of a sexual nature. This touching can include, but is not limited to, kissing or touching the private parts of another, or causing the other to touch the harasser's private parts.
- **Incest** – Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** – Statutory rape is sexual intercourse with a person who is under the statutory age of consent. In Pennsylvania, individuals under 13 years of age can never consent to intercourse; individuals younger than 16 years of age can never consent to intercourse with a partner more than four years their senior. For more about consent, see Part B below.

SEXUAL EXPLOITATION. Sexual exploitation is an act or omission to act that involves taking non-consensual, unjust, humiliating, or abusive sexual advantage of another, either for his or her own advantage or to benefit or advantage anyone other than the Complainant. Examples of sexual exploitation include but are not limited to the following:

- Creating a picture(s), movie(s), webcam, tape recording(s), graphic written narrative(s), or other means of memorializing sexual behavior or a state of undress of another person without the other’s knowledge and consent;
- Sharing items described in the paragraph above beyond the boundaries of consent where consent was given. For example, showing a picture to friends where consent to view it was given for oneself only;
- Observing or facilitating observation by others of sexual behavior or a state of undress of another person without the knowledge and consent of that person;
- “Peeping Tom” or voyeuristic behaviors;
- Engaging in sexual behavior with knowledge of an illness or disease that could be transmitted by the behavior without full and appropriate disclosure to the partner(s) of all health and safety concerns;
- Engaging in or attempting to engage others in “escort services” or “dating services” which include or encourage in any way sexual behavior in exchange for money;
- Intentionally, knowingly, or surreptitiously providing drugs or alcohol to a person for the purpose of sexual exploitation; or
- Exposing another person to pornographic material without the person’s advance knowledge or consent.

STALKING. Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety, or the safety of others, or suffer substantial emotional distress. The course of conduct means two or more acts in which the stalker follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person’s property. This includes cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person.

SEXUAL HARASSMENT. Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other physical, visual, or verbal behavior of a sexual nature where:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or education; or

- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or
- Such conduct has the purpose or effect of:
 - Unreasonably interfering with an individual’s academic or professional performance; or
 - Creating an intimidating, hostile, or demeaning employment or educational environment.

A single isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need to show a repetitive series of incidents to provide a hostile environment, particularly if the harassment is physical.

Examples of potentially sexually harassing behaviors include, but are not limited to, the following:

- Unwelcome sexual advances, sexual innuendo, or requests for sexual favors in person, by phone, by electronic message or photo, written words or images such as graffiti, and social media postings;
- Unwelcome behavior of a sexual nature by a faculty member, coach, or other staff person directed towards a student, a colleague, or other community member;

- A person in a position of authority (such as a faculty member, coach, supervisor) suggesting that an educational or employment benefit will result from submission to some unwelcome behavior of a sexual nature or will be denied for refusal to engage in sexual activity;
- Repeated sexual remarks, offensive stories, remarks about sexual activity or experiences, sexual innuendoes or other suggestive comments that are unwanted and unwelcome by another;
- Displaying or showing pictures, cartoons, or other printed materials of a sexual nature in the workplace or in an educational setting where there is insufficient academic relevance;
- Exposing the private parts of one's body to another person, or in public forums.

DATING VIOLENCE. Includes physically, sexually, and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence. Dating violence also occurs when one partner attempts to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal, or emotional abuse. Specifically, dating violence is violence or the threat of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship is determined based upon the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship.

DOMESTIC VIOLENCE. Includes physically, sexually, and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence. Domestic violence also occurs when one partner attempts to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal, or emotional abuse. Specifically, domestic violence is a crime of violence committed by a current or former spouse or intimate partner, or by a person with whom the Complainant shares a child in common. Domestic Violence also includes a crime of violence against a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under domestic or family violence laws of the Commonwealth of Pennsylvania, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the Commonwealth of Pennsylvania.

SEXUAL MISCONDUCT. The term sexual misconduct means any unwelcome conduct of a sexual nature and includes dating violence, domestic violence, sexual assault, sexual exploitation, sexual harassment and stalking.

RETALIATION. Retaliation is defined as attempts or acts to seek retribution including, but not limited to, any form of intimidation, reprisal, harassment, or intent to prevent participation in University proceedings under this Policy. Retaliation may include continued abuse or violence, other harassment, and slander and libel. Retaliation may be committed by any individual or group of individuals, not just a Respondent or Complainant, and may be committed against the Complainant, Respondent, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of sexual assault, sexual harassment, or other sexual misconduct. Retaliation could occur before, during or after an investigation and/or University proceedings.

B. DEFINITION OF CONSENT and related terms

CONSENT: Consent is an explicitly communicated, reversible mutual agreement in which all parties are capable of making a decision. Consent is informed, voluntary, and actively given. Consent exists when all parties exchange mutually understandable affirmative words or behavior indicating their agreement to participate voluntarily in sexual activity.

The following further clarifies the meaning of consent:

- Each participant in a sexual encounter must obtain consent for all sexual activities. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.
- Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
- If at any time it is reasonably apparent that either party is hesitant, confused, or unsure, both parties should stop and obtain mutual verbal consent before continuing such activity.
- Consent may be withdrawn by either party at any time. Once withdrawal of consent has been expressed through words or actions, sexual activity must cease.
- An individual who is physically incapacitated from alcohol or other drug consumption (voluntarily or involuntarily), or is unconscious, unaware, or otherwise physically impaired is considered unable to give consent. For example, one who is asleep or passed out cannot give consent.
- Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.

COERCION: Consent must be freely given. Consent is not freely given if it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would compromise an individual's ability to exercise his or her own free will to choose whether or not to have sexual contact. Coercion includes the use of pressure and/or oppressive behavior, including express or implied threats of harm or severe and/or pervasive emotional intimidation, which (a) places an individual in fear of immediate or future harm or physical injury or (b) causes a person to engage in unwelcome sexual activity. A person's words or conduct amount to coercion if they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion also includes administering a drug, intoxicant, or similar substance that impairs the person's ability to give consent.

INCAPACITATION: An individual is incapacitated when he or she is not able to make rational, reasonable judgments and therefore is incapable of giving consent. Incapacitation is the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically impaired due to alcohol or other drug consumption, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if he or she demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, being unaware of circumstances or surroundings, or being unable to communicate for any reason.

ALCOHOL and OTHER DRUGS: Being intoxicated or impaired by alcohol or other drugs is never an excuse for sexual assault, sexual harassment or other sexual misconduct and does not diminish one's responsibility to obtain consent. The University considers sexual contact while under the influence of alcohol or other drugs to be risky behavior. Alcohol and other drugs impair a person's

decision-making capacity, awareness of the consequences, and ability to make informed judgments. The use of alcohol or other drugs can limit a person's ability to freely and clearly give consent and can create an atmosphere of confusion over whether or not consent has been freely and clearly sought or given. The perspective of a reasonable person will be the basis for determining whether a Respondent should have been aware of the extent to which the use of alcohol or other drugs impacted a Complainant's ability to give consent.

III. BYSTANDER INTERVENTION

Bystanders play a critical role in the prevention of sexual violence. The University strongly encourages all community members to take reasonable and prudent actions to prevent or stop an act of sexual assault, sexual harassment, or other sexual misconduct. Each situation is unique and each person has different strengths when it comes to intervention. Taking action may include:

- Direct intervention: approaching one of the key people involved in the situation and attempting to prevent the situation from escalating further
- Delegating: involving other people to prevent a situation from worsening. This can include recruiting friends, Public Safety or law enforcement.
- Distracting: altering the flow, interrupting or shifting a situation to prevent something from worsening, or seeking assistance from a person in authority.

When considering options, it is most important for students to make the safest choice available to interrupt or intervene in situations that could result in acts of sexual assault, sexual harassment or other sexual misconduct.

Community members who choose to exercise this positive moral obligation will be supported by the University and protected from retaliation.

IV. HOW TO REPORT AN INCIDENT OF SEXUAL ASSAULT, SEXUAL HARASSMENT, OR OTHER SEXUAL MISCONDUCT

All members of the University community (unless required to maintain confidentiality by law) are expected to report information about any incident of sexual assault, sexual harassment, or other sexual misconduct involving a student, staff or faculty member, regardless of where and when the incident happened. Reports should be directed to the Title IX Coordinator or Deputy Coordinator, as designated in the Title IX Notice set forth above.

Villanova is committed to supporting the rights of a person reporting an incident of sexual assault, sexual harassment, or other sexual misconduct to make an informed choice among options and services available both on and off campus. Complainants have the option to – and are encouraged to – notify law enforcement. This includes notifying, Public Safety and/or police department with jurisdiction – and to file a simultaneous criminal and University complaint. It also includes receiving assistance from Villanova in making the report. Complainants may also decline to notify campus or law enforcement officials.

The University will respond to all reports in an integrated, consistent manner that treats each individual with dignity and respect and will take prompt responsive action to end the misconduct, prevent its recurrence, and address its effects.

A. CONFIDENTIALITY AND PRIVACY CONSIDERATIONS

The University is committed to protecting the privacy of all individuals involved in a report of sexual assault, sexual harassment or other sexual misconduct. Information related to a report to the University of sexual assault, sexual harassment or other sexual misconduct will be kept private by the University unless disclosure is required by law; thus, it will be shared only with those University officials with a legitimate interest in order to assist in the investigation and/or in the resolution of the complaint. Under no circumstances will the University release the name of the Complainant to the general public without the express consent of the Complainant.

Whenever a report of sexual assault, sexual harassment or other sexual misconduct is made, Villanova has an obligation to take steps to ensure it is providing a safe, non-discriminatory environment for all members of the Villanova community. If a Complainant reports an incident of sexual misconduct and wishes to maintain confidentiality, or requests that no further investigation into a particular incident be conducted or disciplinary action taken, the University will weigh the Complainant's request against its obligation to provide a safe and non-discriminatory environment for the University community, as explained below.

In conducting an appropriate investigation, University investigators and administrators are sensitive to the desire of individuals for privacy. However, to conduct an effective investigation, it is often necessary to share details which may compromise confidentiality. If the University is able to honor the request for confidentiality, the Complainant must understand that Villanova's ability to meaningfully investigate the incident and pursue disciplinary action may be limited. The Complainant is always free to decide whether and how she/he wants to be involved in the investigation and the disciplinary process, if any, that follows.

1. **Confidential Resources.** The University provides limited confidential resources who are outside the official reporting channels. Any community member may seek advice and counseling confidentially, including about sexual assault, sexual harassment or other sexual misconduct, by speaking to the following University employees:
 - A counselor/therapist at the University Counseling Center
 - A priest who is acting in a pastoral capacity

Note that confidentiality will be maintained by a counselor or therapist under all circumstances except when there is an immediate threat of serious harm to a person. This means that, in almost all circumstances, these individuals are not required to report any information to anyone without permission.

2. **Semi-Confidential Resources.** Nurses and Nurse Practitioners at the Student Health Center and members of the Sexual Assault Resource Coordinator team may talk with an individual in confidence and generally only report that an incident occurred without revealing any personally identifying information about the individual.²

² Under a federal law known as the Clery Act, colleges and universities are required to maintain statistics of serious crimes reported on and near campus, including incidents reported under this Policy. Accordingly, University employees in this category who receive reports of such incidents may maintain confidentiality if requested by the reporting person, but will report the incident to Public Safety for Clery purposes without identifying information. These reports will include the general nature of the incident, date, time of day, and location, as well as other information needed to assess whether an on-going threat is present in order to evaluate whether a timely warning should be issued. The information will also be reported confidentially

A report of sexual misconduct to such a person will prompt an investigation by the Title IX Coordinator or Public Safety into the matter, but without the cooperation of the Complainant and consistent with the Complainant's wishes for confidentiality, such investigation may be limited. Should there be a continuing threat to the community, a campus-wide safety alert could be issued in order to protect the community. Safety alerts do not contain identifying information about the reporting person.

An individual who speaks to these Semi-Confidential Resources should understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent may be limited based on the information provided. Nonetheless, these employees can facilitate the support services described elsewhere in this Policy, including the interim measures described in Appendix B.

3. **Non-Confidential Resources.** All other employees are required to share the report of sexual misconduct with the Title IX Coordinator, which will prompt an investigation by the University to address and remedy the situation. Though a report to such an employee prompts an investigation, a Complainant may still decide whether and how she/he wants to be involved in the process following the investigation.

Note that physicians at the Student Health Center (M.D.s and D.O.s) are generally required by Pennsylvania law to make a report to the police department with jurisdiction, any time they receive a report of an injury caused by a criminal act, including sexual assault.

A list containing the contact information of the Resources on campus are found in Appendix A of this Policy. Off-campus resources are also available and do not typically involve the University without the Complainant's consent. Some are also confidential. A list of regional resources and whether they are confidential is also included in Appendix A.

A. REQUESTING CONFIDENTIALITY: HOW THE UNIVERSITY WILL WEIGH THE REQUEST AND RESPOND

If a Complainant reports an incident of sexual assault, sexual harassment or other sexual misconduct and wishes to maintain confidentiality or requests that no further investigation or no disciplinary action be taken, the University must weigh that request against its obligation to provide a safe, non-discriminatory environment for all students and employees, including the Complainant.

If the University honors the request for confidentiality, a Complainant should understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent may be limited.

Although rare, there are times when the University may not be able to honor a Complainant's request in order to provide a safe, non-discriminatory environment for all students and employees.

When weighing a Complainant's request for confidentiality, the Title IX Coordinator or Deputy Coordinator will consider a range of factors, including the following:

- The risk that the Respondent will commit additional acts of sexual or other violence, such as:

to the Title IX Coordinator. This information helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so that the Coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses.

- whether there have been other sexual violence complaints about the same Respondent;
- whether the Respondent has a history of arrests or records from a prior school indicating a history of sexual and/or physical violence;
- whether the Respondent threatened further sexual violence or other violence against the Complainant or others;
- whether the sexual violence was committed by multiple perpetrators;
- whether the sexual violence was perpetrated with a weapon;
- whether the Complainant is a minor;
- whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras, eye-witnesses, physical evidence);
- whether the Complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group).

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action and/or involve the law enforcement agency with jurisdiction. If none of these factors is present, the University will likely respect the Complainant's request for confidentiality.

When confidentiality has been requested and the University determines that it cannot maintain a Complainant's confidentiality, the University will inform the Complainant and will, to the extent possible, only share information with people responsible for handling the University's response to the report of sexual assault, sexual harassment or other sexual misconduct.

Whether a report is confidential or not, when a Complainant reports an incident of sexual assault, sexual harassment or other sexual misconduct, the University will remain ever mindful of the well-being of the Complainant and take ongoing steps to protect the Complainant from retaliation. The University will also support the Complainant and take action to protect and assist him or her consistent with the Complainant's wishes. A variety of interim measures are available to the Complainant as outlined in Appendix B (including emotional support, adjustment to housing or class schedule, etc.). The Sexual Assault Resource Coordinator is available to assist the Complainant in determining what measures are helpful or needed for the Complainant and will manage the implementation of such interim measures.

Finally, the University is committed to a safe environment for all students and employees and to addressing issues of sexual assault, sexual harassment or other sexual misconduct. Reports of such misconduct, whether or not confidential, provide the University with the opportunity to consider broader remedial action including increased monitoring of campus locations, additional education and prevention efforts, and climate assessments.

B. ANONYMOUS REPORTING

Although the University encourages a Complainant to talk with someone directly, the University does provide an anonymous on-line reporting option, www.villanova.ethicspoint.com and an anonymous phone reporting option (855-236-1443). This report will prompt an investigation. However, the University's ability to respond effectively may be limited by the level of information provided and/or the anonymity of the complaint. All anonymous reports of sexual misconduct will be referred to the Title IX Coordinator.

C. MAKING A REPORT

Any individual may report an incident of sexual misconduct. Complaints may be pursued through the criminal process or through the University disciplinary process consecutively or concurrently. In instances of sexual harassment as defined above, an individual may also report to the Sexual Harassment Complaint Officer, identified in the [Title IX Notice](#) and included in this Policy.

The University encourages individuals to seek immediate medical treatment (see below) and to make a prompt report to law enforcement in response to an incident of sexual assault or other sexual misconduct in order to address immediate safety concerns, allow for the preservation of evidence, and trigger a prompt investigative and remedial response. When the incident is reported to a campus resource, the University will help the individual get to a safe place and assist the Complainant in seeking immediate medical attention or in reporting an allegation to local law enforcement. The University will provide transportation to the hospital, assist with notification of local law enforcement, and provide information about the University's resources and complaint process. The University will also provide appropriate interim measures, as needed, to help ensure the safety and well-being of the parties affected. See Appendix B for more details on Interim Measures.

The University's Department of Public Safety may conduct criminal investigations and/or administrative investigations of sexual misconduct reports. Criminal investigations are conducted for of sexual misconduct reports that occur on campus property, except in cases where the identity of the suspect is unknown to the complainant. In those cases, the Radnor Township Police Department conducts the investigation. The Public Safety Department employs trained criminal investigators that can collect evidence, conduct an investigation and initiate a criminal prosecution. The Public Safety Department also conducts administrative investigations into allegations of sexual misconduct, which would include acts consistent with criminal sexual assault. These investigations are conducted by trained personnel within the Public Safety Department who are not sworn police officers. While the administrative and criminal investigators are housed in the same unit of the University, the investigations are separate and apart, and serve different purposes.

When contacting Public Safety, a Complainant may seek a criminal investigation, administrative investigation, or both. A Complainant is not required to consent to a criminal investigation in order for an administrative investigation to occur, or to receive services under Title IX. When conducting both the criminal and administrative investigations simultaneously, information is shared between investigators, who will typically work together throughout the investigation. A Complainant may always choose to participate, or withdraw their participation, from either investigative process.

The Public Safety Department does not have the authority to conduct criminal investigations for reports of sexual misconduct that occur off-campus, but can conduct administrative investigations of off-campus incidents. Several municipalities are located in the surrounding area, and determining which police department has authority to investigate depends upon where the incident occurred.

- To initiate a criminal complaint through law enforcement, the individual should contact:

Law Enforcement	911
	Villanova University Public Safety 610-519-5800
	Radnor Police Department 610-688-0503
	Lower Merion Police Department 610-649-1000
	Conshohocken Police Department 610-828-4032/4033
	Upper Merion Police Department 610-265-3232
	Tredyffrin Police Department 610-647-1440

- To initiate a Title IX (administrative) complaint through the University, the individual should contact Public Safety as follows:

Title IX Coordinator, Ryan Rost | 610-519-8805 – ryan.rost@villanova.edu
Department of Public Safety | 610-519-4444 (emergency), 610-519-5800 (non-emergency)
Debra Patch, Associate Director, Title IX Investigator | 610-960-4788 – debra.patch@villanova.edu (On-Call 24/7)
and Deputy Title IX Coordinator

- Any individual seeking information and options on how to proceed may also contact:

Sexual Assault Resource Coordinator | 484-343-6028 (On-Call 24/7)

The Sexual Assault Resource Coordinator on call at the time of the contact will meet with the individual, provide information about safety, emotional and physical well-being, on campus and community resources, possible interim measures, and review the individual's options to address the complaint under this Policy. The Sexual Assault Resource Coordinator also provides ongoing support and assistance through any University and/or criminal justice review, investigation, or resolution process.

D. MEDICAL CARE AND PRESERVING EVIDENCE

An individual's physical well-being should be addressed as soon as possible, whether or not that individual wishes to make a report to the University or local law enforcement. A medical provider can provide emergency and/or follow-up medical services, and meet two goals: first, to diagnose and treat the full extent of any injury or physical effect and second, to properly collect and preserve evidence. Following an incident of sexual assault, evidence is best preserved for proof of a criminal offense within 96 hours of the assault. In the event of a report immediately following an incident of sexual assault, a Complainant is encouraged to seek medical attention as soon as possible, and even before any shower, bathing, douching, brushing of teeth, drinking, or change of clothing. Similarly, any clothing, towels or bedding should remain untouched pending collection by law enforcement. Whether or not an individual has chosen how to proceed at the time of the medical examination, taking the step to gather evidence will preserve the full range of options to seek resolution through the University's complaint processes or through the pursuit of criminal action.

Please note that under Pennsylvania law, a medical provider may be required to notify law enforcement of a reported sexual assault under most circumstances. Although the medical provider will provide information to law enforcement, and the University encourages the Complainant to report the incident to law enforcement (it is often easier to relay the incident once to several people than repeatedly to different constituents), the Complainant may always, at any time, decline to speak with a law enforcement officer and decide on the extent of his or her participation in a criminal prosecution.

Contact information for medical care is as follows and more detailed information can be found in Appendix A of this Handbook:

Villanova Student Health Center | 610-519-4070
Bryn Mawr Hospital | 484-337-3000
Lankenau Medical Center | 484-476-2000
Philadelphia Sexual Assault Response Center | 215-425-1625

E. ON-CAMPUS REPORTING / UNIVERSITY DISCIPLINARY PROCESS

1. In General

When an incident of sexual misconduct is reported, the University will conduct an investigation. Students, faculty and staff may be asked to participate in an investigation, and when asked, they are expected to find time to meet and share information with

the investigator. The Associate Director of Public Safety or his/her designee will typically oversee the administrative investigation of all sexual misconduct reports where the Respondent is a student. The Sexual Harassment Complaint Officer or his/her designee will typically oversee the investigation of all reports (other than a sexual assault) involving a Respondent who is a University employee (faculty or staff). The Director of Public Safety & Chief of Police oversees the criminal investigation of all sexual misconduct reports conducted by the Department, regardless of Respondent's affiliation with the University. Normally, the investigation will include interviewing the parties, interviewing witnesses as appropriate, and collecting relevant documentary, electronic, or other evidence. . A criminal investigation may also include the collection of physical and/or forensic evidence, and that evidence may also be presented in an administrative hearing.

At the conclusion of the investigation, reports are shared with the University authorities empowered to act on violations of University policy. The specific resolution process will be determined by the role of the Respondent, as specified in this Policy:

Complaints of sexual assault, sexual harassment or other sexual misconduct against a student will be addressed under the Non-Academic Student Misconduct Procedure and the investigator's report will be shared with the Administration of the Law School. These procedures are set forth in full in the [Non-Academic Student Misconduct Procedure](#); and

Complaints of sexual harassment against any faculty member or other employee will be addressed under the [Sexual Harassment Complaint Procedures](#).

Complaints of other forms of sexual misconduct (e.g. sexual assault, stalking, dating violence and domestic violence) against any faculty member or other employee will be addressed through the normal University disciplinary processes. If the Complainant alleges both sexual harassment and other forms of sexual misconduct, the University shall determine the appropriate process for addressing the Complaint.

For additional information on reporting, see the [Title IX Notice](#) set forth above.

2. Time Frame for Resolution

Generally speaking, the University will complete the administrative investigation and resolution of all reports within 60 calendar days of receiving a report. Periodic updates as to the status of the review or investigation may be provided to both the Complainant and Respondent. Each case is unique, and the process for handling the incident will be impacted by factors such as the complexity of the investigation, the scope of the allegation, the parties' schedules and availability, the academic calendar and any concurrent criminal investigation. Although cooperation with law enforcement may require Villanova to temporarily suspend its investigation, the University will promptly resume its Title IX investigation as soon as it is notified by law enforcement that the agency has completed the evidence gathering process. Villanova will not, however, wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide interim measures for the Complainant. In the event that the investigation and resolution exceed this 60-day time frame, the University will notify all parties of the need for additional time and best efforts will be made to complete the process in a timely manner. In no case will these time frames delay University-provided support services, resources or other measures.

3. Timely Warning

If a report under this Policy discloses a serious or continuing threat to the University campus community, the University may issue a timely warning, known as a "Safety Alert" to the community to protect the health or safety of the broader campus community. Any such warning to the campus community, when determined by the University to be appropriate under the

circumstances, are limited to a brief account of the incident, a description of the assailant when needed to apprehend, and the name of any individual who has been arrested and charged with a crime. The Safety Alert will not include identifying information of the victim.

F. REPORTING TO LAW ENFORCEMENT

The University process and the criminal justice process are separate and independent courses of action. A Complainant who wishes to pursue a criminal complaint is encouraged to make a report to law enforcement. Incidents occurring on campus are within the jurisdiction of Villanova University Public Safety. Actions occurring off campus are within the jurisdiction of one of several surrounding townships, most of which are listed above (section IV. "Reporting Options"). If the Complainant does not know in which municipality the incident occurred, the Complainant should contact the Sexual Assault Resource Coordinator, Public Safety or 911 for assistance. Upon request, the Sexual Assault Resource Coordinator or a representative of the Department of Public Safety will accompany a Complainant to the police department with jurisdiction and assist a Complainant in making a criminal report. Notifying municipal law enforcement will generally result in the Complainant, and in some cases the Respondent, being contacted by a municipal police officer. The police will determine if a criminal investigation will occur and if the case will be referred for prosecution. Unless there are compelling circumstances, the University will typically not file an independent police report without the consent of the Complainant.

G. WAIVER OF ENVIRONMENTAL EXPECTATIONS VIOLATIONS FOR GOOD FAITH REPORTING

Consistent with the Law School's Mission and belief that all members have an obligation to promote and protect the health, safety, and welfare of our community, the Law School strongly encourages all individuals to report sexual assault, sexual harassment, and other sexual misconduct so that those affected can receive support and resources. A student who reports such misconduct in good faith, either as a Complainant or a third party witness, will not be subject to disciplinary action for his/her own personal consumption of alcohol or other drugs in violation of the Law School's Policies. The Law School may, however, initiate an educational discussion about the use of alcohol or drugs and their impact or pursue other educational remedies.

Submission of a good faith complaint, concern, or report under this Policy will not affect a Complainant's employment, grades, academic standing, or work assignments. However, an individual found to have made a false complaint or report, or to have knowingly and willingly given false information during an investigation, will be subject to disciplinary action. A good faith complaint that is not substantiated does not constitute a false report.

I. Resources for Respondents

Villanova provides on-campus resources to assist a respondent in obtaining emotional support through counseling, as well as help navigating the disciplinary process. Resources available to respondents include:

- Guidance through the disciplinary process
- Counseling
- Academic accommodations

Respondents can contact the following for information on University's procedures, rights and responsibilities of the complainant and respondent, prohibition on retaliation and for assistance in obtaining University resources:

Respondent Resource Coordinators		respondentresource@villanova.edu
Title IX Coordinator, Ryan Rost	(610) 519-8805	ryan.rost@villanova.edu
Dean of Students Office	(610) 519-4200	deanofstudents@villanova.edu

The Respondent Resource Coordinators provide ongoing support and assistance through any University and/or criminal justice review, investigation, or resolution process.

Respondents are encouraged to utilize the confidential counseling services at the University Counseling Center. Note that confidentiality will be maintained by a counselor or therapist under all circumstances except when there is an immediate threat of serious harm to a person. This means that, in almost all circumstances, these individuals are not required to report any information to anyone without permission. Appointments are available Monday – Friday during normal business hours and can be scheduled by calling (610) 519-4050 or in person on the 1st Floor of the Health Services Building. Priests acting in a pastoral capacity are also available as confidential resources.

Non-Academic Student Misconduct Hearing Procedure

Responsibility for handling misconduct that is not covered by the Academic Code of Conduct is specifically vested in the Law School administration and faculty by Code of Conduct § 3.1., "Other Student Conduct," which provides: "The Faculty and Administration of the Law School retain exclusive jurisdiction over other conduct of students that is not an infraction of the Code."

Misconduct that reflects adversely on a student's honesty, integrity, trustworthiness, professionalism, or fitness to become a lawyer may be the subject of administrative action under this Non-Academic Student Misconduct Hearing Procedure ("Procedure"), at the Law School's sole discretion. The Law School reserves the right to invoke this procedure, at its discretion, whether the alleged misconduct occurred on or off the premises of the Law School, or whether it occurred at a Law School-sponsored or non-Law School sponsored event. Allegations of misconduct that violates Title IX of the Education Amendments Act of 1972 ("Title IX"), including claims of sexual assault, sexual harassment, and other sexual misconduct, may also be the subject of administrative action under this Procedure. See also [SEXUAL ASSAULT, SEXUAL HARASSMENT and OTHER SEXUAL MISCONDUCT POLICY](#). See the [TITLE IX NOTICE](#) for Villanova University's Title IX Coordinator and Deputy Coordinators.

The Law School retains the discretion to take administrative action under this Procedure regardless of possible or pending civil claims or criminal charges arising out of the same or other events. After consulting as appropriate with the Vice-President and General Counsel, and considering all of the circumstances, the Dean shall determine the appropriate timing for proceeding against a student who also faces related charges in a civil or criminal tribunal. If the Law School defers proceeding, the Law School retains the discretion to commence administrative action at any time, even if other pending charges have not yet been resolved.

PROCEDURE

- 1) Any University or Law School student, faculty member, or staff member (“complaining party”) who believes that a student has engaged in misconduct that is not otherwise covered by the Academic Code of Conduct may file a complaint with the Associate Dean for Academic Affairs (“Associate Dean”) or with the Dean. The Associate Dean may also initiate proceedings against a student under this Procedure in the absence of such a complaint. The Dean may designate a party other than the Associate Dean to initiate proceedings and to pursue action under this Procedure, in his sole discretion.
- 2) The Associate Dean shall initiate proceedings against a student under this Procedure by providing the student with notification, in writing, of the alleged misconduct. The writing shall also contain a copy of this Procedure. The complaining party, if any, shall also receive notice of the proceeding and a copy of this Procedure.
- 3) Within a reasonable time, the Dean shall appoint a Hearing Panel (“Panel”) consisting of no more than three members of the tenured or tenure-track faculty. The size of the Panel shall be determined by the Dean, at his sole discretion.
- 4) The Panel shall set a date for a hearing and shall establish the procedure for an orderly presentation of evidence at that hearing. At its sole discretion, the Panel may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complaining party, accused student, and/or other witnesses during the hearing. The hearing shall be private.
- 5) The accused student and the complaining party may choose to be represented by counsel during the hearing process. This counsel may not be a member of the Law School faculty, staff, or a member of the Law School student body. The accused student, and complaining party (if any) are entitled to be present, with counsel (if any) at all times while evidence is being presented during the hearing, but may not be present during deliberations. In matters involving Sexual Assault, Sexual Harassment, or other Sexual Misconduct, the complaining party and the accused student may, in lieu of counsel, elect to have an Advisor of their choice. An Advisor is defined as any individual who provides the complaining party or accused student support, guidance, or advice during the conduct proceedings.
- 6) The Associate Dean, or her/his designee, shall present the evidence of misconduct to the Panel. The Associate Dean, or designee, shall also address the issue of the appropriate sanction for the misconduct.
- 7) The accused student and the complaining party may present evidence on both the issue of misconduct and on the issue of sanction. The method of presentation of evidence, including the procedure for asking questions of witnesses, shall be determined by the Panel, in its sole discretion, and the Panel may choose to retain the sole authority to ask questions during the hearing. In a case alleging sexual assault, sexual harassment, or sexual misconduct, the complaining party, accused student, or their respective counsel, or Advisor, may not conduct cross-examination of the other party. However, the parties may provide proposed questions to the Panel and the Panel will, in its sole discretion, make relevant inquiries and pose questions to the parties based upon the proposed questions.
- 8) The Panel shall not be bound by formal rules of evidence, and shall have full discretion to admit evidence as it sees fit. Members of the Panel may ask questions of all witnesses during the course of the presentation of evidence.
- 9) All students are required to cooperate fully and honestly with this Procedure. Failure to cooperate with the Panel, or lack of candor during these proceedings, may constitute misconduct and may result in charges being brought under this Procedure.
- 10) The hearing shall be recorded by a method to be determined in the sole discretion of the Panel. The Panel’s deliberations shall occur in confidence, and shall not be recorded.

- 11) Upon conclusion of the Hearing, the Panel shall make findings of fact with respect to the alleged misconduct. The Panel shall also determine whether the facts establish, by a preponderance of the evidence, that the accused student engaged in the alleged misconduct, and whether the misconduct reflects adversely on a student's honesty, integrity, trustworthiness, professionalism, or fitness to become a lawyer.
- 12) The Panel's findings and recommendation shall be reported promptly in writing to the accused student, the complaining party, if any, the Associate Dean, and the Dean, in accordance with requirements of the Family Educational Rights and Privacy Act.
- 13) Based on the Panel's findings of fact and its recommendation of sanction, the Dean shall make the final determination of sanction. Possible sanctions include, but are not limited to: exclusion from the Law School; suspension from the Law School; a reprimand to be included in the student's Law School academic file and/or noted on the student's transcript; a reprimand not included in the student's Law School academic file and not noted on the student's transcript; suspension or denial of specified Law School or University privileges or offices; appropriate compulsory service to the Law School community or outside community; counseling or other treatment as appropriate. The student, complaining party, if any, and Associate Dean shall be advised in writing of the Dean's decision with respect to sanction, in accordance with requirements of the Family Educational Rights and Privacy Act.
- 14) The Dean's decision as to sanction shall be final, except when the Dean imposes the sanction of suspension or expulsion from the Law School. In such circumstances, the accused student (or the complaining party in cases involving sexual assault, sexual harassment, or sexual misconduct) may file a petition for review by the entire faculty, in writing, stating with specificity the grounds for review. The petition must be filed with the Dean no later than five business days after the date of the Dean's written decision.
- 15) Any petition for review shall be heard at the next regularly scheduled faculty meeting, or at a special meeting of the faculty, at the discretion of the Dean. The record of the hearing, and all documents received into evidence by the Panel, shall constitute the record of the case.
- 16) The Associate Dean may address the faculty with respect to the petition. The complaining party and accused student, or their counsel/Advisor, may address the faculty at the meeting regarding the petition for review, but the parties and their counsel/Advisors shall not be permitted to remain during the faculty's discussion of the petition.
- 17) The Dean, the Academic Dean, and those members of the faculty who served as members of the Panel may participate in the deliberations of the faculty on the petition, but shall not vote on the petition.
- 18) At the conclusion of the deliberations, faculty who are present and eligible to vote shall cast their vote, in secret, as to whether or not to uphold the sanction imposed by the Dean. The Dean's sanction shall be upheld unless a majority of the faculty who are present and eligible to vote shall vote to overturn the Dean's decision. The final outcome shall be reported in writing to the accused student and complaining party, if any, in accordance with requirements of the Family Educational Rights and Privacy Act.
- 19) The written notification of the charges, the report and recommendation of the Hearing Panel, and the final outcome of this Procedure, as well as any other relevant documentation, are to be maintained in the student's permanent file, and shall be disclosed to bar examiners when necessary to comply with the terms of a request. The record of the hearing, documentary record and written reports of the panel and the Dean shall be retained in the Academic Dean's Office for an appropriate period of time.
- 20) All proceedings under this Procedure are confidential and may be disclosed only as provided in this Procedure, as reasonably necessary in the administration of the Law School or University, for bar admission purposes, and as otherwise required by law.

- 21) At any time after the Law School becomes aware of misconduct for which a student could be charged under this Procedure, the Academic Dean may place a “Judicial Hold” on the academic records of the student in order to preserve the status quo pending the outcome of proceedings. A Judicial Hold may prevent, among other things, registration, the release of transcripts, the issuance of letters of good standing and certification, and the award of a diploma.
- 22) When, in the judgment of the Law School, an individual poses a threat to the health, safety, and/or welfare of the Law School community, or the student has been charged with a crime of a serious nature, the Law School, in its sole discretion, may suspend the student on an interim basis. A hearing will be held as soon as reasonably possible to determine the final outcome, except where the Law School defers proceeding in light of pending civil charges or criminal charges as described above. For cases involving Title IX complaints of sexual assault, sexual harassment, or sexual misconduct, the Law School, after considering all of the circumstances, shall determine the appropriate timing for proceeding against such student on interim suspension.

Academic Code of Conduct

CHAPTER ONE: GENERAL PROVISIONS

- 1.1 **Applicability.** This Code of Conduct governs the conduct of students of the Law School in matters related to the academic integrity of Villanova Law School and its educational programs. A person enrolled in one or more courses in the J.D. program is a student of the Law School.
- 1.2 **Honor Board.** The Honor Board is established by the Faculty of the Villanova Law School to: (a) administer, in conjunction with the Faculty, this Code of Conduct; (b) assist the Administration of the Villanova Law School in the administration of examinations; (c) administer student elections in cooperation with the Student Bar Association; and (d) review this Code of Conduct periodically and recommend amendments.
- 1.3 **Officers.** The Honor Board shall have a Chairperson and other officers as provided for in the bylaws of the Honor Board.
- 1.4 **Bylaws.** The Honor Board may adopt bylaws, rules, and regulations governing its activities and proceedings that are consistent with this Code of Conduct.
- 1.5 **Definitions.** As used in this Code of Conduct, unless the context otherwise clearly requires:
 - (a) “Accused” means any student of the Law School accused of a violation of the Code.
 - (b) “Board” means the Honor Board established pursuant to section 1.2
 - (c) “Chairperson” means the Chairperson of the Board, or any member of the Board acting as Chairperson in accordance with the bylaws of the Board.
 - (d) “Charge Panel” means the two members of the Board appointed under section 4.1(c) and the Faculty Advisor.
 - (e) “Incident Report” means a written report prepared by a member of the Board or the Faculty Advisor as required by section 4.1(b).

- (f) “Code” means this Code of Conduct.
- (g) “Dean’s Designee” means the faculty member designated by the Dean to carry out the functions provided in section 4.3 of this Code for that academic year or an alternate designated by the Dean to serve in place of the Dean’s Designee.
- (h) “Disposition Report” means the written report of the Dean’s Designee as required by section 4.3(d).
- (i) “Faculty” means the full-time members of the Faculty of the Law School.
- (j) “Faculty Advisor” means the faculty member designated by the Dean to carry out the functions provided in this Code or faculty member designated by the Dean to serve in place of the Faculty Advisor.
- (k) “Hearing Board” means the three students and three faculty members appointed under section 4.4.
- (l) “Hearing Board Report” means the written report of the Hearing Board required by section 4.6(d).
- (m) “Investigation Report” means the written report of a Board member required by section 4.1(d).
- (n) “Law School” means the Villanova Law School.
- (o) “Law School Academic File,” means the file retained by the Law School after a student graduates which contains a student’s academic transcript and other records.
- (p) “Probable Cause Report” means the written report of the Charge Panel required by section 4.2(c).
- (q) “Student” means a person who is matriculating in the Law School’s J.D. program or enrolled in a course in the Law School’s J.D. program.
- (r) “The permanent Honor Board file” means the confidential file containing all documents in all Honor Board matters retained by the Office of the Academic Dean. This file is distinct from the file of Honor Board records from the current academic year maintained by the Faculty Advisor. Only the Academic Dean, the Faculty Advisor, and the Dean’s Designee shall have access to the permanent Honor Board file.
- (s) “Notice of Dismissal” means a written notice prepared by a member of the Charge Panel or the Faculty Advisor as required by section 4.2(b).

CHAPTER TWO: VIOLATIONS OF THE CODE OF CONDUCT

- 2.1 **Obligation of Student.** A Student must familiarize himself or herself with the Code and with the published rules governing examinations or other academic activities in which he or she participates.
- 2.2 **Student’s Knowledge or Belief.** The acts or omissions set forth in section 2.3 are infractions of the Code whether or not a Student
- (i) knows an act or omission is an infraction of the Code or the published rules governing examinations or other academic activity;
 - (ii) knows or believes an act or omission is contrary to accepted standards of honesty, or
 - (iii) intends by an act or omission to gain academic advantage.
- 2.3 **Infractions.** The following acts or omissions of a Student are infractions of the Code:
- (a) giving or securing any information about an examination except as authorized by the examining professor;

- (b) consulting or copying from any books, papers, notes or other materials of any kind (whether in paper or digital form) during an examination except as authorized by the examining professor;
- (c) continuing writing an examination answer after the permitted time has expired;
- (d) violating any other rule of the Law School applicable to examinations, if the conduct is contrary to accepted standards of honesty;
- (e) unauthorized taking, concealing, withholding, destroying, mutilating or abusing Law School property;
- (f) submitting in an academic activity the work of another as one's own work, with or without the consent of the author of such work;
- (g) permitting one's work to be submitted in an academic activity as the work of another;
- (h) concealing, withholding, destroying, mutilating, or the unauthorized taking or using of another Student's property, including, without limitation, books, briefs, class notes and outlines (whether in paper or digital form), if the conduct is contrary to accepted standards of honesty;
- (i) misrepresenting in an academic activity a material fact with respect to work performed or required;
- (j) violating a published rule of the Law School or a student organization applicable to a participant in or a member or candidate for membership on a journal, the Moot Court Board, the moot court program, or a legal writing or skills competition, whether or not academic credit is given, if the violation is contrary to accepted standards of honesty;
- (k) failing to report, in accordance with the provisions of the Code, a violation of the Code by another Student;
- (l) failing to produce evidence or respond to questions when called upon to do so during an investigation conducted under the Code, or failing to appear as a witness, testify, or produce evidence in any proceeding when called on to do so in accordance with the Code; except that an Accused commits an independent violation of the Code only if he or she fails or refuses to appear at any proceeding conducted under the Code;
- (m) making or giving a false or materially incomplete report of a violation of the Code, statement to a member of the Board during an investigation, or testimony as a witness in any proceeding under the Code;
- (n) attempting to obstruct or hinder an investigation or other proceeding conducted by the Board;
- (o) breaching any duty of confidentiality imposed by the Code;
- (p) engaging in any other conduct in an academic activity which is contrary to accepted standards of honesty;
- (q) attempting to commit a violation of this section 2.3; or
- (r) aiding or abetting a violation or attempted violation or agreeing or conspiring to commit a violation of this section 2.3.

2.4 Violation. A Student's infraction of the Code is a violation of the Code subject to sanction under Chapter Five only if, with respect to each element of the infraction, the Student's act or omission was voluntary and either intentional or reckless.

CHAPTER THREE: RETAINED JURISDICTION

3.1 Other Student Conduct. The Faculty and Administration of the Law School retain exclusive jurisdiction over conduct of Students that is not an infraction of the Code.

3.2 **Grading.** Nothing contained in the Code limits the authority of the Faculty with respect to grading.

CHAPTER FOUR: HONOR BOARD PROCEDURE

4.1 Reporting Procedure

- (a) A Student must promptly report an infraction of the Code to the Board. A faculty member or other person shall promptly report an infraction of the Code to either the Board or the Faculty Advisor.
- (b) A member of the Board or the Faculty Advisor shall meet promptly with the person making the report and prepare a written Incident Report. The Incident Report shall include:
 - (1) the name of the person making the report;
 - (2) the name of the Accused;
 - (3) the date and place of the alleged infraction;
 - (4) a narrative statement of the relevant facts;
 - (5) names and addresses of other persons who may have relevant information;
 - (6) the original or a copy of any documentary evidence and any other physical evidence;
 - (7) a reference to the alleged infraction of the Code; and
 - (8) the signature of the person reporting the infraction, the signature of the Board member or Faculty Advisor preparing the Incident Report, and the date.
- (c) As soon as reasonably possible after the Incident Report is prepared, the Chairperson shall appoint two members of the Board to serve with the Faculty Advisor as members of the Charge Panel which will consider the Incident Report. Decisions of the Charge Panel shall be by majority vote.
- (d) The Charge Panel shall determine whether the Incident Report alleges an infraction of the Code. If the Charge Panel determines the Incident Report does not allege an infraction of the Code, the matter shall be closed. If the Charge Panel determines an infraction of the Code has been alleged, a member of the Charge Panel shall give the Accused a copy of the Incident Report and advise the accused that a written response may be submitted to the Charge Panel. If the Charge Panel determines that further investigation is appropriate, either the Chairperson or a Board member appointed by the Chairperson shall conduct the investigation and submit a written Investigation Report to the Charge Panel. A member of the Charge Panel may not be appointed by the Chairperson to conduct the investigation.
- (e) The Investigation Report shall include (1) a description of the investigation; (2) the names of persons interviewed and a summary of their statements; (3) a description of documents or other physical evidence obtained in the investigation; and (4) any other relevant findings which may include the Board member's evaluation of whether the evidence obtained in the investigation supports or does not support the Incident Report.
- (f) The Faculty Advisor shall establish a date for the submission of the Accused's response and the Investigation Report.

4.2 Preliminary Determination

- (a) The Charge Panel shall promptly determine whether there is probable cause to believe that there has been a violation of the Code, whether further action under the Code is appropriate, and whether suspension or expulsion is a possible sanction because of the nature of the violation.
- (b) If the Charge Panel finds there is not probable cause to believe that there has been a violation of the Code, or that no further action is appropriate, the Charge Panel or the Faculty Advisor shall prepare a Notice of Dismissal stating that the charges have been dismissed and providing a brief explanation. The Notice of Dismissal shall be provided to the Accused and the Dean. The Notice of Dismissal shall be retained in the Accused's Law School Academic File and in the permanent Honor Board file.
- (c) If the Charge Panel finds there is probable cause to believe there has been a violation of the Code and that further action is appropriate, the Charge Panel shall prepare a Probable Cause Report that lists the violation(s) for which there is probable cause and sets forth the evidence which supports the finding of probable cause.
- (d) The Charge Panel shall refer the matter to the Dean's Designee for Administrative Review under section 4.3 unless the Charge Panel determines suspension or expulsion is a possible sanction because of the nature of the violation. The Charge Panel shall refer the matter to the Board for a Board Hearing under section 4.4 if the Charge Panel determines suspension or expulsion is a possible sanction because of the nature of the violation.
- (e) Promptly after the Charge Panel refers the matter for Administrative Review or a Board Hearing, the Faculty Advisor shall notify the accused of the accused's right to counsel under § 4.3(a) or 4.5(e).
- (f) The Incident Report, the Investigation Report, the Accused's response, any documentary or physical evidence, and the Probable Cause Report shall be provided to the Dean, the Chairperson, the Accused, and, the Dean's Designee or the Hearing Board, whichever is appropriate. These documents shall be retained by the Faculty Advisor to the Honor Board and should also be included in the permanent Honor Board file. These records shall not be included in the Accused's Law School Academic File, unless otherwise agreed by the parties.
- (g) If the matter is referred for Administrative Review, the Accused may request a Board Hearing at any time before the earlier of five days after the Probable Cause Report is provided to the Accused or the start of the first meeting with the Dean's Designee.

4.3 Administrative Review

- (a) The Dean's Designee shall meet with the Charge Panel and the Accused. The Accused may be represented by counsel or by a student selected by the Accused. The Accused may submit documents or other physical evidence and designate witnesses. The Dean's Designee shall hear any available witnesses designated by the Accused, and may decide to hear other witnesses. The Accused, or counsel for the Accused, may question witnesses and make a statement. The Dean's Designee may permit a member of the Charge Panel to question witnesses and make a statement.
- (b) The Charge Panel and the Accused may agree to
 - (i) the disposition,
 - (ii) the sanction, or
 - (iii) both the disposition and the sanction.

An agreement to a sanction only does not constitute an admission of a violation by the Accused, proof of a violation, or a finding of a violation. If the Dean's Designee does not approve an agreement, the Charge Panel and Accused may submit

another agreement to the Dean's Designee for approval. If the Dean's Designee approves an agreement, the matter shall be terminated in accord with the agreement.

- (c) If there is no agreement or the Dean's Designee does not approve an agreement, the Dean's Designee shall decide whether any charged violation has been proven by clear and convincing evidence. If the Dean's Designee finds there was a violation of the Code, the Dean's Designee may impose a sanction under § 5.2.
- (d) The Dean's Designee shall provide a written Disposition Report to the Dean, the Board, the Charge Panel, and the Accused. The Disposition Report shall be retained in the Accused's Law School Academic File and in the permanent Honor Board file.
- (e) After the Disposition Report has been provided in accordance with section 4.3(d), the Dean's Designee shall post a notice on the Law School bulletin board that sets forth the date of the administrative review meeting, the alleged violation, and the disposition. The notice shall not disclose the identity of the Accused.
- (f) The determination of the Dean's Designee is final.

4.4 Hearing Board. The hearing shall be conducted before Hearing Board consisting of three members of the Honor Board appointed by the Chairperson and three members of the Faculty appointed by the Dean. The members of the Hearing Board shall select a member as the Hearing Chairperson and another as reporter.

4.5 Hearing Board Procedure

- (a) The Hearing Board shall ascertain the availability of the witnesses and counsel and schedule the hearing, to the extent reasonably possible, to accommodate both the witnesses and counsel.
- (b) The Hearing Chairperson shall preside over the hearing.
- (c) Only members of the Hearing Board who are present for all of the hearing may participate in Board deliberations and vote on whether a violation has been established. A hearing may begin if four members of the Hearing Board are present. The Hearing Chairperson shall recess and reschedule a hearing if only three or fewer members of the Hearing Board are present at any time during the hearing. If a Hearing Board is unable to proceed promptly with a hearing, the Chairperson shall notify the Dean and the Dean may direct that a new Hearing Board be appointed.
- (d) A member of the Charge Panel shall be selected to be the Prosecutor, and another member may be selected to assist the Prosecutor. The Prosecutor shall notify all witnesses who have already been identified, as well as any person designated as a witness by the Accused, of the date, time, and place of the hearing and provide the names of these witnesses to the Hearing Board and the Accused.
- (e) The Accused may retain counsel. If requested, the Honor Board shall assist the Accused in obtaining the assistance of another Student to act as counsel. The Accused shall, promptly after selecting counsel, notify the Hearing Chairperson and the Prosecutor who will be counsel for the Accused.
- (f) The Accused and counsel have the right to be present at all times during the hearing. The Accused may testify or remain silent.
- (g) The party calling the witness shall first conduct direct examination and then the opposing party may conduct cross examination. Members of the Hearing Board may question a witness during the course of the examination.

- (h) The Hearing Board is not bound by the formal rules of evidence. Evidence may be admitted by the Hearing Chairperson based on relevance and fairness.
- (i) The Hearing Board may request the Accused to testify or produce evidence. If the Accused declines to testify or to produce evidence as requested by the Hearing Board, the Hearing Board may draw an adverse inference against the Accused on the issue of whether the Accused violated the Code and, if appropriate, when imposing a sanction.
- (j) The Prosecutor, the Accused, and the Accused's counsel may make a closing statement.
- (k) The hearing shall be recorded. The Hearing Board's deliberations shall not be recorded. The recording shall be destroyed upon final disposition of the case.

4.6 Hearing Board Findings.

- (a) The Hearing Board shall determine by majority vote whether the factual elements of each alleged violation were established by clear and convincing evidence.
- (b) If the Hearing Board finds there was no violation, it shall dismiss the charge and promptly notify in writing the Accused, the Prosecutor, the Dean, and the Board. The notice of dismissal shall be retained in the Accused's Law School Academic File and in the permanent Honor Board file.
- (c) If the Hearing Board finds that an alleged violation has been committed, the Accused may address, personally and by counsel, the issue of sanction. The Prosecutor may also address the issue of sanction. The Hearing Board shall determine by majority vote the sanction(s) for the violation.
- (d) The Hearing Board shall submit a written Hearing Board Report which shall include: (1) a reasonably detailed summary of testimony given at the hearing; (2) the Hearing Board's findings of fact; and (3) a statement of the sanction imposed. The votes of individual members of the Hearing Board shall not be disclosed, but a member's separate statement shall be included in the Hearing Board Report.
- (e) The Hearing Board shall provide copies of the Hearing Board Report to the Accused, the Dean, the Board, the Prosecutor, and the Faculty Advisor. The Hearing Board Report shall be retained in the Accused's Law School Academic File and in the permanent Honor Board file.
- (f) If the sanction imposed by the Hearing Board is suspension or expulsion, the Hearing Chairperson shall advise the Accused and counsel for the Accused in writing of the Accused's right to request Faculty Review pursuant to Chapter Six.
- (g) After the Hearing Board Report has been provided in accordance with section 4.6(e), the Chairperson shall post a notice on the Law School bulletin board that sets forth the date of the hearing, the alleged violation, and the Hearing Board's disposition of the case. The notice shall not disclose the identity of the Accused.

CHAPTER FIVE: SANCTION FOR VIOLATION

5.1 Factors in Selecting Sanction. In choosing a sanction, the Dean's Designee or the Hearing Board may consider any relevant information and shall consider:

- (a) the nature and seriousness of the violation, including the degree of potential harm which the violation posed to the academic integrity of the Law School community;

- (b) the circumstances of the violation; including any aggravating or mitigating factors;
 - (c) the need to uphold and promote respect for the Code and to deter future violation by the Accused and others;
 - (d) whether a sanction will reconcile the Accused with the Law School community;
 - (e) whether the Accused reported the violation to the Board, and, if so, when the report was made;
 - (f) the extent to which the Accused cooperated and was forthright during the investigation and Administrative Review, and whether the Accused declined, after a request by the Hearing Board, to testify or produce evidence;
 - (g) any comments of the Accused and counsel for the Accused relevant to the question of sanction; and
 - (h) whether or not the Accused gained, or acted with the intent to gain, academic advantage or benefit by the violation.
- 5.2 **Sanctions Imposed by Either the Dean's Designee or a Hearing Board.** The Dean's Designee or a Hearing Board, upon finding of a violation of the Code, may impose a sanction or sanctions, including, but not limited to:
- (a) compensatory damages or restitution;
 - (b) a reprimand to be included in the Accused's Law School Academic File or noted on the Accused's transcript, or both;
 - (c) a reprimand not to be included in the Accused's Law School Academic File or noted on the Accused's academic transcript;
 - (d) suspension or denial of library or other Law School privileges or offices;
 - (e) dismissal from the journal, board, or other activity to which the violation related;
 - (f) denial of credit for a course;
 - (g) an incomplete grade with or without the opportunity to retake the examination, take the next scheduled examination, or to redo the work involved;
 - (h) appropriate compulsory service to the Law School community;
- 5.3 **Sanctions Imposed Only by a Hearing Board.** A Hearing Board, upon a finding of violation of the Code, may impose the sanction of suspension or expulsion.
- 5.4 **Length of Sanction.** The Dean's Designee or the Hearing Board may impose any sanction on a probationary or temporary basis.

CHAPTER SIX: REVIEW OF HEARING BOARD DECISIONS

- 6.1 **Faculty Review of Suspension and Expulsion.** The Hearing Board's decision is final, except that, if the Hearing Board imposes the sanction of suspension or expulsion, the Faculty shall review the Hearing Board's decision on petition of the Accused. A petition for review by the Faculty shall state with specificity the grounds for review and must be filed with the Dean within five school days of delivery of the Hearing Board's Report to the Accused.
- 6.2 **Disqualification.** The Faculty Advisor and the members of the Faculty who served as members of the Hearing Board that heard the case that is the subject of Faculty review shall not attend or participate in the Faculty's review of the case.
- 6.3 **Record.** The record on review by the Faculty is (1) all reports and other material delivered to the Hearing Board under section 4.2(e); (2) the recording of the hearing before the Hearing board and any exhibits from the hearing; and (3) the Hearing Board Report.

- 6.4 **Right to Address Faculty.** The Accused, counsel for the Accused, or a Student representing the Accused may address the Faculty. A member of the Charge Panel may address the Faculty.
- 6.5 **Standard of Review.** The Faculty shall approve the Hearing Board's Report, including the sanction imposed, unless a factual finding or findings are clearly erroneous, the Hearing Board's interpretation of the Code or a published rule governing examinations or an academic activity is erroneous, or the Hearing Board clearly abused its discretion in a manner prejudicial to the substantial rights of the Accused.
- 6.6 **Remand.** If the Faculty, by a majority vote, disapproves the Hearing Board's Report or any part of that report, the Faculty may remand the matter to the Hearing Board for further proceedings, or may consider and dispose of the matter either on the record before the Faculty or after the conclusion of any additional proceedings which the Faculty determines are appropriate under the circumstances of the case.
- 6.7 **Proceedings on Remand.** If the matter is remanded to the Hearing Board for further proceedings, the Faculty shall provide the Hearing Board and the Accused with a written statement of the reasons for the remand and whether and how the record should be supplemented.
- 6.8 **Disposition: Notice and Publication.** The Faculty shall provide a written statement of its disposition of the case to the Accused, the Honor Board, the Hearing Board, and the Faculty Advisor. The statement of disposition shall be retained in the Accused's Law School Academic File and in the permanent Honor Board file. Notice of the Faculty's disposition shall be posted on the Law School bulletin board in the same manner and form as provided in section 4.3(e).

CHAPTER SEVEN: PERIODIC REPORTING

- 7.1 **Faculty Advisor Report.** The Faculty Advisor shall report to the Faculty and Board from time to time on the operation of the Code, but shall not disclose the identity of Accused persons.

CHAPTER EIGHT: CONFIDENTIALITY

- 8.1 **All Proceedings Confidential.** All proceedings under the Code are confidential and may be disclosed only as provided by this Code, as reasonably necessary in the administration of the Law School or University, and as required by law.