

**LOYOLA**

**LAW SCHOOL | LOS ANGELES**

**2013-2014**  
**Handbook for**  
**Tax LLM Students**

## ***Mission Statement***

***The mission of Loyola Law School is legal education within the context of Loyola Marymount University and its goals as a Catholic Institution in the Jesuit and Marymount traditions. In carrying out this mission, it is the particular responsibility of Loyola Law School to:***

- ***Achieve and maintain excellence in the instruction of law and promote legal scholarship and research in the context of academic freedom;***
- ***Seek to educate men and women who will be leaders of both the legal profession and society, demonstrating in their practice of law and public service the highest standards of personal integrity, professional ethics and a deep concern for social justice;***
- ***Act at all times as an institution in a manner consistent with those values.***
- ***The Law School should be distinguished by its concern for social justice. It should continue its efforts to provide opportunities for legal education to the poor, the underprivileged, women and minorities. Loyola Law School has a long-standing commitment to affirmative action and adheres to and supports all legal requirements for non-discrimination and equal opportunity in all of its programs. As a Jesuit-related institution, the Law School recognizes its moral and ethical obligation to provide opportunities for a quality legal education to qualified applicants of diverse backgrounds, interests and professional objectives.***

## **IMPORTANT NOTICES**

The provisions of this Handbook, the academic rules, and Law School policies and procedures cannot be modified or waived except in writing signed by a dean or the appropriate department head responsible for the particular rule or policy. Students should not rely on any other written or oral statement purporting to modify or waive these provisions.

Students are responsible for ascertaining and following all rules, policies and procedures contained in this *Student Handbook* and, where referenced, on the Law School web site.

The Law School Intranet is the on-line resource for information, policies, and services referenced in this *Handbook*. In addition, there are links to classroom assignments, campus e-mail, academic and administrative calendars and schedules, and other utilities. The Intranet is generally accessible from either on-campus or off-campus. To get started, a student should click the "For Current Students" link from the Law School home page or browse to <http://my.lls.edu/currentstudents>.

Students are responsible for maintaining valid contact information (*e.g.*, phone number, address). Students may update contact information on the Web at <http://www.lls.edu/sws>.

### **HANDBOOK FOR TAX LLM STUDENTS ONLINE**

The applicable regulations are published in the *Handbook for Tax LLM Students*, which can be accessed via the law school web site at <https://my.lls.edu/studentaffairs/studenthandbooks> from any computer on-campus, or from off-campus by logging into a student's Student Web Services (SWS) account.

## **RESERVATION OF RIGHTS**

The provisions of this *Student Handbook* are informational in character and are subject to change at any time, including the right to correct any errors and omissions. The Law School expressly reserves the right to change the requirements for admission or graduation, the right to modify the offering, timing, and content of courses, and the right to change regulations affecting the student body including, but not limited to, the requirements relating to grading, academic standing, and disqualification.

The Law School does not assume responsibility for loss or damage to personal property belonging to students. Students should inspect their own insurance policies to determine whether limits are sufficient to cover their belongings.

Loyola Law School adheres to a policy of nondiscrimination in its educational programs, admissions policies, financial aid and other school-related programs on the basis of sex, age, race, color, religious creed, national origin, sexual orientation, disability, marital, parental or veteran status. The Law School complies fully with the provisions of Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and related administrative regulations and executive orders promulgated thereunder.

## ADMINISTRATIVE TELEPHONE NUMBERS

## EMERGENCY INFORMATION NUMBER: 1-866-4-LOYOLA

*Call in the event of unplanned, extraordinary circumstances that might impact whether or not classes are held or the campus is open (e.g., earthquake, power failure).*

ADMISSIONS	1074	HOUSEKEEPING	1109
		HUMAN RESOURCES	1128
ADVANCEMENT	8153	INFORMATION and SUPPORT SERVICES	
▪ Alumni Relations	8153	Graphics (Founders Hall)	1012
▪ Development	1045	Graphics Satellite (Burns First Floor)	1001
ADVANCED DEGREE PROGRAMS		INFORMATION DESK (Burns First Floor)	1001
• LLM GENERAL	1446	MAIL CENTER (Founders Hall)	1050
• LLM TAX	8349	SCHEDULING	7440
BOOKSTORE	1032	INFORMATION TECH - HELP DESK	1097
BUSINESS AND FINANCE	8308	INSTRUCTIONAL TECHNOLOGY	1111
		INTERNATIONAL PROGRAMS	1151
CAMPUS PLANNING	8391	LAW REVIEWS	
CAREER SERVICES	1150	▪ Entertainment Law Review	1403
CENTER FOR CONFLICT RESOLUTION	1145	▪ International Law Review	1405
CENTER FOR JUVENILE LAW & POLICY	8339	▪ Loyola Law Review	1125
CHAPLAIN	8193	LAW LIBRARY	
CHAPLAIN, INTERFAITH	1093	• Circulation	1117
CONFERENCES & EVENTS	1071	• Computer Resource	1426
COUNSELING (Psychological)	1122	• General Information	1120
		• Research Assistance	1177
DEAN'S OFFICE	8154	MARKETING & COMMUNICATIONS	1444
▪ Dean Gold	1062	PAYROLL	8105
▪ Associate Dean Albertson	1028	Physical Plant	1107
▪ Associate Dean Boylan	8130	PUBLIC INTEREST LAW	1059
▪ Associate Dean Martin	7420	REGISTRAR	1130
▪ Associate Dean Scott	1054	SBA	1008
▪ Associate Dean Waterstone	2243	SECURITY	1121
DISABILITY RIGHTS LEGAL CENTER	1031	STUDENT ACCOUNTS	1021
		STUDENT AFFAIRS	8151
EMERGENCY		STUDENT ORGANIZATIONS ASSISTANCE	1001/8151
▪ (on campus)	1121		
▪ (off campus)	1-866-4-LOYOLA		
EXTERNSHIP PROGRAM	1103		
FACULTY SUPPORT	1079		
FINANCIAL AID	1140		
FISCAL AFFAIRS	1020		
FOOD SERVICES	1133		

## FACULTY TELEPHONE NUMBERS

**A-C**

Aragaki, Hiro	1406
Aprill, Ellen	1157
Archer, Cindy	8380
Atik, Jeffery	8369
Bakhshian, Susan	1462
Bazelon, Lara	8141
Berdejo, Carlos	1137
Blanco, Barbara	1104
Boylan, Jean	8130
Brain, Robert	8168
Buckingham, Samantha	1328
Buhai, Sande	1156
Caplan, Aaron	8110
Clark, Brietta	1494
Coskran, William	1087
Costello, Jan	1073
Craig, Gary	1095
Culbert, Mary	8334

**D-H**

Dant, Mary	8161
Dougherty, Jay	1461
Dudovitz, Aimee	8104
Glazier, David	2242
Gold, Victor	1062
Goldberg, Charlotte	1056
Goldman, Stanley	1092
Grossi, Simona	8104
Guttentag, Michael	1168
Hawthorne, Christopher	8344
Hayden, Paul	1064
Hughes, Justin	1476
Hull, Bryan	1193

**I-L**

Ides, Allan	1464
Johnson, Maureen	1123
Kamita, Jennifer	1057
Kim, Kathleen	1316
Kowal, Jennifer	8349
Lapp, Kevin	1165
Lazaroff, Daniel	1158
Levenson, Laurie	1149
Levinson, Jessica	1437
Levitt, Justin	7417
Liu, Jojo	1317
Lyons, Katherine	1094

**M-R**

Manheim, Karl	1106
Martin, Daniel	1197
Maynard, Therese	1155
McDermott, John	1101
Miller, Eric	1175
Murray, Yxta Maya	8169
Natapoff, Alexandra	8397
Nockleby, John	1163
Ocen, Priscilla	1186
Pearlman, Paula	8362
Petherbridge, Lee	8194
Pillsbury, Samuel	1093
Poehls, Susan	8173
Pollman, Elizabeth	1126
Pratt, Katherine	8163
Roberts, Florrie	1055
Romano, Cesare	8198
Rothman, Jennifer	2776

**S-Z**

Schechter, Dan	1068
Scott, Sean	1054
Selmi, Daniel	1098
Seto, Theodore	1154
Sliskovich, Joseph	1067
Smith, Michael	1337
Song, Seagull	1116
Strauss, Marcy	1077
Tiersma, Peter	1162
Trisolini, Katherine	8368
Tunick, David	1099
Vairo, Georgene	8170
Warren, Dana	1066
Waterstone, Michael	2243
Wells, Anne	8111
West-Faulcon, Kimberly	8172
Williams, Gary	1090
Willis, Lauren	1086
Wood, Scott	8301
Yamashiro, Cyn	8302
Zimmerman, Adam	1102

**OTHER:**

Adjunct Faculty (Assistance)	1001
Faculty Emeritus (Assistance)	1001
Faculty Support Services	1079

## 2013-2014 ACADEMIC CALENDAR

**Fall 2013**

Friday, September 13	Yom Kippur Observed - No Evening Classes
Saturday, September 14	Yom Kippur Observed - No Classes
Monday & Tuesday, October 7 & 8	Open Class Days**
Wednesday, October 16	Monday Classes Meet
Thursday, November 14	Last Thursday Class
Friday, November 15	Last Friday Class
Monday, November 18	Last Monday Class
Tuesday, November 19	Last Tuesday Class
Wednesday, November 20	Last Wednesday Class
Thursday, November 21	Flex Day for Day and Evening Classes***
Friday, November 22	Flex Day for Day and Evening Classes***
Monday, November 25	Reading Period Begins
Thursday, November 28	Thanksgiving Holiday Observed - No Classes *
Friday, November 29	Day after Thanksgiving - No Classes*
Sunday, December 1	Reading Period Ends
Monday, December 2	First Day of Examination Period
Tuesday, December 17	Last Day of Examination Period

**Spring 2014**

Monday, January 6	Intersession begins
Saturday, January 11	Intersession ends
Monday, January 13	Classes Begin
Monday, January 20	Martin Luther King Jr. Holiday Observed - No Classes*
Monday, March 3	Open Class Day**
	First Year Day Mid-term Examinations**
Tuesday thru Friday March 4 – 7	Spring Break
March 7	Spring Break*
Monday, March 31	Cesar Chavez Holiday Observed - No Classes *
Tuesday, April 1	Monday Classes meet
Wednesday, April 16	Last Wednesday Class
Thursday, April 17	Last Thursday Class
Friday, April 18	Good Friday Observed - No Classes *
Monday, April 21	Monday Classes Meet and last Monday Class
Tuesday, April 22	Last Tuesday Class
Wednesday, April 23	Friday Classes Meet; Last Friday Class
Thursday, April 24	Flex Day***
Friday, April 25	Flex Day***
Saturday, April 26	Reading Period Begins
Wednesday, April 30	Reading Period Ends
Thursday, May 1	First Day of Examination Period
Friday, May 16	Last Day of Examination Period
Sunday, May 18	Graduation (Westchester Campus)

\* Administrative offices are closed and auxiliary services are not available. For Library hours/schedule, please go to <http://library.lls.edu/libhours.html>.

\*\*Advanced day and all evening students may meet at the faculty member's discretion, and students are required to be available to participate in class-related academic activities, e.g., class session, review, examination.

First-year classes will not meet on open class days as they are designated for first year day mid-term examinations.

\*\*\* Designated for make-up classes, review sessions, and other such academic activities.

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In this Handbook, the Loyola Law School program leading to the degree of Master of Laws in Taxation (“Tax LL.M.”) is referred to as the “Program” and the Director of the Program is referred to as the “Director.”

## 1.0. GRADUATION REQUIREMENTS AND RELATED MATTERS

### 1.1. Graduation Requirements

In order to be eligible for the degree of Master of Laws in Taxation, a student **MUST** complete each of the following requirements:

- 1.1.1. Satisfactory Completion of the Required Units. A minimum of twenty-four (24) units of Tax LL.M. coursework must be completed with a passing grade. A minimum of twelve (12) of those twenty-four units must be completed in the Program at Loyola Law School. See Section 8.0. regarding credit for courses taken at other law schools or at Loyola Law School prior to matriculation in the Program. Completion of Income Taxation I or its equivalent will not count towards this requirement.
- 1.1.2. Academic Good Standing. The Program uses a grading system with five grades: Excellent, Very Good, Good, Fair, and No Credit. For purposes of computing grade point averages, these grades are converted to a five-point scale as follows:

Excellent	5
Very Good	4
Good	3
Fair	2
No Credit	0

In order to be in academic good standing and eligible for graduation, a student must have a weighted cumulative grade point average of 3.00 or above. If a student does not meet this standard at the end of any Spring semester, the student is governed by the appropriate Rules on Disqualification and Probation. A student will not be eligible to graduate unless and until he/she meets at least one of these standards.

- 1.1.3. Required Courses. A student must successfully complete the following required courses.

Corporate Taxation I  
 Corporate Taxation II  
 Income Taxation of Property Transactions (formerly Income Taxation III)  
 Income Tax Timing Issues (formerly Income Taxation II)  
 Partnership Taxation I  
 Partnership Taxation II  
 Tax Practice and Procedure

Students who have previously taken equivalent coursework may petition to the Director to be excused from taking the corresponding Tax LL.M. course. For example, a student who has taken an introductory course in corporate taxation as part of the student’s J.D. coursework may petition to be excused from having to take Corporate Taxation I at Loyola. Such a petition will be granted, however, only if the student received a grade for such J.D. coursework deemed satisfactory for this purpose by the Director. In addition, except as noted in Section 8.0. with regard to transfer credits, students excused from taking a required

course are expected to complete the 24-unit requirement for the Tax LL.M. by substituting an elective course for each required course from which they have been excused.

**It is strongly recommended that students take Income Tax Timing Issues and Income Taxation of Property Transactions (formerly Income Taxation II and III, respectively) as early in the Program as possible.**

- 1.1.4. Five Year Rule. All courses must be completed and graduation requirements satisfactorily met within a five-year period, commencing from first enrollment in the Program through graduation from the Program.
- 1.1.5. Satisfaction of Residence Requirement. Regular and punctual class attendance is necessary to satisfy the residence requirement. A student must be in residence for the successful completion of a minimum of twelve (12) units in the Program.
- 1.1.6. Proper Admission to the Law School. The student must have been properly admitted to the Program; willful and material misrepresentation or nondisclosure concerning qualifications for admission to the Program are sufficient grounds for denial or revocation of the Master of Laws in Taxation degree.
- 1.1.7. Standards of Conduct Clearance. A student may not have a Standards of Conduct issue pending. The Law School will not grant a degree to a student who is the subject of a pending administrative or disciplinary action. Any standards of Conduct issue must be satisfactorily resolved and the student certified as eligible for conferral of the degree.
- 1.1.8. Satisfaction of Financial Obligations. No student will be seated for a final examination or registered unless he/she has satisfied all financial obligations to the Law School. Transcripts and diplomas will also be withheld.
- 1.1.9. Formal Application. A candidate for the Master of Laws in Taxation degree must file a formal application for the degree with the Office of the Registrar on or before February 26 for Spring graduation or September 30 for Fall graduation. The application for degree will not be considered complete until the candidate completes the requisite employment survey and, if he/she received financial aid, completes an exit interview. Students who have filed an application for degree will be mailed a graduation check form outlining which graduation requirements have been met and which graduation requirements still need to be met. The Law School assumes no responsibility for a student's failure to complete the graduation requirements as outlined.

## **1.2. Graduation with Honors**

Students will graduate with Honors if they graduate with a weighted cumulative grade point average of 4.00 or higher at graduation and satisfactorily complete a substantial scholarly paper as part of their work in Honors Tax Research. (Note: Tax Policy or the Honors Tax Policy Colloquium must be taken prior to or concurrently with Honors Tax Research.)

## **1.3. Graduation with Distinction**

Students graduating in Spring 2004 or thereafter with the following cumulative grade point averages (with no rounding) will receive their LL.M. degrees with the corresponding distinction:

Cumulative grade point average	$\geq 3.80$ and $< 4.20$	“with distinction”
Cumulative grade point average	$\geq 4.20$ and $< 4.60$	“with high distinction”
Cumulative grade point average	$\geq 4.60$	“with highest distinction”

Students meeting the requirements for graduation with Honors (as specified by Section 1.2 above) would then receive their degrees:

Cumulative grade point average	$\geq 4.00$ and $< 4.20$	“with honors and distinction”
Cumulative grade point average	$\geq 4.20$ and $< 4.60$	“with honors and high distinction”
Cumulative grade point average	$\geq 4.60$	“with honors and highest distinction”

## **2.0. COURSE LOAD AND WORK LIMITATIONS**

### **2.1. Maximum Units per Semester**

Students in the Program will be permitted to register for a maximum of twelve (12) Tax LL.M. units per semester.

### **2.2. Minimum Units per Semester**

Students in the Program must register for and remain enrolled in a minimum of two (2) Tax LL.M. units per semester (not including the Summer Session). A student who wishes not to take courses during a Fall or Spring semester should request a leave of absence from the Director. (See Section 7.1.) A student who fails either to register for and remain enrolled in a minimum of two (2) Tax LL.M. units per semester or to obtain a leave of absence will be placed on administrative leave (see Section 7.2.) and may be dropped from the Program (see Section 7.3.).

### **2.3. Maximum Units for Summer Session**

Students in the Program will be permitted to register for a maximum of six (6) units during any Summer Session.

## **3.0. REGISTRATION, COURSE AND DIVISION CHANGES, AND RELATED MATTERS**

### **3.1. In General**

Inquiries regarding registration and class changes should be directed to the Office of the Registrar.

No student will receive academic credit for any course unless he/she is officially registered in the course through the Office of the Registrar.

Academic credit will be given for courses, Honors Tax Research, and Directed Research only during regular academic terms. No credit will be awarded for work completed, in whole or in part, between terms.

Work submitted for credit in one course cannot be submitted in another course. A student may not submit a paper for Program course or Honors Tax Research credit that he/she has previously submitted for course or writing credit in the Program, in Loyola’s J.D. program, or in any other degree program.

Every student who registers for academic credit in a course and who does not formally withdraw before the last class day of the semester or Summer Session in which the course was taken shall receive a grade in the course. As used here, the word “course” is meant in its most inclusive sense and refers to a class, seminar, Honors Tax Research, Directed Research or any other undertaking whatsoever in which a student is registered for academic credit.

Students seeking a waiver of a rule or policy must submit a *General Petition* to the Director, unless the rule or policy in question designates a different form or individual to whom a petition must be submitted or from whom permission must be obtained. The *General Petition* form is available at the Office of the Registrar or on its web page.

### **3.2. Class Attendance**

A student is required to attend classes regularly. If a student has “Excessive Absences” (as defined below) in a course, his or her course grade will be lowered by one-half a grade. For purposes of this section, Excessive Absences means four or more absences in a 2 unit course and seven or more absences in a 4 unit course. A student may petition the Director for a waiver of this rule in extraordinary circumstances. In addition to the above, a student may be withdrawn, and/or excluded from an examination and given a failing grade in any course in which he/she has not maintained a satisfactory attendance record. Note: The Intensive Summer Tax Session courses have a separate attendance policy and are not subject to this rule 3.2.

### **3.3. Fulfillment of Course Requirements**

It is the policy of the faculty of the Law School that all course requirements be completed in a timely fashion.

All students enrolled in a course for which there is a final examination are required to complete all assignments, if any, made by the professor and are required to take the examinations at the time the examinations are scheduled. If the course does not require an examination, and completion of the course requirement takes the form of a paper, series of papers or reports, or the like, students are required to submit the material at the time specified by the professor. In no event shall this be later than the end of the examination period of the term during which the course was taken.

If any student does not fulfill the course requirements for a course in which he/she is enrolled, the professor for the course will not report a grade for that student and the Office of the Registrar will automatically enter a grade of No Credit (failure).

### **3.4. Pass/Fail Elections**

No courses taken for credit in the Program shall be taken on an elective pass/fail basis.

### **3.5. Honors Tax Research, Directed Tax Research and Approved Tax Externships.**

3.5.1. A student may earn academic credit for Honors Tax Research or Directed Tax Research papers completed under the direct supervision of a **full-time faculty member**. An adjunct faculty member may assist in the supervision of any such paper but may not serve as sole supervisor of such a paper. A student may also earn academic credit for enrolling in a tax related externship that has been approved in advance by the Director.

3.5.2. No student may accumulate more than four (4) units of academic credit for Honors Tax Research, Directed Tax Research, or both combined. No student may accumulate more than four (4) units of academic credit for approved tax externships, and no student may

accumulate more than six (6) units of academic credit for Honors Tax Research, Directed Tax Research and approved tax externships, combined.

- 3.5.3. An Honors Tax Research or Directed Tax Research paper may be approved only for two (2) units. A tax externship may be approved only for two (2) units.
- 3.5.4. Only one (1) Honors Tax Research or Directed Tax Research paper may be undertaken during any term.
- 3.5.5. Credit will be granted for an Honors Tax Research or Directed Tax Research paper only upon compliance with the following requirements:
  - 3.5.5.1. The paper must reflect substantial research in areas that do not duplicate the student's preexisting knowledge.
  - 3.5.5.2. The student must complete a draft, receive the professor's comments thereon, and submit a revised final paper for approval. The student must complete a draft, receive the supervising faculty member's comments thereon, and submit a revised final paper. It is the student's responsibility to ascertain the due dates for both the draft and the final paper, arrange the method by which the draft and final paper will be submitted to the professor, and ensure—by confirming actual receipt by the professor—that the professor receives, in a timely manner, both the draft and the final paper.
  - 3.5.5.3. The final paper must be a minimum of 575 lines in length, exclusive of footnotes, in 12-point type with one-inch margins, and in Times New Roman font.
- 3.5.6. A student may not repeat an Honors Tax Research or Directed Tax Research paper.
- 3.5.7. Approval of an Honors Tax Research or Directed Tax Research paper must be obtained according to the following procedure:
  - 3.5.7.1. The student shall submit a *Directed Research Request* form to a member of the full-time faculty who has agreed to supervise the paper. This form requires a 250-word description of the paper and the citation of at least five (5) sources (which may include cases, law review articles or monographs) the student expects to be relevant to the paper. Under extraordinary circumstances, and upon the recommendation of the faculty member, the Director may permit a student to submit the 250-word description and list of five sources no later than one (1) week after the Associate Dean's approval of the *Directed Research Request*.
  - 3.5.7.2. After the student receives the signed proposal from the faculty member, the student must take **two** copies of it to the Office of the Director. These copies must be submitted together with an *Add/Drop Petition* supplied available in the Office of the Registrar.
  - 3.5.7.3. The Director will then forward a copy of the signed proposal to the Associate Dean for Academic Affairs for approval. The Associate Dean will ordinarily approve or disapprove the proposal within seven (7) working days after the student has submitted it to the Director.
- 3.5.8. Ordinarily, a faculty member may not supervise more than four (4) Honors Tax Research, Directed Tax Research, or J.D. directed research papers in any academic year.

### 3.6. Registration Priority

Tax LL.M. students are not part of the J.D. registration priority number system. In the unlikely event that a Tax LL.M. course is oversubscribed, J.D. students shall have priority.

No advanced tax course has ever been oversubscribed in any year for which the Law School has retained records. In such an event, however, the Law School will make all reasonable efforts to add an additional section of the oversubscribed course.

Tax LL.M. students should register for courses as soon as possible to maximize the Director's ability to add course sections, change course rooms, etc.

### 3.7. Adding Courses

Once a student registers for classes, courses may be added through the last day of the add period to add classes as noted in the Academic Calendar. Students may only attend classes for which they are enrolled. Waitlisted students may not attend a class if they are on the waitlist. For more information related to adding a class from the waitlist, reference should be made to the term-specific registration e-booklet at <http://reg.lls.edu/>.

(Reference should be made to the Sections on Maximum Units per Semester, 2.1., and Maximum Units for Summer Session, 2.3., for supplemental information.)

### 3.8. Withdrawing from (Dropping) Courses

A student may not withdraw from a required course at any time without prior authorized approval. In the normal course of events, it is expected that a student will remain registered in all required courses for which he/she is enrolled. Withdrawal from a required course may only be permitted for extraordinary and compelling circumstances.

Withdrawal from a non-required course without having a notation made to the transcript is permitted until the date shown in the Academic Calendar as the "last day to drop a class without a 'W'." No withdrawal from a course is permitted after the date shown in the Academic Calendar as the "deadline to withdraw from a class." (Day Division students must remain enrolled in a minimum of twelve [12] units per semester and Evening Division students must remain enrolled in a minimum of eight [8] units per semester.)

If any student does not fulfill the course requirements for a course in which he/she is enrolled (including, but not limited to, taking a mid-term, mid-year or final examination[s] and does not formally withdraw from the course before the date shown in the Academic Calendar as the "deadline to withdraw from a class," he/she will be assigned a failing grade (*i.e.*, F).

### 3.9. Procedure for Adding and Withdrawing from (Dropping) Courses

A student will be permitted to add or withdraw from classes on Student Web Services (SWS). Students are responsible for printing and saving copies of all on-line Web transactions. In the event that a dispute should arise thereafter concerning whether or not a transaction has occurred and there is no record of the alleged transaction, the transaction will be presumed not to have occurred unless the student produces a copy of the transaction demonstrating its occurrence. The Law School assumes no responsibility for ensuring that students retain copies of their Web transactions with the Law School. Absolutely no class withdrawals will be accepted by telephone.



A student must notify the Office of Financial Aid if an add/drop transaction changes his/her enrollment status as it relates to financial aid. For detailed information, reference should be made to <http://intranet.lls.edu/financialaid>.

### **3.10. Tuition Liability for Withdrawing from Classes**

If a student changes his/her academic load after the last day to drop withdraw from classes without tuition penalty, the student shall be liable for the tuition on all units in which he/she is enrolled. Students are advised to review each term the deadline dates prepared by the Student Accounts Office that set forth the percentage of tuition for which a student is liable. (For more detailed information regarding tuition liability and the refund policy, reference should be made to <http://intranet.lls.edu/studentaccounts>.)

For a student paying tuition on a per unit basis, he/she shall be liable for any units added and/or dropped after that date, even though there is no change in the net number of units being taken. (For example, if a student is enrolled in four two-unit classes and decides to withdraw from one of them and replace it with another two-unit class, the student would be liable for the tuition for 10 units; there would be a percentage liability for the two units dropped and full liability for the remaining 8 units.)

If a student is registered and wishes to withdraw from a class/es or from the Law School, a formal request to the Office of the Registrar must be completed regardless of the date on which the student decided to withdraw. Failure to attend a scheduled class on the first day of the term does not relieve a student of any tuition and fee liability.

A student on a leave of absence is ineligible to return to the Law School until his/her financial obligations to the Law School are satisfied.

After withdrawal from the Program, a student will not be eligible to rematriculate unless he/she reapplies and is admitted through the Admissions Office.

## **4.0. GRADE POINT AVERAGE REQUIREMENTS**

### **4.1. Academic Standing**

Each student must maintain satisfactory academic standing as a prerequisite for continued attendance in the Law School.

For purposes of determining academic standing, a student's weighted cumulative grade point average will be computed only as of the end of the Spring semester of each academic year. Academic standing will not be determined for a first-year student until after completion of the academic year.

In determining academic standing, the student's weighted cumulative grade point average will be expressed as a number carried out to two decimal places, with no rounding.

### **4.2 Academic Good Standing**

The Program uses a grading system with five grades: Excellent, Very Good, Good, Fair, and No Credit. For purposes of computing grade point averages, these grades are converted to a five-point scale as follows:

Excellent	5
Very Good	4

Good	3
Fair	2
No Credit	0

In order to be in academic good standing and eligible for graduation, a student must have a weighted cumulative grade point average of 3.00 or above. If a student does not meet this standard at the end of any Spring semester, the student is governed by the appropriate Rules on Disqualification and Probation. (Reference should be made to the Section on Graduation Requirements, 1.1, and to the Section on Repeating Courses, 5.6.)

#### 4.3. Academic Probation

A student who, at the end of the Spring semester of any year, has completed at least 6 units of coursework and has achieved a cumulative grade point average of 2.50 or above, but below 3.00, taking into account only courses taken under the new grading system, shall be permitted to continue one further year of studies on a probationary status.

Reference should be made to Section 4.5. for the terms and conditions of academic probation.

#### 4.4. Academic Disqualification

A student will be academically disqualified if he/she has completed at least 6 units of coursework and his/her cumulative grade point average falls below 2.50 at the end of the Spring semester of any year, taking into account only courses taken under the new grading system, or if he/she has been on academic probation and fails to achieve academic good standing by the end of his/her probationary year.

If a student is academically disqualified, the Office of the Registrar shall send a notice of disqualification to such student by certified mail, return receipt requested. Such notice shall be sent to the most recent mailing address shown on the student's record in the Office of the Registrar.

The academic disqualification and date of such action will be reflected on the student's permanent record (*i.e.*, transcript).

Disqualified students are ineligible for any Law School privileges and services. Privileges and services that will be revoked include, but are not limited to, e-mail account, network access, Student Identification Card and Parking Card. Any student academically disqualified shall be excluded from further attendance, except as permitted by the Conditions of Reinstatement (which follows in Section 4.6.).

#### 4.5. Conditions of Academic Probation

A student on probation is subject to the following terms and conditions:

- 4.5.1. The student **must** repeat during the year of probation any course in which the student received a grade of No Credit during the preceding academic year; that is, the student must re-register for the course, pay tuition, regularly attend class, and successfully complete all course requirements.
- 4.5.2. Probationary students may not take courses at other schools.
- 4.5.3. Selection of all courses to be taken must be approved in advance by the Director.

- 4.5.4. Permission to take a leave of absence must be obtained from the Director.
- 4.5.5. A reduced course load may be imposed by the Director.
- 4.5.6. The Director may require participation in remedial programs which do not grant academic credit.
- 4.5.7. A probationary student will be academically disqualified at the end of the Spring semester of the probationary year unless the student's weighted cumulative grade point average at that time is either the minimum necessary to qualify for academic good standing (as defined in Section 4.2., Academic Good Standing).
- 4.5.8. Failure to meet any of the terms and conditions of academic probation will result in academic disqualification.
- 4.5.9. Probation lasts for one academic year. (*e.g.*, A student will be on probation for one academic year even if, at the conclusion of the Fall semester of the probation year, his/her cumulative grade point average is at or above the level for academic good standing.)

#### **4.6. Conditions of Reinstatement**

- 4.6.1. The following governs reinstatement of students who academically disqualify.
  - 4.6.1.1. Students may not be reinstated in the academic year following their disqualification.
  - 4.6.1.2. A petition for reinstatement, with relevant supporting documentation, must be submitted by April 1 of the year following disqualification, and must set forth each of the following:
    - a. the factors (*i.e.*, serious extenuating circumstances) contributing to poor academic performance leading to disqualification;
    - b. whether the factors have been addressed and/or resolved, and how;
    - c. what effect, if any, the factors may have on future performance;
    - d. the action(s) that the student proposes to take to improve his/her academic performance; and,
    - e. a tentative plan as to how the student proposes to complete the degree program (*e.g.*, repeat courses), including: 1) a work sheet showing the calculation(s) of grades, and 2) how his/her proposed plan will achieve his/her goal.
  - 4.6.1.3. The reinstatement petition must be submitted to the Office of Student Affairs, with a copy to the Director. Two copies of the reinstatement petition should be submitted to the Office of Student Affairs.
  - 4.6.1.4. A completed, timely submitted petition for reinstatement will be reviewed pursuant to Section 4.6.2.

- 4.6.1.5. A student who is reinstated shall return as a continuing student on academic probation, and must meet all conditions of academic probation then in effect.
- 4.6.1.6. The Five Year Rule shall remain in effect for a student reinstated under this Section.
- 4.6.1.7. Students who are enrolled in Summer Session when they are disqualified may elect either to remain enrolled, or withdraw from the Summer Session with a complete tuition refund. Students who elect to remain enrolled in Summer Session will receive credit for the courses, but the grades will be computed into their cumulative grade point average only if they later are reinstated to the Law School. A student who previously disqualified and was reinstated, and who is enrolled in Summer Session at the time he/she is disqualified again will not receive credit for Summer Session classes. If the student is enrolled at Loyola Law School for the Summer Session, he/she will be withdrawn from the Summer Session courses with a complete tuition refund. (For more information, reference should be made to <http://intranet.lls.edu/studentaccounts>.)

Note: Reference should be made to Sections 4.6.3., 4.6.4., 4.6.5. and 4.6.6. for additional terms and conditions.

4.6.2. The following governs the review of all petitions for reinstatement.

- 4.6.2.1. A petition for reinstatement will be decided upon by the Dean, after consultation with the Associate Dean for Faculty, the Director, and the Associate Dean for Student Affairs. The final decision for reinstatement is vested in the sound discretion of the Dean.
- 4.6.2.2. A petition for reinstatement shall not be granted unless the Dean finds each of the following conditions has been met:
- a. there were serious extenuating circumstances that were of significant impact contributing to the student's poor academic performance;
  - b. the situation has either been resolved or is satisfactorily being addressed; and,
  - c. the student has a reasonable chance of successfully completing the degree program.
- 4.6.2.3. The Dean may determine that a situation has not been resolved or is not being satisfactorily addressed and for the time being defer a final decision on reinstatement pending the student taking positive action.
- 4.6.2.4. A student may request the Dean to reconsider denial of a petition for reinstatement only upon a showing of additional factors of serious extenuating circumstances (with supporting documentation) that were not raised in the original petition. The written request must be submitted within 10 days of the date of the Dean's letter.
- 4.6.2.5. The Dean's decision on a petition for reinstatement is final.

- 4.6.3. If a student is reinstated, the Dean (or the Dean's designate) will determine the course of action (including the number of terms the student will have) that will govern the student's attempt at completing the degree program.
- 4.6.4. If a student is reinstated, the reinstatement and date of such action will be reflected on the student's permanent record (*i.e.*, transcript).
- 4.6.5. A student may be reinstated only once. A student who disqualifies a second time will not be permitted another opportunity to continue with his/her legal education at Loyola.
- 4.6.6. A reinstated student who needs financial aid must meet the financial aid deadlines.

## 5.0. GRADING SYSTEM AND RELATED REGULATIONS

### 5.1. In General

The Office of the Registrar prepares grade reports and enters the grades on the transcripts. The Office of the Registrar will only disclose grades through grade reports, transcripts and the Law School's Web page at <http://reg.lls.edu>.

Faculty members individually determine the manner in which interim grades (*e.g.*, papers, assignments) are disseminated. Interim grades are not officially kept by the Office of the Registrar as part of the student's record.

It is up to each professor to determine whether to provide students with information pertaining to the grade distribution in his/her course. The Office of the Registrar will not issue any information regarding grade distributions.

### 5.2. Grading Rules

The Program uses a grading system with five grades: Excellent, Very Good, Good, Fair, and No Credit. For purposes of computing grade point averages, these grades are converted to a five-point scale as follows:

Excellent	5
Very Good	4
Good	3
Fair	2
No Credit	0

This system applies to all Tax LL.M. students, including continuing students, and to special students in tax courses if such students have already earned their J.D. degree or foreign equivalent. Unit credit is not earned for a grade of No Credit.

Many employers will not reimburse students for tuition costs unless such students receive a grade higher than a "C". For this purpose, a grade of Fair equals a "C". It is therefore anticipated that the vast majority of grades will fall in the Good to Excellent range.

### 5.3. Definition of Grading Notations

Audited = Course not taken for credit.

Held	=	Grade withheld.
Incomplete	=	Incomplete – the course requirements have not been met.
No Credit	=	Failing grade. Included in the calculation of grade point averages but no unit credit is earned.
Not -Submitted	=	No grade was submitted.
Repeated	=	Repeated course – the new grade replaces the previous one in the computation of the grade point averages; the previous grade remains recorded on the transcript.

#### 5.4. Grading Range

No mandatory mean or standard deviation applies to grades under the new grading system. It is expected that in general grades will fall within the following ranges:

Excellent	0% - 15%
Excellent or Very Good	45% - 55%
Good, Fair, or No Credit	45% - 55%
Fair or No Credit	0% - 15%

These guidelines, however, are not mandatory. The professor for each course will have discretion to award grades as he/she believes appropriate, after consultation with the Director.

#### 5.5. Incompletes

##### 5.5.1. For Paper Courses.

5.5.1.1. A grade of Incomplete may be awarded in paper courses if either of the following two requirements is met:

5.5.1.1.1. The faculty member grading the paper determines that the student:

- a. has not written a satisfactory paper by the last day of the examination period, and the faculty member has determined that the paper should be rewritten rather than graded in its current form;
- b. is unable to write a satisfactory paper by the last day of the examination period, and the faculty member has determined that the student should be permitted additional time to complete the paper.

This Section does not apply to students in their final semester before graduation.

5.5.1.1.2. There are very extraordinary circumstances as described in Section 5.5.2.1.

5.5.1.2. For the purposes of this rule, a paper course is a course in which the grade is determined solely on the basis of a paper. Examples of paper courses include: (1)

Honors Tax Research; (2) Directed Tax Research; and (23) seminar courses in which the grade is based solely on a paper. Take-home examinations are not papers for the purpose of this rule.

- 5.5.1.3. An Incomplete in a paper course must be made up by the deadline specified by the faculty member grading the course. In no case may the deadline be later than the last class day of the next succeeding regular semester (Fall and Spring). Failure to make up an Incomplete by the deadline established by the faculty member will result in a grade of No Credit being entered for the course on the student's transcript.
- 5.5.1.4. Graduating students may not receive an Incomplete in a paper course except for very extraordinary reasons as described in Section 5.5.2.1.
- 5.5.1.5. The effects of Incompletes on the computation of grade point average and academic standing are described below in Section 5.5.2.7. Students should note that academic standing will still be determined for them even if they have an Incomplete grade on their record for the academic year. Students concerned about being placed on academic probation or being academically disqualified should carefully consider what effect an Incomplete grade might have on their academic standing.

5.5.2. For All Courses Other than Paper Courses.

- 5.5.2.1. Because of **very extraordinary circumstances**, a student may not be able to complete the course requirements in a timely fashion. **For good cause shown**, a student may be permitted to receive an Incomplete. Granting an Incomplete is a rare exception and not the rule. In all cases the burden of justification for not completing the course requirements rests with the student filing the petition.
- 5.5.2.2. The petition for an Incomplete must be filed as soon as possible with the Office of the Registrar after the occurrence of the circumstances on which it is based. Delay in filing the petition, utilizing the *Petition to Request an Incomplete Grade* form, unless otherwise excused, may in itself be grounds for denying the petition.
- 5.5.2.3. No arrangements for fulfilling course requirements can be made by the professor until after a student has filed the petition, and notification of approval of the Incomplete has been issued by the Office of the Registrar.
- 5.5.2.4. A student who receives an Incomplete in a course requiring an examination must complete the course requirements no later than the next time an examination is regularly given in that course, even if the course is being taught by an individual other than the faculty member who granted the Incomplete. Failure to do so will result in a grade of No Credit in the course.

In the event a course is not offered again during the period of the student's enrollment at Loyola, the Incomplete grade will remain recorded on the student's transcript.

- 5.5.2.5. A student who receives an Incomplete in a course not requiring an examination must complete the course requirements no later than the last day of classes of the next succeeding semester. Failure to do so will result in a grade of No Credit in the course.

5.5.2.6. A student who receives an Incomplete in a course does not have a right to attend the class when making up the Incomplete.

5.5.2.7. An Incomplete grade will not affect the computation of a student's term or cumulative grade point average. Academic standing (*i.e.*, academic good standing, academic probation, and academic disqualification) will be determined for a student at the conclusion of the Spring semester of an academic year even if the student has an Incomplete grade on his/her record for that year.

When a grade to replace the Incomplete is determined, that grade will be recorded for the term during which the Incomplete grade was made up. The final grade (which replaced the Incomplete grade) will then affect the computation of the student's grade point averages (*e.g.*, term, annual, cumulative grade point averages).

## 5.6. Repeating Courses

5.6.1. A student who receives a grade of Fair or above in a course will receive academic credit for the course and is not required to repeat that course.

5.6.2. A student who receives a grade of No Credit in a **required** course must repeat the course; that is, the student must re-register for the course, pay tuition, regularly attend class, and successfully complete all course requirements. Upon completion of the course, the new grade will be entered. For purposes of computing the weighted cumulative grade point average, the new grade will be computed and the failing grade previously entered will not be computed.

5.6.3. Subject to Rule 5.6.4, a student who receives a grade of No Credit in an **elective** course need not repeat the course; the units necessary to fulfill graduation requirements may be made up in another course, or, if the student so desires (with the exception of Honors Tax Research or Directed Tax Research), the units may be made up by repeating the course.

5.6.4. A student who is on academic probation must repeat all required and elective courses in which a grade of No Credit was received in the immediately preceding academic year.

5.6.5. A student who is not otherwise required to repeat a course may choose to repeat any course which he/she previously has taken (with the exception of Honors Tax Research or Directed Tax Research), regardless of the grade previously received, under the following conditions:

5.6.5.1. Students who wish to repeat a course will be permitted to register for the course on a space available basis.

5.6.5.2. A student who elects to repeat a course must re-register for the course, pay tuition, regularly attend class, and successfully complete all course requirements.

5.6.5.3. A student who elects to repeat a course will be subject to the same rules as apply to all other students concerning the maximum number of units which may be taken.

5.6.6. Students should not repeat a course with the same professor if at all possible.

5.6.7. A student who repeats a course will not receive double credit for the course; the units for the course will only be counted once (*e.g.*, a student who takes Income Tax Timing Issues



for two units and then elects to repeat the course will be treated as having taken only two units of Income Tax Timing Issues). Repeat units do not count towards the twenty-four (24) units required for graduation.

- 5.6.8. For purposes of determining the student's weighted cumulative grade point average and class standing, the grade received in the course the subsequent time it is taken will be used, regardless of whether it is higher or lower than the preceding grade received in the course. There is no ceiling imposed upon the grade which may be received in the course the subsequent time. The student's transcript is the historical record of all courses taken at Loyola and will continue to show the fact that the student took the course previously and will continue to show the prior grade. That prior grade, however, will not affect the student's grade point average.
- 5.6.9. A student may not repeat Honors Tax Research or Directed Tax Research to raise a grade previously received and recorded on the student's transcript.
- 5.6.10. A student may not repeat a class after the term in which he/she has graduated.

### **5.7. Consideration of Class Participation in Grading**

Students in the Program are expected to be prepared, to attend class, and to participate actively. A professor may, however, award a grade of No Credit to any student who fails substantially to meet the foregoing expectations. Furthermore, in courses with an enrollment of eight (8) or fewer students, a professor may assign up to 25% of the course grade based on class participation, provided the professor announces, on or prior to the first day of the course, the weight class participation will be given in calculating the course grade. For courses with an enrollment of more than eight (8) students, a professor may assign up to 5% of the course grade based on class participation, provided the professor announces, on or prior to the first day of the course, the weight class participation will be given in calculating the course grade. If the professor does not announce the weight to be given class participation, then no weight shall be given to class participation in calculating the course grade.

Nothing in these rules is intended to interfere with or limit a professor's use of graded quizzes, oral presentations, papers or assigned exercises (other than daily class participation) as parts of the educational and evaluative processes in any course; provided that (1) the requirements of Standard 303 of the ABA Standards for the Approval of Law Schools and AALS Executive Committee Regulation 7.2 are met; and (2) the general policy favoring grading anonymity is followed to the maximum extent compatible with the academic goals of the class.

### **5.8. Challenging a Grade**

Any questions about individual grades should be addressed only to the professor who assigned the grade. A student may challenge a recorded grade only on the ground that it was inaccurately recorded due to clerical error, not on the ground that the student feels he/she should have received a higher grade. Where it is believed that a clerical error was made in recording a grade, the student must first contact the professor involved and the Registrar before invoking any challenge procedures.

### **5.9. Change of Grade**

Once submitted to the Office of the Registrar, grades will not be changed except (1) in case of clerical error or (2) in case the grades submitted for a course do not conform to the standards set forth in the Grading Rules (Section 5.2.).

A faculty member who seeks a change of grade for the cause named must present a written petition to the Associate Dean for Faculty. A written petition for a grade change must be rejected by the Associate Dean unless the petition itself contains an explanation of the clerical or computational error involved. If the written explanation is sufficient on its face to show a clerical or computational error, the petition must be approved by the Associate Dean. If it does not, the petition will not be approved. The requested change will become effective only after the petition has been approved by the Associate Dean and filed with the Office of the Registrar.

#### **5.10. First Honors Award**

A First Honors Award will be conferred upon the Tax LL.M. student evidencing the best performance in each class with an enrollment of eight (8) or more Tax LL.M. students (not including Special Students), provided that the student has received a grade of Excellent. If no Tax LL.M. student receives a grade of Excellent in a class, no Tax LL.M. First Honors Award will be conferred.

In a class in which there are both Tax LL.M. students and J.D. students, each group will be considered as separate. A First Honors Award will be awarded to the student evidencing the best performance in the class for each group (Tax LL.M. and J.D.), provided that the group has eight (8) or more students and provided, in the case of the Tax LL.M. First Honors Award, that such student has received a grade of Excellent. A group with seven (7) or fewer students will not be eligible for a First Honors Award even if the highest grade in the class is achieved by a student in that group and the class has a combined enrollment of eight (8) or more students.

In the event that more than one Tax LL.M. student receives a grade of Excellent in a class, the recipient of the First Honors Award will be the student who, in the faculty member's view, evidenced the best performance in such class. If the highest scoring student cannot be determined in this manner, the student with the highest term grade point average will receive the First Honors Award; in the event that the students have identical term grade point averages, the student with the highest cumulative grade point average will receive the First Honors Award.

A student repeating a class is ineligible for the First Honors Award in that class.

Students may list the First Honors Award on a resume only after they have been formally notified of the award by the Office of the Registrar. (For additional information related to this matter, reference should be made to <http://intranet.lls.edu/careerservices/policiesandforms>.)

### **6.0. EXAMINATIONS**

#### **6.1. Examination Schedule**

A tentative examination schedule is published in each term's registration materials. The final examination schedule is published on the Office of the Registrar's website a few weeks prior to the examination period; it will also be posted on the Office of the Registrar's bulletin board (located on the first floor of Founders Hall).

All students are expected to take their examinations at the time scheduled, except as provided in the Examination Rescheduling Policy (section 6.2.). Students who do not take an examination at the time scheduled (or as provided in the Examination Rescheduling Policy) are subject to an assessment of administrative penalties which may include, but are not limited to, being precluded from taking the examination, or having points deducted from the grade for the examination or from the final grade for the course.

For additional examination information, reference should be made to <http://reg.lls.edu>.

## 6.2. Examination Rescheduling Policy

Any request to have an examination rescheduled must be handled through the Office of the Registrar. Students must contact the Office of the Registrar for any changes to the examination schedule.

No examination may be rescheduled without the approval of the professor. Such approval will be sought by the Office of the Registrar; **to avoid a breach of anonymity, students may not contact the professor to make arrangements to reschedule an examination.** The student must contact the Assistant Registrar as soon as possible but it must be prior to the start of the scheduled examination. The Assistant Registrar, in consultation with the professor, will determine if the examination will be rescheduled.

If a student's examination is approved to be rescheduled, it is left to the discretion of the Office of the Registrar, in consultation with the professor, to determine the day and time that the examination is to be administered.

Even with the professor's approval, an examination may only be rescheduled for one of the following reasons:

- a. A time conflict exists between examinations.

A time conflict is defined as two or more examinations scheduled on the same calendar day (not within a twenty-four hour period). **Examinations that do not occur on the same calendar day are not considered in conflict** and will not be rescheduled. For example, a morning examination that is directly preceded by an evening examination is not subject to rescheduling.

One of the examinations in conflict will be rescheduled by the Office of the Registrar to the next available day, excluding Saturdays and Sundays. The student will be notified of the rescheduled examination date in writing prior to the beginning of the examination period. If a student does not wish to have his/her examination rescheduled, he/she should notify the Office of the Registrar in writing.

- b. Religious observation prevents the student from taking the examination on a particular day.

At least three weeks prior to the beginning of the examination period, the student must submit the appropriate petition form and present it to the Office of the Registrar with documentation and signed verification by a priest, rabbi or other appropriate member of the clergy.

- c. The student has a serious illness or other medical emergency.
- d. The student has a death in the immediate family.
- e. There are extraordinary and compelling circumstances beyond the student's control.

## 6.3. Use of Computers for Examinations

It is the policy of the Law School that computers may be used by students for examinations under the terms and conditions set by the Registrar, except that: 1) a faculty member may alter those terms and

conditions for that faculty member's examinations and 2) a faculty member may disallow student computer use on that faculty member's examinations.

Students using computers for their examinations must be prepared to continue the examination by writing in the event of a mechanical, software or hardware problem, or power failure. No extra time or other consideration will be allowed for power failure or interruption, or for any hardware or software malfunction.

For additional information, reference should be made to <https://technology.lls.edu/computerexams/>.

#### **6.4. Administrative Examination Penalties**

Administrative examination penalties that range from one point to a failing grade may be given for violations of examination instructions, rules or procedures. Actions for which penalties can be assessed include, but are not limited to, presence/possession of a cell phone in an examination room; electronic devices that ring or beep in an examination room; late arrival for an examination; failure to mark answers on the Scantron form; failure to heed proctor instructions to stop writing on any examination materials after time is called; possession of non-authorized materials/objects at the desk; removal of examination materials from the examination room; and eating or drinking in an examination room.

Some violations of examination instructions, rules or procedures may require adjudication through the Law School's Disciplinary Code. Reference should be made to the sections on Standards of Conduct, 11.0 and Disciplinary Code, 12.0.

#### **6.5. Examination Procedure**

**6.5.1. Use of Student Identification Numbers.** Students must use their 7-digit student identification number for identification purposes on all examination materials. Students **may not** write their names on any blue books. The student identification number and the name of the course, legibly written, **must** be placed on the outside front cover of each examination book submitted.

Students failing to properly identify their examination materials may not receive credit for the answers contained therein or may be subject to administrative examination penalty.

##### **6.5.2. Procedure Before an Examination**

**6.5.2.1.** The Office of the Registrar will randomly assign students to a specific classroom for each examination. To locate assigned examination rooms prior to the beginning of an examination, students must log into Student Web Services (SWS) by clicking on the *Registration* tab and selecting the *Section Details* link of the specific enrollment.

**6.5.2.2.** Students are encouraged to arrive early as every attempt is made to begin examinations at the scheduled start time. Approximately fifteen minutes before the scheduled time for beginning the examination, students will be permitted to enter the room. Students using computers are required to arrive thirty minutes prior to the scheduled examination time.

**6.5.2.3.** No eating, drinking or smoking is allowed in the examination room.

No electronic devices are allowed at the desk or on a person during any examination, except for a laptop used in connection with examination software. **During the examination, students may not possess, use, or access any electronic device that stores or receives data except for a laptop used in connection with examination software. This includes, but is not limited to, cell phones, PDAs, pagers, and watches with data storage capability.**

Official examination clocks are located in all examination rooms. Students should not rely on personal time pieces.

- 6.5.2.4. For closed book examinations, students are advised that only writing implements (and such items as erasers, small packets of tissues, eye drops, etc.) may be left at the desk; papers, books, book bags, etc. are not allowed at the desks. Students must place all other personal items, including handbags, at the front of the room before choosing a seat. Sweaters and jackets, if not worn, must be hung on the chair backs--nothing is permitted to be placed on chair seats. In an examination where code books or other such material are allowed, only these and the writing implements may be left at the desk. Unauthorized materials that are left at the desks may be removed by the proctor; students may be subject to an administrative penalty. Students concerned about leaving personal items unattended, should not bring them into the examination room.
- 6.5.2.5. For open book examinations, students may bring all items specified by the faculty member. Student notes, outlines, etc., will only be permitted in paper form. **Students will not be allowed to access materials from their computers during the examination.**
- 6.5.2.6. Each student must present his/her *Student Identification Card* to the proctor upon entering the examination room.
- 6.5.2.7. Students may only sit at pre-determined examination stations; they may not move examination materials to another seat unless given permission by the proctor.
- 6.5.2.8. The student may arrange his/her examination books and computer, etc., but is not permitted to look at the questions until instructed to do so by the proctor.
- 6.5.2.9. When instructed by the proctor, students must complete the gold form placed at their seats. The gold form will be collected immediately after the examination begins.
- 6.5.2.10. Prior to the beginning of the examination, students will also be given an opportunity to write their student identification numbers on the blue books and to fill out the information sections of the answer sheet for an objective examination. Students are advised that they must bring their own sharpened #2 pencils to the examination if an objective test is being administered. Unless instructed by the proctor, nothing other than the student identification number and course name should be written on the blue books, answer sheet and scratch paper.

### 6.5.3. Procedure During an Examination

- 6.5.3.1. Each student must follow the instructions given for a particular examination. Students must follow the proctor's instructions. Violation of any proctor's instruction may result in an administrative examination penalty.

6.5.3.2. Unless otherwise instructed, only one student at a time may leave the examination room. A student wanting to leave the examination room will be given an identification badge, which must be worn in an easily visible place during the entire period he/she is out of the examination room. The student must note the time he/she left and then returned to the room. The badge must be returned to the proctor upon return to the examination room.

6.5.3.3. Students taking examinations are not allowed to talk in the examination room, or outside the examination room, including outdoor areas, halls and restrooms. This prohibition refers to all elements of an examination, including any breaks that may occur in between multiple examination parts or that are scheduled into the examination time by the professor.

6.5.3.4. The proctor may, at any time, examine a student's examination books, computer or case, or take other appropriate action to preserve the integrity of the examination procedure. Any infraction will be reported to the Office of the Registrar.

#### 6.5.4. Procedure to Conclude an Examination

The proctor will give a ten-minute warning prior to the end of the examination. Students **must remain** in their seats once the ten-minute warning is given; students finished with the examination **prior** to the ten-minute warning may turn in the necessary materials to the proctor and leave the room. A final three-minute warning will also be given by the proctor prior to the end of the examination. Students must remain seated until the examination concludes.

At the end of the examination period **all writing or typing must stop**. Students must also **immediately stop filling in their answer sheet** for an objective examination. Students are advised to utilize the time when either the ten-minute or three-minute warning is given to number or write their identification number on their blue books, etc., if not completed prior to the start of the examination. **No excuses will be accepted for continuing to write when time is called**. Students who write, erase, or mark anything on test materials after the "stop warning" announcement has been made, will be subject to an administrative examination penalty.

Students must heed the instructions given by the proctor for organizing and submitting the examination materials. Examinations and examination materials are the property of Loyola Law School. Students may receive a failing grade if an examination or any pages from an examination are removed from the examination room.

All examination materials must be turned in (*i.e.*, examination, scratch paper, bluebooks, Scantron form, and examination disk) at the end of the examination. Students will be subject to an administrative examination penalty for removing any examination materials, including scratch paper, from the examination room.

All examinations are monitored by a proctor in the examination room and/or by observation of the examination room through electronic surveillance.

## 6.6. Distribution of Graded Examination Materials

Faculty members individually determine how their graded examination materials will be made accessible to students. Faculty members may either distribute the materials to the students or meet with students on an individual basis to review the examination.

Graded examination materials to be distributed to students will ordinarily be returned through the Graphics Department. A student must present his/her *Student Identification Card* in order to receive his/her graded examination materials.

Students are urged to collect their graded examination materials from the Graphics Department as soon as possible after they are made available, as examination materials are only retained for a limited period of time. For additional information, reference should be made to <http://intranet.lls.edu/graphics>.

Professors may distribute or put on file in the Library, sample student answers to examination questions. The names of the student authors will not be revealed. In the event a student does not want his/her examination answer to be used in this manner, advanced written notice must be given to each professor for each course in question.

Access to grades and grade point averages on the Student Web System (SWS) will be disabled during the examination period.

Administrative examination penalties may be given for examination irregularities. Actions for which penalties can be assessed include, but are not limited to, possession of a cell phone in an examination room; electronic devices that ring or beep in an examination room; late arrival for an examination; failure to mark answers on the Scantron form; failure to heed proctor instructions to stop writing on any examination materials after time is called; possession of non-authorized materials/objects at the desk; removal of examination materials from the examination room; eating or drinking in an examination room; turning in a take-home examination late. Some examination irregularities may require adjudication through the Law School's Disciplinary Code.

## 7.0. LEAVE OF ABSENCE AND WITHDRAWAL FROM LAW SCHOOL

### 7.1. Voluntary Leave of Absence (Student Initiated)

- 7.1.1. A student in the Program may request a leave of absence for up to one year. After the leave of absence has been granted and the student does not return or seek an extension of the leave, it will be deemed that the student has withdrawn from the Program.
- 7.1.2. The Five Year Rule will continue to be enforced during the time a student is on a leave of absence. (Reference should be made to the section on Graduation Requirements.)
- 7.1.3. Students are not entitled to any Law School services during the period they are on a leave of absence.
- 7.1.4. Students on academic probation must receive permission from the Director before they may take a leave of absence.
- 7.1.5. To take a leave of absence, a student must do the following:

- a. A student must obtain the official *Leave of Absence/Withdrawal Form* from the Office of the Registrar and submit such form to the Director for approval. If the leave of absence is approved, the Director will return the form to the Office of the Registrar. The date the form is returned to the Office of the Registrar is the official recorded date of the leave of absence. The student's Loyola Law School *Student Identification Card* must be submitted at the time the student submits his/her *Leave of Absence/Withdrawal Form*.
  - b. A student's record must be cleared of all obligations to the Law School (as determined by the Registrar, Library, Office of Financial Aid, and the Student Accounts Office).
- 7.1.6. A student is ineligible to return to the Program until his/her obligations to the Law School (as determined by the Registrar, Law Library, Office of Financial Aid, and the Student Accounts Office) are satisfied.
- 7.1.7. Students who return from a leave of absence should give written notice to the Registrar of their intent to return at least 60 days prior to the beginning of the term. This will ensure that students receive their registration packets in time to meet the registration-by-mail deadlines.



## 7.2. Administrative Leave of Absence

- 7.2.1. A student in the Program may be placed on Administrative Leave of Absence if he/she has an outstanding balance on his/her student account and is therefore ineligible to complete the term and take final examinations.
- 7.2.2. A student may be placed on Administrative Leave of Absence if in the opinion of the Dean such a leave is necessary or appropriate for the welfare of the student or of the Law School. For example, the Dean may determine that, due to the student's physical or mental health or for other reasons, the student is not able to benefit from attendance at classes, or that the student's continued attendance at the Law School would be harmful to the interests of the student or to the physical safety and well being of other persons in the Law School community.
- 7.2.3. A student may be placed on Administrative Leave of Absence if he/she fails to enroll in the minimum number of units as required by Section 2.2.

## 7.3. Withdrawal from the Program

To officially withdraw from the Program, a student must satisfy the following criteria:

1. A student must obtain the official *Leave of Absence/Withdrawal Form* from the Office of the Registrar and submit such form to the Director for approval. If the withdrawal is approved, the Director will return the form to the Office of the Registrar. The date the form is returned to the Office of the Registrar is the official date of withdrawal on record. The student's Loyola Law School *Student Identification Card* must be submitted at the time the student submits his/her *Leave of Absence/Withdrawal Form*.
2. A student's withdrawal request must be cleared with the Law Library, the Student Accounts Office, and the Office of Financial Aid.
3. After all charges have been cleared, and all necessary departments have signed the withdrawal form, final approval must be obtained from the Associate Dean for Student Affairs.

A student's account balance must be cleared of all charges before transcripts or other documents will be released to the student or other outside agencies. The Law School, however, will comply with all reporting required by law.

A student on a leave of absence will be withdrawn from the Program if he/she does not return or seek an extension of the leave.

After withdrawal from the Program, a student will not be readmitted without submission of an application for admission; a student must reapply through the Admissions Office and be admitted through the formal competitive admissions process.

**8.0. TRANSFER CREDIT AND WAIVER OF REQUIRED COURSES****8.1. Transfer Credit for Loyola Law School Courses Taken Prior to Matriculation**

Subject to the residence requirement of Section 1.1.5., upon written petition and with written permission of the Director, up to twelve (12) units of credit toward the LL.M. may be given for advanced tax courses satisfactorily completed for a grade at Loyola Law School prior to matriculation into the Program. For this purpose, satisfactory completion is normally evidenced by the receipt of a grade at or near the mean grade for upper division courses, or higher (e.g., under current J.D. grading rules, a grade of B+ or better will normally qualify; under current LL.M. grading rules, a grade of Good or higher will normally qualify). The petition should include the date the course was taken, the number of credit units received, and the grade received. Courses for which transfer credit is given will satisfy course and unit requirements for the LL.M. Courses for which credit may be given include courses taken at Loyola Law School during the summer, whether or not the student was enrolled in the Loyola Law School's J.D. program at the time. The actual grade received in the course for which transfer credit is permitted will not appear on the Loyola LL.M. transcript and will not be used in computing the student's weighted cumulative grade point average. Credit will not generally be given to courses completed more than ten years prior to the date of written petition for transfer credit. In addition, no credit will be given for non-tax courses taken at Loyola Law School or for the introductory income tax course taken at Loyola Law School.

**8.2. Transfer Credit for Tax LL.M. Courses Taken at Other Law Schools Prior to Matriculation in the Program**

Subject to the residence requirement of Section 1.1.5., upon written petition and with written permission of the Director, up to six (6) units of credit toward the LL.M. may be given for advanced tax courses satisfactorily completed for a grade at a Tax LL.M. program at a law school other than Loyola Law School prior to matriculation into the Program. For this purpose, satisfactory completion shall mean completion with a grade deemed by the Director to evidence mastery of the subject matter. The petition should include the date the course was taken, the number of credit units received, and the grade received. Courses for which transfer credit is given will satisfy course and unit requirements for the LL.M. The actual grade received in the course for which transfer credit is permitted will not appear on the Loyola LL.M. transcript and will not be used in computing the student's weighted cumulative grade point average. Credit will not generally be given to courses completed more than ten years prior to the date of written petition for transfer credit.

**8.3. Waiver of Required Courses for Courses Taken Prior to Matriculation at Law Schools Other Than Loyola Law School**

Upon written petition and with written permission of the Director, LL.M. students who have satisfactorily completed equivalent coursework prior to matriculation into the Program may be excused from taking the corresponding LL.M. course. For example, a student who has satisfactorily completed an introductory course in corporate taxation as part of the student's J.D. coursework may petition to be excused from having to take Corporate Taxation I at Loyola. For this purpose, satisfactory completion shall mean completion with a grade deemed by the Director to evidence mastery of the subject matter. The petition should include the date the course was taken, the number of credit units received, the grade received, and a description of the substance of the course. Students who receive permission to waive required courses will not also receive credit towards the LL.M. degree except as provided in Sections 8.1. and 8.2. That is, except as provided in Sections 8.1. and 8.2., such student will be required to complete the 24-unit requirement for the LL.M. by substituting an elective course for each required course from which he/she has been excused. Moreover, waiver will not generally be granted for courses completed more than 10 years prior to the date of the written petition for waiver of required course.

#### **8.4. Credit for Advanced Tax Courses Taken at Law Schools Other Than Loyola Law School After Matriculation**

Subject to the residence requirement of Section 1.1.5., credit towards the 24 unit requirement will be given for up to six (6) units of advanced tax courses taken at other institutions, including summer programs of such institutions, only if such courses are taken after matriculation into the Program and upon prior written petition and prior written permission of the Director. The petition should include 1) the reasons why the student is requesting permission to take courses at another school; 2) when the student proposes to take these courses; 3) the institution at which the student proposed to take such courses; 4) the course or courses the student is proposing to take; and, 5) the unit value of each course. When possible, student should submit a copy of the other law school's published information materials.

Permission will generally be granted only upon a showing of good cause for taking courses at another institution and generally only for courses taken as part of another LL.M. in taxation program and outside of Southern California. Permission will not be granted for a course taken at another program that substantially duplicates course work for a course for which the student received credit at Loyola Law School while enrolled in the Program. Even if permission is granted, course credit will be transferred to a student's Loyola record only if a grade of "B" or better (not "B-"), as defined by the other law school, is received in the course. In some instances, a minimum grade of "A" or better, as defined by the other law school, may be required for units to transfer. Units accepted for transfer will be transferred on a "pass" basis. Courses must be taken for a grade; no pass/fail or credit/no credit courses are permitted. The actual grade received in the course, however, will not appear on the Loyola LL.M. transcript and will not be used in computing the student's weighted cumulative grade point average.

#### **8.5. Credit for Continuing Education**

Courses in the Program may entitle students to legal and/or accounting continuing education credit. It shall be each student's responsibility to ascertain whether a given course meets particular continuing education requirements and to complete such paperwork, including attendance sheets, as is necessary to ensure such credit. The Law School will forward completed attendance sheets to the relevant California oversight bodies and to such other oversight bodies as students may request.

### **9.0. CURRICULAR MATTERS**

#### **9.1. Course Descriptions**

Income Taxation I or its equivalent is a prerequisite or corequisite to matriculation in the Program.

#### **ACCOUNTING FOR INCOME TAXES: AN INTRODUCTION FOR LAWYERS (4N57) 2 UNITS**

The tax consequences of a transaction for corporate financial statement purposes often differ from the consequences for corporate tax return and cash flow purposes. As such, advice provided to a corporate client often requires an understanding of the tax return consequences of a transaction, the cash impact of a transaction and the financial statement impact of a transaction. The purpose of this course is to familiarize students who are interested in a career in corporate taxation with the corporate financial statement impact of the tax consequences of transactions. Areas to be discussed include basic accounting principles, corporate financial statements, accounting for income taxes, effective and marginal tax rates, and tax and financial issues affecting multinational enterprises.

**Prerequisites:** None

**ADVANCED FEDERAL TAX RESEARCH AND PLANNING (4N56) 2 UNITS**

This class will offer an in-depth analysis of federal tax research methods and sources, covering both print and electronic formats, to develop an understanding of federal tax research as a process with attention to the comparative weights and relationships among various authorities. Students will use these research techniques to provide planning advice on a hypothetical business transaction and will be asked to draft a client memorandum and letter explaining the tax plan and structure. Students will be graded on homework assignments, the client memorandum and letter, and an oral presentation of the tax plan. There is no final examination. Students must work in teams of two. **Prerequisites:** None **Note:** Students work in teams of two.

**BANKRUPTCY TAXATION (4N26) 2 Units**

Tax issues in bankruptcy, including the treatment of tax claims, the exclusion of debt cancellation from income taxation of the bankruptcy estate, tax attribute reduction, and special issues affecting corporations and partnerships in bankruptcy. **Prerequisites:** None

**CORPORATE TAXATION I (4N05) Required Course 2 Units**

Fundamentals of federal income taxation of corporations and their shareholders, including formation, capital structure, nonliquidating distributions, redemptions, liquidations, and Subchapter S.

**Prerequisites:** Income Taxation I

**CORPORATE TAXATION II (4N11) Required Course 2 Units**

Advanced topics in the federal income taxation of corporations and their shareholders, including stock dividends, the dividends-received deduction, and advanced issues in redemptions and liquidations.

**Prerequisite:** Corporate Taxation I

**CRIMINAL TAX PRACTICE AND PROCEDURE (4N21) 2 Units**

Federal criminal tax law and procedure, including the prosecution and defense of Title 18 and Title 26 criminal tax offenses, federal and local rules of criminal procedure, pre-trial practice, methods of proof, representation of witnesses, federal sentencing guidelines, and related civil considerations.

**DIRECTED TAX RESEARCH (4O91) 2 Units**

Supervised preparation of a substantial paper pursuant to Section 3.5. Enrollment restricted to LL.M. students.

**EMPLOYEE PENSIONS AND BENEFITS (4I06) 2 Units**

Federal income taxation of qualified and non-qualified plans, participants, and beneficiaries, and other employee benefits, including coverage and discrimination rules and limitations on benefits, contributions and funding.

**ESTATE AND GIFT TAXATION I (4N03) 2 Units**

Fundamentals of federal transfer taxation, including the gift tax, the annual exclusion, estate taxation of property owned by decedent at death, estate taxation of transfers during life, the marital deduction, and other deductions and credits.

**Recommended:** Trusts and Wills

**ESTATE AND GIFT TAXATION II (4N12) 2 Units**

Advanced topics in federal transfer taxation, including valuation, charitable giving, the generation-skipping transfer tax, and transfer tax audit and procedure.

**Prerequisite:** Estate and Gift Taxation I

**ESTATE AND PROBATE PLANNING PRACTICE AND PROCEDURE (4N43) 2 Units**

Students will study the differences between probate estate and estate for federal estate tax purposes, techniques for handling probate issues (including probate litigation of contested issues) and their impact on the estate tax return, and other estate tax return preparation issues, including valuations and discounts.

**Prerequisites:** None

**ESTATE PLANNING (4N06) 2 Units**

Personal planning techniques, including marital deduction planning, techniques for avoiding probate, the use of life insurance, postmortem planning, and drafting issues.

**Prerequisites** Estate and Gift Taxation I

Estate and Gift Taxation II (May be taken concurrently.)

**EXECUTIVE COMPENSATION (4N48) 2 Units**

Income tax consequences and regulatory implications of executive compensation arrangements, including nonqualified deferred compensation; restricted property; stock options; stock appreciation rights; phantom stock arrangements; the limitations on the deductibility of executive compensation; and golden parachutes payments. The course will also cover non-tax issues that materially influence executive compensation arrangements, including financial accounting, ERISA, securities laws, stock exchange requirements, and the perspectives of shareholders and other parties having an influence on executive compensation.

**HONORS TAX POLICY COLLOQUIUM (4N45) 2 Units**

This course is intended to expose J.D. and Tax LL.M. students to cutting-edge contemporary tax scholarship. After a brief introduction to tax policy concepts and vocabulary, the course will consist of presentations and discussions of current tax scholarship. Students are expected to read all papers carefully in advance, prepare written questions for each colloquium session, and write four 8-12 page reaction papers over the course of the semester. Grades will be based on the four reaction papers, written questions, and participation in the discussions. Admission is by permission of the instructors; a student interested in enrolling should submit a letter discussing why he or she is interested, a resume, and a transcript to Profs. Seto and Pratt. No more than 7 J.D. students will be admitted.

**Note:** Because this course is a prerequisite to Honors Tax Research, it, or Tax Policy, is a prerequisite to graduation with Honors.

**HONORS TAX RESEARCH (4N27) 2 Units**

Supervised preparation of a substantial scholarly paper pursuant to Section 3.5. Enrollment restricted to LL.M. students. Required for graduation with Honors.

**Prerequisite or Concurrent:** Tax Policy

**INCOME TAXATION PLANNING OF REAL ESTATE TRANSACTIONS (4N33) 2 Units**

This class provides a broad view of the concepts, consequences and planning related to the federal income taxation of real estate transactions, including choice of entity; acquisition of real estate; operation and development including deductions, capitalization, at risk, and passive activities; landlord and tenant issues; real estate financing techniques; real estate dispositions, including sales, installment sales, foreclosures, like-kind exchanges, and involuntary conversions; and residential real estate issues.

**Prerequisites:** Income Taxation I

**INCOME TAX TIMING ISSUES (FORMERLY INCOME TAXATION II) (4N10) Required Course 2 Units**

Advanced topics in federal income taxation, including accounting methods, net operating losses, interest imputation, error correction, and tax research.

**Note: It is strongly recommended that students take this course as early as possible in the Program.**

**INCOME TAXATION OF PROPERTY TRANSACTIONS (FORMERLY INCOME TAXATION III) (4N13) Required Course 2 Units**

Federal income tax treatment of sales and other dispositions of property, including deferred payment sales, nonrecognition transactions of individual taxpayers, and depreciation recapture. Students may be asked to research and prepare a tax memorandum.

**Note: It is strongly recommended that students take this course as early as possible in the Program.**

**INCOME TAXATION OF TRUSTS AND ESTATES (4N19) 2 Units**

Federal income taxation of trusts and estates, including the computation of taxable income and tax liability, distributable net income, distributions, grantor and controlled trusts, foreign, charitable, and other special trusts, and income and deductions in respect of a decedent.

**INTERNATIONAL TAXATION I (4N07) 2 Units**

Fundamentals of the U.S. federal income taxation of international transactions, including the conceptual structure of the basic U.S. rules, taxation of nonresident alien individuals and foreign corporations, the foreign tax credit, and transactions in multiple currencies.

**INTERNATIONAL TAXATION II (4N14) 2 Units**

Advanced topics in the U.S. federal income taxation of international transactions. A problem-based course, focusing on U.S. tax issues commonly faced by multinational businesses.

**Prerequisite:** International Taxation I

**IRS SMALL CASE TAX CLINIC (5N2) 2 Units**

This course is a live client clinic in which students will represent the Internal Revenue Service in cases that come within the Small Case Procedures of the U.S. Tax Court. Students will learn the structure of the IRS and Tax Court, small case procedures, ethics and disclosure issues. Students will handle several small cases on behalf of the IRS, including filing answers and dispositive motions, working with taxpayers to settle cases, and litigating the cases in Tax Court. Students will be supervised by senior attorneys from the IRS Office of Chief Counsel. The course has no final exam and is ungraded.

**NONPROFIT CORPORATE LAW, GOVERNANCE AND MANAGEMENT (4N51) 2 Units**

Legal issues in forming and operating a nonprofit entity, including choice of legal form, purposes and powers, dissolution and distribution of assets, conversion to a for-profit entity, duties of boards of directors and trustees, fiduciary obligations, enforcement of fiduciary obligations, investment responsibility, regulation of charitable solicitation, and special California considerations.

**NONPROFIT TAX AND TRANSACTIONS CLINIC (4N47) 2 Units**

Live client representation clinic in which students provide transactional, non-litigation and non-dispute oriented work involving nonprofit formation, governance, tax-exempt status and operation of nonprofit organizations serving low-income clients or otherwise addressing issues dealing with poverty.

**PARTNERSHIP TAXATION I (4N08) Required Course 2 Units**

Fundamentals of federal income taxation of partners and partnerships, including classification, formation, operations, distributions, disposition of partnership interests, partnership terminations, and the drafting of partnership agreements.

**PARTNERSHIP TAXATION II (4N15) Required Course 2 Units**

Advanced topics in the federal income taxation of partners and partnership, including allocations, related-party transactions, the hot asset rules, problems arising out of the death or retirement of a partner, partnership level audits, and international partnerships.

**STATE AND LOCAL TAXATION (4N16) 2 Units**

Exploration of the principal types of taxes imposed by state and local governments, including income, corporate, franchise, sales and use, property, and transfer taxes, the apportionment of taxes on interstate and foreign commerce, and constitutional limitations on state and local taxation.

**TAX ASPECTS OF MERGERS AND ACQUISITIONS TRANSACTIONS (4N41) 2 UNITS**

This course will examine the Federal income tax issues and strategies that are key to understanding various different types of business transactions. The course will explore, through a tax practitioner's perspective, the role of corporate and partnership tax, in taxable and tax-free acquisitions and dispositions (including reorganizations and spinoffs), as well as workouts and restructurings.

**Prerequisites:** Corporate Taxation I and Partnership Taxation I

**TAX EXTERNSHIP 2 Units**

Approved off-campus placement for one semester in judicial chambers, government agency or public interest law firm offering experience relevant to student's training in tax.

**TAX PLANNING FOR FAMILY WEALTH (4N52) 2 Units**

Cross-discipline study of important tax reduction strategies at both the federal and state levels. Major topics will include lifetime gifting, estate freezes, valuation reduction techniques, life insurance policies and planning, charitable vehicles, cross-border techniques and planning for retirement and other deferred income accounts. Students will use real client situations to progress from identifying opportunities to achieve better tax outcomes to analyzing the substantive issues involved in developing a concrete plan.

**TAX LAW PRACTICUM (4N49) 2 UNITS**

Tax Law Practicum introduces students to tax planning and various written products produced by tax lawyers and requires students to analyze and apply the tax laws to real world problems. The course will also introduce students to the sources and specialized research tools used in tax practice and improve students' research and writing skills. Students will draft and present different types of tax documents, including a client letter, memorandum, and tax provisions of an acquisition agreement. The assignments will also highlight the ethical issues lawyers face in tax practice. The course objective is to prepare students for the types of projects and challenges they will confront as transactional tax lawyers.

**Prerequisites:** Income Tax Timing Issues and Income Taxation of Property Transactions

**TAXPAYER APPEALS ASSISTANCE CLINIC (5J5) 2 Units**

Live client representation clinic in which students assist taxpayers with their state income tax appeals before the California State Board of Equalization, gaining practical experience and knowledge about preparing an appeal and representing taxpayers before the State Board of Equalization.

**TAX POLICY (4N02) 2 Units**

Major topics in tax policy, which may include the comprehensive tax base, the tax expenditure budget, distributive justice, incidence, distortion, the taxable unit, alternatives to the income tax, and the tax legislative process.

**Note:** Because this course is a prerequisite to Honors Tax Research, it, or the Honors Tax Policy Colloquium, is a prerequisite to graduation with Honors.

**TAX PRACTICE AND PROCEDURE (4N17) Required Course 2 Units**

Administrative determination of liability, penalties, and interest, civil tax litigation, IRS summonses, limitation periods and their mitigation, collections, and administrative rulings and rulemaking.

**TAX STRATEGIES FOR THE DIGITAL AGE (4N46) - 2 UNITS**

Tax strategies and transaction analysis covering the development, purchase, licensing and sale of rights in films, music, digital media, technology, software, trademarks and Internet commerce.

**Prerequisite:** Income Taxation I

**TAX-EXEMPT ORGANIZATIONS (4N20) 2 Units**

Organizational and operational requirements for organizations exempt from federal income tax, private foundation rules, unrelated business income tax, and income, estate and gift tax deductions for charitable contributions.

**9.2. Required Courses**

Required Courses. A student must successfully complete the following **required courses**.

- Corporate Taxation I
- Corporate Taxation II
- Income Taxation of Property Transactions (formerly Income Taxation III)
- Income Tax Timing Issues (formerly Income Taxation II)
- Partnership Taxation I
- Partnership Taxation II
- Tax Practice and Procedure

In addition to these required courses, students must complete 10 additional units from courses in the Tax LL.M. curriculum.

**10.0. PLAGIARISM POLICY****10.1. General Policy**

Loyola Law School is dedicated to upholding the highest standards of professionalism in legal education and practice. For this reason the school considers acts of plagiarism a serious breach of its academic code. Plagiarism in student work for class, journals, moot court, or externships will be subject to severe disciplinary action.

**10.2. Plagiarism Defined**

10.2.1. For purposes of this policy, **plagiarism is defined as: taking the intellectual work of another and representing it as that of the author.** There are three major forms of plagiarism.

**10.2.1.1. Use of the Published Work of Another Without Attribution**

This is perhaps the most common form of plagiarism, where the author takes the language, the research, or the ideas of another without giving credit to the original author. In law the most commonly plagiarized publications are law review articles and books, but almost any form of formal expression can be the basis for plagiarism. Such sources include, but are not limited to: cases, commercial outlines, magazines, newspapers and other periodicals, on-line sources, commercial law outlines, lectures and speeches, movies, videos, and radio and television programs. Plagiarism may involve direct quotation



without attribution, paraphrasing without attribution, or use of the ideas of an author without attribution.

A related form of plagiarism involves sources. Footnotes and endnotes may be plagiarized in the same way as any source. It is also unethical practice for an author to take citations from other works without consulting the cited works directly. This represents to the appropriation of the research work of another, without attribution. A student **may** use the same citations that appear in another work, without attribution to that work, as long as the author has directly consulted the source and determined that the source stands for the proposition for which the student uses it. When the author has personally done the research, the research becomes his/her own. If the cited work is unavailable, but the student still wants to make use of it, he/she may do so as long as he/she indicates that the citation is indirect, *i.e.*, “as cited in” or “as quoted in” the work the student consulted.

#### 10.2.1.2. Using the Unpublished Work of Another Student, Lawyer or Other Person, Without Authorization and Without Attribution

This form of plagiarism involves an author's use of another person's work on a student paper or other law school work beyond what is authorized by the assignment and without fully acknowledging the other person's contribution.

Many law school assignments permit some degree of collective interchange. Students may be encouraged to discuss the assignment with each other or with instructors. Students may be encouraged to have others read over drafts and give comments. As long as authorized by the instructor, these practices are permissible and need not be specially noted in the student work. If the student has any doubt about what is authorized, he/she should consult the instructor.

#### 10.2.1.3. Inventing or Misrepresenting Sources

This form of plagiarism involves giving a citation to a publication that does not exist, or misrepresenting the content of a publication. In law, the source of an idea or a rule often plays an important role in evaluating that idea or rule. Authors who invent sources that do not exist commit a serious act of deception on the reader. Authors who misrepresent what the sources say not only may deceive the reader but may do professional damage to the original author.

### 10.3. Responsibility for Plagiarism

All authors are responsible for ensuring that their work contains no plagiarism. **Plagiarism, especially in the age of on-line research, may be inadvertent, but it is still plagiarism.** Students need to be scrupulous in note-taking and in citation to avoid the possibility of plagiarism.

Penalties for plagiarism include the most serious that the School may apply for any disciplinary infraction. Although lack of intent will not be a defense to plagiarism, it may be considered in the imposition of a penalty.

## 10.4. Plagiarism: Why It Matters and How to Avoid It

No one wants to be accused of plagiarism. In the academic world, plagiarism is a fancy word for cheating - and no one likes cheaters. But in law school, plagiarism is more than just stealing another student's paper and putting one's name on it. Plagiarism implicates the special rules and considerations of citation in legal writing. For that reason, it requires some special attention for the beginning legal writer.

### 10.4.1. Plagiarism, Quotes, and Citations

There is a simple way to avoid plagiarism. Attribute one's sources. Quotations should be indicated by quotation marks and their source cited. Citations should be given to language that is paraphrased or information or ideas taken from another source. In general, legal discourse is highly derivative - lawyers and courts draw on prior sources a great deal in order to bolster their own persuasiveness. Thus there is nothing wrong with using other people's words or ideas in one's legal writing; indeed an individual must. However, the source must be acknowledged.

### 10.4.2. "It's Not Like that in Practice"

Those students who have had contact with the practice of law will notice that citation concerns in law offices are somewhat different from those in law school.

In the practice of law, accurate citation of authority is critical, but the rules about overall authorship of work are much looser. It is, for example, accepted practice for a partner to submit papers drafted by an associate who may or may not be formally credited for his/her work. The motion paper may contain writing taken directly from another motion written by another attorney some time ago, again without any attribution. In law practice the identity of the person who drafts the words or comes up with the ideas is not of paramount importance. What counts is that the person signing the document is held accountable for its legal accuracy.

Legal accuracy is also important in law school writing, but in addition, students must pay close attention to who should be credited with language and ideas. In academics, arguments do not win or lose cases so much as they establish the abilities of their authors. Who comes up with a turn of phrase or a concept in academics can have material consequences - it can affect grades and professional reputation. Thus what in the practice of law might be considered a permissible borrowing of ideas or material, in the academic world may be considered stealing.

### 10.4.3. Special Considerations with On-Line Research

The advent of on-line computer data services such as Lexis-Nexis, Westlaw, and the daunting resources of the Internet have been a boon to legal researchers, bringing to one location, quickly and cheaply, a variety of legal sources. Never has it been as easy for students to do legal research. But there are downsides to the information revolution. Among them - never has it been as easy to plagiarize. Before on-line services, the copying of text and its use without attribution took deliberate effort. Now copying large amounts of text from other sources into a student's files can be done with the twitch of a wrist and thumb. Inadvertent, but nevertheless quite serious acts of plagiarism can result. How to avoid this dire possibility? The author must take some special precautions with on-line research.

One rule of thumb is never to download text directly from an on-line service to the file containing the author's draft paper. Instead, a student should create a separate file for downloaded text which is then integrated as needed - and with proper attribution - to the text of the paper. Another precaution is for the student to make sure that all work obtained off-line contains information about its source.

#### 10.4.4. Illustrative Examples

The following examples illustrate some basic forms of plagiarism, how to avoid them and provide suggestions on developing careful citation habits. (The law review excerpt and examples that follow are used by permission of the Wake Forest University School of Law. Part of the discussion of the examples comes from a pamphlet produced by the Legal Writing Institute in Tacoma, Washington.)

Assume a student is writing a paper about the law of disabilities and comes across the following law review excerpt which provides information he/she wishes to use in the paper. (The following example uses the outdated term "handicapped" rather than the preferred language, "person with a disability.")

##### Original Source

“A ‘handicap’ could be defined by listing certain traditionally-recognized handicapping conditions, or a legislature may choose to provide a more comprehensive list of the types of disabilities that will be considered 'handicapping conditions' in that state. These approaches are problematic, however, because they can lead to legislation that does not include certain groups of handicapped people simply because the legislature was not aware of a particular handicap.”

Maureen O'Connor, Note, Defining “Handicap” for Purposes of Employment Discrimination, 30 ARIZ. L. REV. 633, 636 (1988).

##### 10.4.4.1. Direct Use of Another's Language

To avoid plagiarism, any direct use of another author's language must be indicated by quotation marks and citation.

##### Student Text

The term “handicap” may be defined in general terms, or a **legislature may choose to provide a more comprehensive list of the types of disabilities that will be considered “handicapping conditions” in that state.**

Here the student must place quotation marks around the words printed in bold, and a citation at the end of the sentence. Otherwise the passage will be considered plagiarized from the O'Connor law review article.

##### 10.4.4.2. Paraphrasing

Any paraphrasing of another's language must acknowledge the contribution of the original source.

##### Student Text

It is problematic to define a handicap by providing a list of the types of disabilities that will be covered because certain groups of

handicapped people might be excluded. The legislature might simply be unaware of certain handicaps.

Here the student needs only a citation to avoid plagiarism. The paraphrasing of the O'Connor excerpt is unobjectionable as long as the source of the underlying idea is acknowledged.

#### 10.4.4.3. Use of Another's Ideas

Any use of another's ideas, even if in different language and phrasing, must be acknowledged by citation.

##### Student Text

The term "handicap" is difficult to define in a statute. Any attempt to provide a complete list of covered disabilities, however, will be inadequate; some conditions will inevitably be omitted.

This passage requires a citation because it expresses the same idea as the O'Connor article. Unlike the first two examples, comparing the two statements side by side might not yield conclusive proof of plagiarism, but if the student took this idea from O'Connor, intellectual honesty requires giving credit where credit is due. If in doubt, the author should cite; in legal writing, citations generally increase persuasiveness.

#### 10.4.4.4. Tips for Good Scholarship

Going beyond concerns with plagiarism, students should learn to be careful scholars and give credit for the more subtle, though still important influences of other authors on their work.

##### Student Text

When defining statutory terms, legislators should not attempt to draft a complete list specifying everything the statute is intended to cover. Such lists will inevitably be incomplete; someone will later make a claim that the legislators did not anticipate. Further, the statutory list may quickly become outdated.

This text should be followed by a "See" citation to the O'Connor law review article. Legal writers often build on other sources to arrive at their own analysis or conclusion. Sometimes a source may trigger a related idea. In these instances, even when there is no inference of plagiarism, citation to the original source, with an appropriate signal should be included.

##### Student Text

Arline illustrates that it is possible for the statutory definition included in section 504 of the Rehabilitation Act to be construed in such a way as to bring many handicapped individuals within its reach. School Board v. Arline, 480 U.S. 273 (1987).

Here the student should cite not only to the case but also to O'Connor's law review article and page number where she discusses the case. When citing to a case mentioned in a law review article or referenced within another case (even if the writer goes on to read the case as he/she should), the compilation of the case and the idea should be attributed to the author of the article.

**11.0. STANDARDS OF CONDUCT****11.1. Prohibited Conduct**

For any of the following causes, a student may be subject to disciplinary action by the Law School:

- 11.1.1. Willful violation of a rule of the School requiring him/her to do or refrain from doing an act connected with or in the course of his/her conduct as a student of the School. All rules of the School shall be issued by the School and distributed or posted in such a manner as to furnish adequate notice of contents to students. All students have the responsibility to read the same, and all students shall be deemed to have actual knowledge of rules so distributed or posted.
- 11.1.2. Willful interference with the orderly conduct of the educational or administrative functions of the School.
- 11.1.3. Willful physical abuse or threat of such abuse to: a faculty member, administrator, official, or employee of the School; another student of the School; another person on the School premises; or at a School approved, sponsored, or supervised function.
- 11.1.4. Theft or willful abuse of School property or property of another on the School premises.
- 11.1.5. The distribution or possession for purposes of distribution of any controlled substance or illegal drug on School premises or at School sponsored activities. In addition, the use or possession of any controlled substance or illegal drug on School premises or at School sponsored activities.
- 11.1.6. Misrepresentation on resume. The student is particularly cautioned to display his/her grade point average(s) and ranking(s) only as set forth in the policies and procedures of the Office of Career Services.
- 11.1.7. Willful and material misrepresentation or nondisclosure concerning qualifications for admission to the School.
- 11.1.8. Plagiarism. (Reference should be made to the Plagiarism Policy, 10.0.)
- 11.1.9. Commission of any criminal act, including computer crime or copyright infringement, that reflects adversely on the student's honesty, trustworthiness, or fitness for admission to the bar. This provision shall not be construed to apply to any conduct that is protected by the Constitution of the United States or the State of California. If there has been a conviction in a criminal proceeding, the record of conviction shall be conclusive evidence of guilt of the crime of which the student has been convicted. A plea or verdict of guilty or a conviction after a plea of *nolo contendere* is deemed to be a conviction within the meaning of this section.
  - 11.1.9.1. A student has an obligation to disclose any felony or misdemeanor criminal convictions (excluding minor traffic violations). A plea of guilty or a conviction after a plea of *nolo contendere* is deemed to be a conviction within the meaning of this section. Written disclosure must be made to the Office of Student Affairs.

This obligation includes those convictions which were not disclosed in the Application for Admission and for any convictions which occur during the student's tenure at the Law School.

11.1.10. Engaging in any Law School related conduct, whether or not criminal, which reflects negatively upon the student's moral character and fitness as a prospective member of the legal profession. This includes, but is not limited to, acts of harassment, disorderly conduct, dishonesty, fraud, deceit, or intentional misrepresentation.

11.1.11. Violation of examination instructions, rules, or procedures, whether or not such violation was committed with the intent to gain an unfair advantage for the student or anyone else.

## **12.0. DISCIPLINARY CODE**

The following constitutes the Disciplinary Code of Loyola Law School. It is established by the Dean, pursuant to his/her authority over disciplinary matters of the Law School. It may be modified or rescinded whenever the Dean deems it necessary in the best interests of the School. However, any matters referred to the Student Conduct Committee shall be administered to conclusion in accordance with the Disciplinary Code as it existed at the time of referral to the Committee.

### **12.1. Sanctions**

12.1.1. The following are among the authorized sanctions for violating the Standards of Conduct:

12.1.1.1. Expulsion: Complete and permanent termination of an individual's status as a student, with the loss of all rights and privileges appurtenant thereto.

12.1.1.2. Indefinite Suspension: Complete termination of an individual's status as a student, with the loss of all rights and privileges appurtenant thereto. However, suspension may be terminated provided the suspended individual can demonstrate that this serves the best interests of the School. The Dean shall have authority to terminate suspension and to impose such conditions as he/she deems advisable under the circumstances.

12.1.1.3. Suspension Until Specified Date: Complete termination of an individual's status as a student, with the loss of all rights and privileges appurtenant thereto, until a specified date.

12.1.1.4. Formal Censure: A letter of reprimand, explaining the reasons for censure.

12.1.1.5. Oral Censure: An oral reprimand, explaining the reasons for the reprimand.

12.1.1.6. Academic Penalty: Whole or partial withdrawal of credit for a course or an examination, or the determination or the lowering of a grade for a course or an examination (including the awarding of a failing grade), or a combination of such penalties. An academic penalty may be imposed only with respect to the course(s) in which the violation has occurred.

12.1.1.7. Disciplinary Probation: A reprimand imposed for a specified period of time. Disciplinary probation may be used alone or in conjunction with other sanctions. If the student commits another violation of the Standards of Conduct, the sanction for the subsequent violation may be enhanced because the student is on disciplinary probation.

12.1.1.8. Revocation of Degree: Recommendation to the Board of Trustees of Loyola Marymount University, for appropriate action by that body, that any degree awarded to the student for work undertaken in the Law School be revoked.

- 12.1.2. The foregoing are not mutually exclusive, and may be imposed in combination. Other sanctions may also be imposed (*e.g.*, completion of an appropriate rehabilitation program).
- 12.1.3. A sanction or any part of a sanction may be postponed for a specified period, upon conditions imposed at the time the sanction is determined.
- 12.1.4. Record of a prior violation of the Standards of Conduct may be considered in determining the appropriate sanction for a subsequent violation.
- 12.1.5. In the event of an expulsion or suspension which terminates a student's right to attend class during a semester or Summer Session, the School shall retain only that portion of the total semester or Summer Session tuition as the number of weeks of class completed before termination bears to the total number of weeks of class in the semester or Summer Session. The balance, if any, paid by or on behalf of the student, shall be returned to the student or lender, or in the case of a scholarship, to the funding source. Where tuition is paid partially by the student and partially by scholarship, refund proceeds shall first be paid to the scholarship funding source, and the balance, if any, shall be paid to the student. The term "scholarship" used herein shall include grants.

## **12.2. Initial Disposition of Charge**

The following procedures apply to violations of the Standards of Conduct except violations of section 11.1.11. that were not committed with the intent to gain an unfair advantage. With respect to such violations under section 11.1.11., academic penalties may be imposed under section 12.1.1.6. at the discretion of the Associate Dean for Faculty.

- 12.2.1. The Associate Dean for Faculty shall make an initial determination as to whether or not there is probable cause to believe that the Standards of Conduct has been violated. If the Associate Dean determines that there is probable cause, the charged violation will be promptly reported to the Dean.
- 12.2.2. If, in the opinion of the Dean, action should be taken on the charge, the student who is the subject of the charge shall be given a copy of this Disciplinary Code, together with a written notice of the specific Standard(s) of Conduct alleged to be violated and the specific act(s) of violation.
- 12.2.3. By written notice to the Dean within three (3) days from receipt of the Code, and the written notice referred to in 12.2.2., the student may elect to have the matter determined by the Dean without formal hearing (with the Dean's consent), or referred to the Student Conduct Committee for hearing and determination.
- 12.2.4. Absent written notice by the student to the Dean within the time provided, the Dean may determine the matter without formal hearing or refer it to the Student Conduct Committee for hearing and determination.
- 12.2.5. In the event of a determination by the Dean without formal hearing, the Dean shall notify the student in writing of the action taken.
- 12.2.6. If the student elects to go before the Student Conduct Committee or if the matter is referred to the Student Conduct Committee for hearing and determination by the Dean, the student may be represented by him or herself, or by a full or part-time member of the Loyola Law School faculty who is not concurrently a member of the Law School's administration or a member of the Student Conduct Committee. The student may also be represented by

outside counsel at his/her sole expense, provided only that such counsel must be an attorney at law who is a member of the California Bar. If the student wishes to be represented by a member of the full-time faculty of the Law School, the student shall notify the Dean and the Student Conduct Committee of his/her decision as soon as practicable, and the Dean will appoint a member of the faculty. If the student wishes to be represented by a particular member of the full or part-time faculty, he/she must append to his/her letter to the Dean (pursuant to the preceding paragraph) a written list indicating the preferred choice(s). The Dean will use his/her best efforts to appoint a person preferred by the student; but, in the event of any problems with such appointment, particularly to avoid unreasonable delay in the convening of the Student Conduct Committee for hearing and determination, the Dean shall have the power to appoint any member of the full or part-time faculty.

The faculty member so appointed shall function in this matter exclusively as the attorney for the student and shall be bound by the relevant standards of the Code of Professional Responsibility. In the event that no faculty member will accept such appointment, the Dean in his sole discretion will arrange for independent outside counsel with no cost to the student.

### 12.3. Student Conduct Committee

12.3.1. Composition. The Student Conduct Committee shall be composed of the following members:

12.3.1.1. Chairperson, appointed by the Dean, to preside over the Committee, without vote except to break a tie;

12.3.1.2. Three (3) members of the Law School faculty (full or part-time) appointed by the Dean; and,

12.3.1.3. Three (3) members of the Law School student body (Day or Evening Division) in good standing and not on academic or disciplinary probation. The Student Bar Association may select ten (10) candidates and submit their names in writing to the Dean who shall make the appointments of members and alternates from the list. Absent submission of such a list, the Dean may appoint the student members.

12.3.2. Term. The Committee shall be appointed during each academic year and shall serve from the date of its appointment until the end of the academic year.

12.3.2.1. At the time of membership appointment, three (3) alternate faculty and three (3) alternate student members shall be selected.

12.3.2.2. Temporary or permanent vacancy of the chairperson shall be filled by selection of the Dean as the need arises. Temporary or permanent vacancy of other members shall be filled by selection of the Dean as the need arises first from the alternates. If further vacancies occur, the Dean may select the student member(s) directly from the student body, and the faculty member(s) from the full or part-time faculty.

12.3.2.3. If the Committee has commenced a hearing on a matter prior to the end of the academic year, but has not reached a decision by that date, the Committee as constituted shall retain authority over the matter until a decision has been reached.



**12.4. Hearings of Committee**

- 12.4.1. Notice. The Chairperson shall set the date, time, and place for a hearing, and shall give written notice thereof, together with notice of the specific Standards of Conduct alleged to be violated and the specific alleged act(s) of violation, to the student, the person who is to present evidence in support of the charge, and the Committee members. Such notice of initial hearing shall be given not later than ten (10) days before the hearing date.
- 12.4.2. Student Rights. The student charged shall have the following rights at the hearing:
- 12.4.2.1. To be personally present during the taking of all evidence; provided, however, if the student refuses or fails to appear, the Committee may nevertheless proceed to hear and determine the matter;
  - 12.4.2.2. To confront and cross examine witnesses giving evidence against him/her;
  - 12.4.2.3. To testify and present other evidence in his/her own behalf;
  - 12.4.2.4. To decline to testify, and such declination shall not be considered an inference or evidence of culpability;
  - 12.4.2.5. To be represented by himself/herself, by a member of the full or part-time faculty, or by an attorney at law who is a member of the California Bar pursuant to these rules; and,
  - 12.4.2.6. To not permit student members of the Committee from participating.
- 12.4.3. Privacy.
- 12.4.3.1. Hearings will be held in private, provided however:
    - 12.4.3.1.1. The student, in addition to his/her rights with respect to representation, may have a non-participant observer during the hearings;
    - 12.4.3.1.2. Upon written request by the student to the Chairperson of the Committee not later than three (3) days before the date set for the hearing, concurred in by a majority of the Committee, the hearing shall be open, but without prejudice to the Committee's right to exclude potential witnesses or later close the hearing by majority vote.
  - 12.4.3.2. Matters presented during the hearings and the decision of the Committee shall be kept in confidence; provided, however, the Dean may make such disclosures as the Dean deems appropriate.
- 12.4.4. Presentation of Charge. Evidence in support of the charge shall be presented by a lawyer appointed by the Dean (normally, a full or part-time member of the Law School faculty).
- 12.4.5. Disqualification.
- 12.4.5.1. A member of the Committee shall disqualify himself/herself if in his/her opinion he/she will be unable to render an impartial decision in the matter.

12.4.5.2. Any member of the Committee shall be subject to challenge for cause upon a showing of a reasonable probability that he/she will be unable to render an impartial decision in the matter.

12.4.5.2.1. The student (or his/her representative) and the person appointed to present evidence in support of the charge shall be given reasonable opportunity to ask questions of the members of the Committee to determine if grounds for challenge exist.

12.4.5.2.2. Removal by challenge shall be by majority vote, with the challenged member abstaining.

12.4.6. Quorum. A quorum shall consist of a chairperson and not less than three (3) other members.

12.4.7. Evidence and Procedure.

12.4.7.1. The Committee may receive any evidence it deems proper. Rulings by the Chairperson shall be subject to objection by any member, in which event a majority vote shall control. The Committee shall have the opportunity to question witnesses and may, on its own motion, call additional witnesses or request the reproduction of additional evidence.

12.4.7.2. The order of proceeding shall be as follows: evidence in support of charge; student's evidence in rebuttal; arguments; decision on whether the student has committed a violation. If the decision is that the student has committed the violation charged, the Committee shall then take evidence in mitigation or aggravation, if any, that it deems proper in determining an appropriate sanction; arguments on sanction; decision on sanction.

12.4.8. Decision.

12.4.8.1. Decision shall be arrived at in private deliberations, by majority vote, based only upon the evidence received at the hearing. The Chairperson shall be without vote except to break a tie.

12.4.8.2. A decision that the student has committed the violation charged shall be supported by clear and convincing evidence to a reasonable certainty.

12.4.8.3. A written report of the decision, together with findings of fact, shall be submitted to the Dean, to the student, and to the person appointed to present evidence in support of the charge.

12.4.9. Record. The Committee shall cause a record of the hearing to be kept, as property of the School. The student, upon giving written notice to the Chairperson not later than three (3) days before the date set for the hearing, may arrange to cause his/her own record of the hearing to be kept at his/her own expense, as his/her property.

## **12.5. Action by Dean**

12.5.1. The Dean shall review the decision of the Student Conduct Committee and take final action thereon.

12.5.2. The decision of the Committee shall be followed by the Dean; provided, however, the Dean may, when the Dean deems it advisable in the interests of justice, exercise clemency in the reduction of the sanction.

12.5.3. The student and the person appointed to present evidence in support of the charge shall be notified by the Dean of the final action taken.

## **12.6. Appeal to Provost**

12.6.1. In cases where the sanction imposed is expulsion, indefinite suspension, suspension until specified date, or revocation of degree, the student upon whom such sanction is imposed may appeal to the Provost of Loyola Marymount University on the basis that the action by the Dean (either on determination without formal hearing or after hearing by the Student Conduct Committee) is arbitrary and unreasonable.

12.6.2. Appeal must be submitted in writing to the Provost, with a copy to the Dean, within three (3) days after receipt of notice of action taken by the Dean. The written appeal shall specifically set forth every reason for the contention that the action by the Dean is arbitrary and unreasonable.

12.6.3. If timely appeal is presented, the action by the Dean shall be held in abeyance until disposition of the appeal is completed.

12.6.4. The action by the Dean shall be upheld unless deemed to be arbitrary and unreasonable.

12.6.5. The Provost shall give written notice of the decision on appeal to the Dean, the student, and the person appointed to present evidence in support of the charge.

## **12.7. Miscellaneous**

12.7.1. Notices. Notices required or permitted in this code shall be in writing and may be delivered personally or by United States Mail. Notice given by mail shall be deemed received 48 hours after posting in the United States Mail. Notices by mail to the student shall be addressed in accordance with the address of record in the Office of the Registrar, and it shall be the student's responsibility to maintain a current address with the Registrar.

12.7.2. Witnesses. It is the obligation of every employee and student of the School to give testimony or evidence relevant to the charged violations upon request by the Dean, the student facing disciplinary charges (or his/her representative), the person appointed to present evidence in support of the charge, or the Student Conduct Committee. A person may, however, refuse to give testimony or other evidence that may tend to incriminate him/her in violation of the Standards of Conduct herein, or a violation of a public penal law; provided, however, that the Committee may excuse any person from testifying for just cause.

## **12.8. Effective Date and Application**

12.8.1. Conduct occurring prior to admission to the School shall not be a disciplinary action under this code, except as provided in 11.1.9. of "Prohibited Conduct" (Section 11.1.).

### **13.0. STUDENT SEXUAL HARASSMENT POLICY AND PROCEDURES**

#### **13.1. Policy Statement**

As a law school in the Jesuit tradition, Loyola Law School strongly endorses and supports a learning environment that enhances the dignity of both men and women. This policy has been formulated to ensure the integrity of the educational process and the voluntary character of interpersonal relationships and to guard against inappropriate conduct or communication of a sexual nature.

Sexual harassment of a student by an administrator, faculty or staff member, or another student is prohibited and is subject to disciplinary action. An act of sexual harassment may be considered moral turpitude. In the case of sexual harassment of a student by a student, the Student Standards of Conduct and the processes of the Disciplinary Code will be used. In other cases the procedures described below will be used. The purpose of these procedures is to encourage those who believe they have been harmed by prohibited conduct to make informal or formal complaints while at the same time safeguarding the reputations and positions of respondents from unfounded charges.

#### **13.2. Definition of Sexual Harassment**

13.2.1. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when such conduct is unwelcome AND:

13.2.1.1. Submission to or rejection of such conduct by a student is used as a term or condition of the student's status in a course, program, or activity of the Law School; OR

13.2.1.2. Submission to or rejection of such conduct by a student is used as a basis for academic or other administrative decisions affecting such students; OR

13.2.1.3. Such conduct has the purpose or effect of unreasonably (1) interfering with a student's educational experience or (2) creating an intimidating, hostile, or offensive law school environment; OR

13.2.1.4. Submission to or rejection of such conduct by a student is used as the basis for any decision affecting the student regarding benefits or services, honors, programs, or activities available at or through the Law School.

#### **13.2.2. Standards**

13.2.2.1. The reasonableness standard to be applied to complainants with regard to the kind of conduct described in 13.2.1.3. and examples 13.2.3.4. and 13.2.3.6. is that of the perceptions of a reasonable person of the complainant's gender in the complainant's position.

13.2.2.2. Respondents who engage in conduct of the kind described in 13.2.1.3. and examples 13.2.3.4. and 13.2.3.6., but who neither knew nor should have known that their actions might be perceived as causing the effects described therein, cannot be found to have violated the provisions of this policy. The standard to be applied to determine whether respondents should have known that their actions might be perceived as causing the effects described above is that of a reasonable person in the respondent's position at the time of the complained of behavior.

### 13.2.3. Examples of "Conduct of a Sexual Nature"

As used in 13.2.1. above, "sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature" include, but are not limited to:

13.2.3.1. Physical assault;

13.2.3.2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;

13.2.3.3. Direct propositions of a sexual nature;

13.2.3.4. Subtle pressure for sexual activity, an element of which may be repeated requests for private meetings without an academic purpose;

13.2.3.5. A pattern of conduct (not legitimately related to the subject matter of a course if one is involved) intended to discomfort or humiliate, or both, that includes one or more of the following: (1) comments of a sexual nature; or (2) sexually explicit statements, questions, jokes, or anecdotes; and,

13.2.3.6. A pattern of conduct that would discomfort or humiliate, or both, a reasonable person at whom the conduct was directed that includes one or more of the following: (1) unnecessary touching, patting, hugging, or brushing against a person's body; (2) remarks of a sexual nature about a person's clothing or body; or (3) remarks about sexual activity or speculations about previous sexual experience.

## 13.3. Persons Covered by Policy and Procedures

13.3.1. Complainants. Students, applicants for admission, former students, and graduates of the Law School are protected by this policy and may use these procedures to redress complaints of sexual harassment which occurred while they were students or applying to become students at the Law School.

13.3.2. Respondents. Full-time and part-time faculty of the Law School, all other employees, and other persons described in this section who are not employees must comply with this policy. Complaints against full-time and part-time faculty and employees of the Law School will be handled according to these procedures. Complaints against students covered by this policy will be handled according to procedures set forth in the Student Conduct Code. Complaints against other individuals covered by this policy will be handled at the Dean's discretion.

13.3.2.1. Students. Complaints against students are not covered by this policy unless the Law School has by employment, appointment or otherwise placed the respondent-student in the relationship of authority over the complainant in which the sexual harassment allegedly occurred. Examples of such students include, but are not limited to, Law Review editors, Moot Court justices, and tutors.

13.3.2.2. Others. Complaints against other persons who have allegedly harassed students in the context of their relationship to the Law School are covered by this policy. Examples include, but are not limited to, externship supervisors and lawyers using the services of the Office of Career Services.

## 13.4. Complaint Procedures

### 13.4.1. Student Sexual Harassment Informal Complaint Procedures.

#### 13.4.1.1. Procedures for Complaints Against Faculty and Staff:

13.4.1.1.1. Encouragement to Pursue. Any student subjected to unwelcome sexual behavior is encouraged to pursue the matter through the informal or formal procedures described below.

13.4.1.1.2. Purpose of Informal Procedure. The informal procedures provide an opportunity for confidential discussion, advice, investigation, and attempts at resolution short of adjudication. A student need not initiate or exhaust informal complaint procedures before making a formal complaint.

13.4.1.1.3. Initiation of Informal Complaint. A student may initiate an informal complaint by speaking to any member of the Discriminatory Harassment Committee.

13.4.1.1.4. Composition of Committee. The Discriminatory Harassment Committee is a standing committee of five persons appointed by the Dean. It is composed of three full-time faculty members including at least one woman, at least one man, and at least one tenured faculty member, in addition to one staff person and one student. Faculty members are appointed for staggered three year terms; other members are appointed for one year terms.

13.4.1.1.5. Responsibility of Committee. Members of the Discriminatory Harassment Committee are to:

13.4.1.1.5.1. advise the student whether the conduct complained of falls within the definition of sexual harassment or is more appropriately addressed through other procedures;

13.4.1.1.5.2. explain to the student the procedures available for resolving complaints and the ramifications of making such a complaint, including protection from retaliation and the scope of confidentiality;

13.4.1.1.5.3. counsel the student regarding ways he/she can resolve the matter directly with the respondent whose conduct is at issue;

13.4.1.1.5.4. with the student's consent, and after the student has signed a written statement of the allegations, discuss the complaint with the respondent in order to resolve the matter informally;

13.4.1.1.5.5. if informal resolution fails, advise the student on his/her option to pursue the matter through the formal complaint procedure; and

13.4.1.1.5.6. advise the complainant and the respondent that he/she may be assisted by a volunteer unpaid advocate at any stage of the proceedings.

#### 13.4.1.1.6. Confidentiality of Informal Procedure

13.4.1.1.6.1. The Discriminatory Harassment Committee will not reveal the name of the complaining student to the respondent whose conduct is at issue or to anyone else without the student's permission.

13.4.1.1.6.2. The Committee will not reveal the identity of a respondent whose conduct is or has been complained of to anyone, with the following exception:

13.4.1.1.6.2.1. the Committee may reveal such information to the Dean at his/her request or when the Committee believes the conduct complained of occurred and poses a threat to the safety of other members of the Law School community;

13.4.1.1.6.2.2. if the Committee reveals information to the Dean pursuant to subsection (a) above, the Dean shall inform the respondent, whether or not the Dean takes any action on the information;

13.4.1.1.6.2.3. the Committee may reveal to a complainant who is considering bringing a formal complaint against a respondent after informal resolution has failed that the respondent has in the past been found through the formal complaint procedures to have committed sexual harassment, provided, however, that the Committee will not reveal the names of prior complainants without their permission.

13.4.1.1.6.3. Any information disclosed by one party to the other party during the informal procedures which was not available to the other party outside the informal procedure will be treated as given in confidence. The fact that such disclosure was made shall not be used in the formal procedure except as agreed by the party making the disclosure.

13.4.1.1.6.4. Any information disclosed to the parties in the informal procedure other than that covered by 13.4.1.1.6.3. which was not available to the parties outside of the informal procedure shall be treated as given in confidence. The fact that such a disclosure was made may be used during the formal proceedings; however, confidentiality shall be maintained and disclosure shall be limited to the Committee.

13.4.1.1.6.5. The Committee will keep written records of the complaints made to it, including the status and gender of the complainant and respondent involved, the nature of the complaint, and its resolution, but not including any information that could be used to identify complainants or respondents.

#### 13.4.1.1.7. Statute of Limitations

13.4.1.1.7.1. The period for initiating either the informal complaint procedure or the formal complaint procedure, if the informal procedure has been bypassed, shall be:

13.4.1.1.7.1.1. one (1) year from the date the incident allegedly occurred unless the complainant is enrolled in the respondent's class or is a rejected applicant;

13.4.1.1.7.1.2. if the complainant is enrolled in the respondent's class, it shall be one (1) year after the complainant ceases to be enrolled in the respondent's class; or,

13.4.1.1.7.1.3. if the complainant is a rejected applicant, it shall be six (6) months after the complainant received notice of the rejection.

#### 13.4.2. Formal procedures for complaints against faculty and staff.

13.4.2.1. Written Complaint. In order to initiate the formal portion of the procedure, a student must file a written complaint with the Associate Dean for Faculty setting forth the alleged facts.

13.4.2.2. Notification. The Associate Dean shall notify the respondent named in the complaint that a complaint has been filed, inform the respondent of the nature of the complaint, and provide a copy of the complaint to the respondent.

#### 13.4.2.3. Formal Investigation

13.4.2.3.1. The Associate Dean shall investigate the allegations in the complaint and shall speak to the respondent and the complainant. He/she may speak with any other person he/she thinks may be helpful to the investigation. The Associate Dean shall not require the complainant to repeat the details of his/her allegations except as necessary for clarification or to resolve inconsistencies.

13.4.2.3.1.1. If, after investigation, the Associate Dean finds the complaint to be well founded, he/she shall notify the Dean of his/her decision and may recommend a sanction.

13.4.2.3.1.2. The Dean shall inform the respondent of the Associate Dean's decision and impose a sanction commensurate with the seriousness of the offense. The respondent shall have an opportunity to meet with the Dean regarding the sanction, but any appeal of the Associate Dean's decision must be heard by the hearing committee described below.

13.4.2.3.1.3. The Associate Dean shall report his/her decision to the complainant, the respondent and the Discriminatory Harassment Committee.

13.4.2.3.1.4. The formal investigation will be confidential in accordance with the personnel policies of the Law School.

#### 13.4.2.4. Formal Hearing

13.4.2.4.1. Following an adverse decision by the Associate Dean, either the complainant or the respondent may request a hearing before a committee of three (3) tenured faculty members specially appointed by the Dean. At least one (1) member of the hearing committee shall be a woman and at



least one (1) member shall be a man. Faculty members who served on the Discriminatory Harassment Committee when the informal complaint was made shall not be appointed to the hearing committee.

13.4.2.4.2. The hearing committee shall hear the Associate Dean's report, all the evidence from the complainant and the respondent and shall decide by majority vote whether sexual harassment occurred. The complainant and the respondent are entitled to an advocate of his/her choice from the Law School community, except that persons who served on the Discriminatory Harassment Committee during the informal proceedings on the complaint may not serve as advocates. A complainant or a respondent may be assisted by a private attorney retained at that person's sole expense.

13.4.2.4.3. The formal hearing procedures will be consistent with state law requirements for private employers making decisions that could lead to suspension or termination of employment or with guidelines of the Association of American University Professors for making such decisions, whichever the respondent chooses.

State law does not grant a privilege against self-incrimination in such hearings.

13.4.2.4.4. The complainant and the respondent are entitled to copies of all witness statements pertinent to the complaint, as well as all statements of decision of prior formally adjudicated complaints.

13.4.2.4.5. The hearing committee may require all students and employees to appear at the hearing in accordance with the Student Disciplinary Code and the Loyola Marymount University personnel policy.

13.4.2.4.6. The formal hearing will be confidential in accordance with the personnel policies of the Law School. The hearing will be open only to those persons who in the determination of the hearing committee have reason to be there. The decision of the appeal committee shall be made known to the complainant, the respondent, the Dean and the Discriminatory Harassment Committee. Information revealed during a formal hearing shall be treated as confidential by all those who participate in the hearing process and protected from outside disclosure.

## **13.5. Correctional Measures**

### **13.5.1. Sexual Harassment**

13.5.1.1. Following a decision by the hearing committee that sexual harassment occurred, the committee shall, by majority vote, decide the following subsidiary questions.

#### **13.5.1.1.1. Levels of Wrongdoing.**

13.5.1.1.1.1. Intentional Behavior: If the committee finds that the respondent either knew or was substantially certain that the conduct in which he/she engaged would be regarded as sexual harassment by the complainant or by a reasonable complainant, then the committee shall find that such conduct was intentional.

13.5.1.1.1.2. Reckless Behavior: If the committee finds that the respondent actually realized, or knew of facts from which he/she should have realized, that there was a strong probability that the behavior in which he/she engaged would be regarded as sexual harassment by the complainant or by a reasonable complainant, then the committee shall find that such conduct was reckless.

13.5.1.1.1.3. Negligent Behavior: If the committee finds that the respondent engaged in behavior which an ordinary reasonable person under the circumstances would have thought to be sexual harassment, then they shall find that it was negligent.

13.5.1.1.2. Corrections.

13.5.1.1.2.1. Amending Corrections: Private Apology, Public Apology. Respondents who have been found not to have engaged in sexual harassment, although the conduct would have been considered sexually harassing from the perspective of a reasonable person in the position of the victim, shall be encouraged to apologize. Public apology would be appropriate when the behavior involved more than one person (regardless of the number of complainants).

13.5.1.1.2.2. Educative Corrections: Education, Counseling. If behavior is found to be negligent, under no circumstances shall the respondent be given a more severe sanction.

13.5.1.1.2.3. Disciplinary Corrections: Private Reprimand, Public Reprimand. These corrections are appropriate for reckless or intentional behavior.

13.5.1.1.2.4. Punitive Sanctions:

13.5.1.1.2.4.1. Minor: Disqualification from eligibility for certain fringe benefits (limited to travel allowance, book fund, research grants), limitation on increases in salary.

These corrections are appropriate for reckless or intentional behavior.

13.5.1.1.2.4.2. Major: Suspension from duties, reduction in salary, termination. Major punitive sanctions shall be limited to those cases where the committee unanimously finds that the behavior was intentional.

13.5.1.1.3. No sanction can be applied unless it is consistent with University policies and procedures.

13.5.1.1.4. Relief to Complainant: The administration retains the discretion to provide remedies to students.

## 13.6. Prevention of Retaliation

Complaints of retaliation by any member of the Law School community against a complainant, witness or advocate in a sexual harassment complaint proceeding may be made to the Discriminatory

Harassment Committee. The same procedures described above for substantive complaints of sexual harassment shall be applicable to complaints of retaliation.

#### **14.0. OFFICIAL ACADEMIC RECORDS DISPOSITION POLICY**

##### **14.1. The Family Educational Rights and Privacy Act of 1974**

The Family Educational Rights and Privacy Act of 1974, as amended ("Buckley Amendment"), is a federal law which states that a written institutional policy must be established and that a statement of adopted procedures covering the privacy rights of students be made available. The following is Loyola Law School's policy:

The Law School will maintain the confidentiality of student education records. Therefore, only the Dean, the Associate Dean for Student Affairs, and the Registrar of the Law School have the power to authorize release of official records to any agent external to the University or to permit any such agent access to these records. The ordinary official practice of the Law School will be to release the material indicated as "Directory Information" unless students expressly notify the Registrar that it not be released. Any other information will be released only upon written request and with the written consent of the subject of those records. Extraordinary cases will be subject to the discretion of the officials mentioned above.

Directory Information includes: the student's name; local address and telephone number; permanent address and telephone number; LLS e-mail address; current enrollment status; dates of attendance; photograph; date and place of birth; most recent previous school attended; division; degree program; candidacy for degree; expected date of graduation; year in school; participation in officially recognized Law School activities; degrees, honors, and awards received; employment status as a research assistant; rankings; and other information encompassed by the federal law.

Students should carefully consider the consequences of withholding directory information. Requests for such information from an individual or organization (*e.g.*, prospective employers, scholarship entities) not specifically sanctioned by the Law School and federal regulations will not be honored.

The education records of the Law School will be accessible, in whole or in part, to authorized Law School officials with legitimate educational interests. Such an official includes those employed in an administrative, supervisory, academic, research, or support staff position (including security personnel and health staff); a person or company with whom Loyola Law School has contracted (such as an attorney, auditor, collection agent, degree conferral & transcript processing agent, document managing agent, and placement sites for internship or similar student work/study opportunities); a person serving on the Board of Trustees; a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks; consultants, volunteers, or other outside parties to whom Loyola Law School has outsourced institutional services or functions that it would otherwise use employees to perform. As allowed within FERPA guidelines, the Law School may disclose education records without consent to officials of another school, upon request, in which a student seeks or intends to enroll.

##### **14.2. Release of Information**

Information about students may be released to external agents in any of the following ways:

- a. To anyone designated by the student if he/she provides consent in writing.
- b. Without obtaining the specific consent of the student, to the following parties, as defined by federal law:
  - 1) Officials of other schools in which the student seeks to enroll.

- 2) Specified government officials in connection with the audit and evaluation of federally supported educational programs. This includes the U.S. Attorney General (law enforcement only).
  - 3) Specified government officials in connection with the student's application for receipt of financial aid.
  - 4) State or local officials to whom such information is specifically required to be reported pursuant to local laws.
  - 5) Certain research organizations in connection with their ongoing research.
  - 6) Accrediting organizations.
  - 7) Parents of a dependent student as defined by §152 of the Internal Revenue Code.
  - 8) Anyone in compliance with judicial orders; provided that the Law School makes a reasonable effort to notify the student of the order or subpoena in advance of compliance therewith.
- c. Non-Consensual Disclosures for Health and Safety Emergencies

If the Law School determines that there is an articulable and significant threat, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health and safety of the student or other individuals. The Law School will, however, make a record of (1) the articulable and significant threat that formed the basis for such disclosure and (2) the parties to whom information was disclosed.

The Law School will maintain records of access granted without the expressed consent of the student, except for Directory Information and information released to administrative and instructional officers of the School, and pursuant to subpoena or court order which specifies nondisclosure; these records will be made available to the student upon request.

### **14.3. Students' Access to Records**

Academic files are maintained by the Office of the Registrar. These files contain admissions credentials, records of current and previous academic work, supporting documentation, and assorted correspondence.

Students should submit to the Office of the Registrar written requests that identify the record(s) they wish to inspect. Federal law requires that the request for access must be granted within 45 days.

Students will have access to all materials and documents contained in their files, except the following records which are excluded by federal law:

1. Financial records of the parents of the student or any information contained therein; these records are maintained by the Office of Financial Aid;
2. Confidential letters and statements of recommendation that were placed in the records prior to January 1, 1975;

3. Confidential letters and statements for which the student has signed a waiver of access with respect to admission to any educational institution or agency, an application for employment, or the receipt of an award;
4. Records of administrative personnel which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute; and
5. Student health records maintained by the Loyola Marymount University Student Health Service; these records are not part of the student's academic file unless submitted by the student to the Associate Dean for Student Affairs expressly for the file.

Students may request that copies be made of documents contained in their files except for the above-stated excluded records. If the request is granted, there is a charge of \$.25 per page. However, students may not obtain a copy of any academic record or document if an administrative or financial "hold" exists, or of an original or source document that exists elsewhere (*e.g.*, a transcript from another school).

#### **14.4. Parents or Third Party Access to Records**

If a student wishes to authorize parents or another party to have access and/or make inquiries concerning the student's academic or financial records, the student must complete a *FERPA Authorization Form* available at <http://www.lls.edu/site/officeoftheregistrar/currentstudents/petitionsandforms/> and submit it to the appropriate office. (When parents or other parties submit payments for a student's account, it does not entail authorization to access the student's information unless the parent(s) or other party is named on the *FERPA Authorization Form* signed by the student.) Under no circumstances will information be released unless the *FERPA Authorization Form* is on file. Any release of information will be limited to the specifications contained therein. The Law School, however, will comply with all reporting required by law.

#### **14.5. Challenges to Student Records**

If students contest the content of their records, alleging inaccuracies or misrepresentations they have the right to informal and, if necessary, formal proceeding to correct or delete such information. Students should address initial challenges to the contents of educational records to the Law School Registrar. Informal discussion between the student and the Law School official will resolve most difficulties. If the student's request for removal or amendment is denied, the student then has the right to petition for a formal hearing before a committee established for that purpose by the Dean.

Student requests for formal hearings must be made in writing to the Dean, must contain a brief explanation of the item being challenged and the basis for the challenge, and must contain a statement that the student's initial request to a Law School official was denied, naming the official and stating the date of the denial. The request must specify what relief the student is requesting. Within a reasonable time after receiving such request, the Dean will advise the student of the date, time, and place of the hearing.

The hearing shall be closed to the public. At the hearing, there will be an informal presentation of arguments from both sides; evidentiary rules shall be disregarded. Each committee member must disqualify himself/herself if there is any indication of personal bias. Additionally, the student has the right to disqualify any member of the committee for cause; in such cases, an alternate shall be appointed.

Decisions of the committee shall be final, will be based solely on the evidence presented at the hearing, and will consist of a written statement summarizing the evidence and stating the reasons for the decision. The written decision will be delivered to all parties concerned.

The education records of the student will be corrected or amended in accordance with the decision of the committee, if the decision is in favor of the student. If the decision is unsatisfactory to the student, the

student may place with his/her education records a statement commenting on the information in the records, or a statement setting forth any reasons for disagreement with the decision of the committee. The statement will be placed in the education records, maintained as part of the student's records, and released whenever the records in question are disclosed.

This procedure for challenging the contents of educational records cannot be used to question substantive educational judgments that are correctly recorded. A student may challenge a recorded grade only on the ground that it was inaccurately recorded due to clerical error, not on the ground that the student feels he/she should have received a higher grade. Where it is believed that a clerical error was made in recording a grade, the student must first contact the professor involved and the Registrar before invoking any of these challenge procedures.

A student who thinks that the Law School has failed to protect his/her rights under the Family Educational Rights and Privacy Act (FERPA), may file a written complaint with the FERPA office, Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202, or FERPA@ed.gov.

### 15.0. ADMISSION TO THE BAR

Each student should secure information regarding character and other qualifications for admission to the bar in the state in which the student intends to practice.

Any student who takes a bar examination, before satisfactorily completing all requirements for the Juris Doctor, **will not be permitted to graduate.**

Sections 6060 through 6069 of the California Business and Professions Code govern admission to the State Bar of California. Questions concerning admission to the State Bar of California should be directed to the Committee of Bar Examiners, 1149 South Hill Street (4th Floor), Los Angeles 90015-2299; telephone (213) 765-1500.

- a) Each student who plans to seek admission to the State Bar of California must assume responsibility for complying with all requirements.

All students commencing law study who plan to take the California bar examination should, within 90 days after beginning the study of law, register with the Committee of Bar Examiners. *Registration Forms* for students commencing the study of law are available from the State Bar of California website at <http://www.calbar.ca.gov>.

Copies of past California bar examination questions are available on-line at [www.calbar.ca.gov](http://www.calbar.ca.gov).

The California bar examination is administered over a 3-day period in July and again in February. One-third of the examination is devoted to testing practical skills.

A separate Professional Responsibility examination must also be completed. The Multistate Professional Responsibility Examination (MPRE) is given three times a year, in March, August, and November. Students are encouraged to take the MPRE examination after completion of Ethical Lawyering. MPRE application packets, deadline dates, and fees are available at <http://www.ncbex.org/multistate-tests/mpre/>.

As part of the MPRE examination process, each applicant is required to submit a photograph.

A checklist for admission to the State Bar of California is available at <http://www.lls.edu/site/officeoftheregistrar/californiabarinformation/checklistforadmissiontothecaliforniabar/>.

## 16.0. IMPORTANT INFORMATION

The provisions of this Handbook, the academic rules, and Law School policies and procedures cannot be modified or waived except in writing signed by a dean or the appropriate department head responsible for the particular rule or policy. Students should not rely on any other written or oral statement purporting to modify or waive these provisions.

### 16.1. Official Notices

The Law School's e-mail system (through a moderated list, [officialnotice@mailman.lls.edu](mailto:officialnotice@mailman.lls.edu)) is utilized to publish official notices and inform students of Law School-related issues. **Any such notice will be considered to have been transmitted to all students. Students are required to access and read e-mail messages at least once a week**, but are strongly urged to do so on a daily basis. Students may not unsubscribe or be removed from the official notice listserv.

Students are responsible for maintaining valid contact information (e.g., phone number, address). Students may update contact information at <http://lls.edu/sws/>.

In addition to the moderated list, official notices may be conveyed through *In Brief*, an electronic newsletter of Loyola Law School. It is published at <http://inbrief.lls.edu>.

Headnotes meetings, at which important administrative information will be discussed, will also be held for first year day and evening students, and second year evening students. Students will be required to attend mandatory Headnotes meetings and will be accountable for all information disseminated.

Reference should be made to the sections on E-mail (16.13), Headnotes Meetings (16.18) and *In Brief* (16.23) for more information.

### 16.2. Alcoholic Beverages

*Ad hoc* consumption of alcoholic beverages by students is not allowed on campus. To serve alcoholic beverages at any campus function, student organizations must receive prior approval from the Office of Student Affairs. Organizations should seek such approval by electronically submitting a *Student Activity Form* on-line at <http://intranet.lls.edu/iss/scheduling/form/step1.php>.

Only individuals over the age of 21 -- the legal drinking age in California -- will be permitted to consume alcoholic beverages at any Law School event.

Alcohol abuse is a serious national problem. Substance abuse and chemical dependency prevent a student from taking full advantage of the educational and social opportunities offered at the Law School. The use of alcohol and/or drugs can also affect the student's chances of success in employment and interpersonal relationships. Any student experiencing difficulty with alcohol or other drugs should contact the On Campus Psychological Counseling Office, Student Health, or the Office of Student Affairs for resources that assist with treating alcohol or substance abuse.

### 16.3. Audio Recording of Classes

#### 16.3.1. Audio recording by the Instructional Technology Department:

The Instructional Technology Department will audio record classes under the following three circumstances:

- Serious illness or family emergency

- Approved disability accommodation
  - In special situations as requested by the professor
1. If a student experiences a serious illness or family emergency, he/she may contact the professor to request that the class recordings be made available. If the professor is unavailable, the student may contact the Office of Student Affairs. (In addition, some professors require that a student receive verification and approval from the Office of Student Affairs before the professors will permit recording of a class.) Students may then request recordings using the Class Recording Request Form: <https://technology.lls.edu/recordings/index.php>
  2. Digital on-line recordings, produced by the Instructional Technology Department, may be made available on course web pages on TWEN (<https://lawschool.westlaw.com/>) or may be sent to requesting students by e-mail depending on the professor's preference. All recording requests must be submitted through the Class Recording Request Form: <https://technology.lls.edu/recordings/index.php> . Please note, submitting the request does not automatically give students access. Professors may still need to grant access or the recording may need to be uploaded to the server.
  3. Digital on-line recordings will only be available through streaming using the Real Player software. Files will not be available for download or podcasting as a complete file.
  4. For further information, reference should be made to the individual instructor's recording policy posted on the class website. Students should allow up to three working days for the Instructional Technology Department to process the files and upload them.
  5. If a student feels he/she has a disability for which audio recording is an appropriate accommodation, the student should contact the Office of Student Affairs to discuss his/her situation. The Office of Student Affairs can advise the student regarding the accommodation request procedure.
  6. Examples of a special situation for which a professor might request audio recordings include the professor wishing to have a class session available for students to review or observation of a religious holiday which requires students to miss class.

#### 16.3.2. Audio Recording by Students

**Before audio recording a class, a student must ascertain from the professor that professor's recording policy.** Some professors permit audio recording on a general basis and do not limit audio recording to the three situations described above. If a professor generally permits audio recording, a student may audio record the class or (if the student is unavoidably absent) the student may have a classmate audio record the class. In either case, the student must provide his/her own audio recording equipment.

Students are reminded that audio recording or listening to class recordings is not a substitute for regular class attendance. A student is required to attend classes. A student may be excluded from an examination and given a failing grade in any course in which he/she has not maintained a satisfactory attendance record, even if the student has been able to listen to class recordings. A student should contact the professor to ensure that he/she is in compliance with the professor's attendance policy.



#### 16.4. Bookstore

The Law School bookstore, operated by a private concession, is located in the basement level of the Casassa Building until 09/10/13. As of 09/16/13, the bookstore will be located on the main level of the Burns Building. All textbooks required for courses at Loyola Law School can be obtained there, as well as study aids, other school supplies, logo items, snacks, graduation supplies, and miscellaneous computer supplies. Items may be ordered on-line for shipping or in-store pickup. Additional information may be found at <http://lls.bncollege.com/>. Suggestions or comments about the service or the facility should be brought to the attention of the Bookstore Manager at (213) 736-1032 and/or the Executive Director for Business and Finance at (213) 736-8308.

#### 16.5. Bulletin Boards

The Law School's electronic boards and bulletin boards located throughout the campus will have information materials posted on them. Students are encouraged to check them regularly.

Administrative Boards. The Career Services, Financial Aid, Registrar, and Student Accounts departments each have a bulletin board. Important announcements, office hours, etc. are posted on these boards.

Assignment Postings. Instructors post assignments and other notices relevant to their classes on-line at <http://classes.lls.edu/>. Students should check class assignments and notices on a daily basis.

Electronic Board. Faculty, staff, and students may request that announcements be listed on the Electronic Board. Announcements should be submitted directly to the Information and Support Services – Information Desk (Burns Building first floor). Announcements must be brief and pertinent to all viewers.

Student Bar Association Boards. The Student Bar Associations (SBAs) have bulletin boards located in the basement level of the Casassa Building and the exterior of the Rains Law Library. While the Day and Evening SBAs have priority in posting notices on these bulletin boards, other student organizations may post approved notices on these boards on a space available basis. (Reference should be made to the posting policy, item 16.31. below, for guidelines regarding posting notices for student organization events.)

Student Use Bulletin Boards. The following bulletin boards are for general student use:

- Esplanade kiosk
- Burns Building Lounge (near south door exit)
- SBA Bulletin Boards, Burns Building lobby and exterior of the Rains Law Library (approved student organization notices only)
- Second floor of the William M. Rains Library (foyer above the stairs)

Reference should be made to the posting policy (item 16.31.) for guidelines regarding the posting of notices on these boards.

#### 16.6. Campus Food Service

The Law School cafeteria, Sonia's, operated by a private concession, is located on the first floor of the Burns Building. A variety of food items are available including grill items, daily hot meal specials, sandwiches, salads, beverages, and snacks. Suggestions or comments about the service or the facility should be brought to the attention of the Chef/General Manager at (213) 736-1133 and/or the Executive Director for Business and Finance at (213) 736-8308. For menus, service hours, and other information, reference should be made to <http://www.cafebonappetit.com/lls/index.html>

Vending machines are also located on the first floor of the Casassa Building and in the lower level of Founders Hall. For immediate refund of lost monies, students should visit the Security Office located in the garage. For service difficulties, students should contact the vending company, Premier/Downey, whose number appears on the front of the machine. Suggestions or comments about the service should be brought to the attention of the Director of Information and Support Services at (213) 736-8156 or the Executive Director for Business and Finance at (213) 736-8308.

### **16.7. Certification of Law Students -- Practical Training of Law Students**

Students needing to be certified as part of their participation in an externship or those students seeking to be certified, but not as a part of an externship program, should obtain the *Application for Certification in the Practical Training of Law Students Program*.

The *Application for Certification in the Practical Training of Law Students Program* consists of three pages: a *Student Application*, a *Declaration by the Supervising Attorney*, and a *Declaration by the Dean*. The *Application* and information materials are available at the State Bar of California website at <http://www.calbar.ca.gov>. Instructions and links to the necessary forms are also available on the Loyola Law School website at <https://my.lls.edu/studentaffairs/certifiedpracticaltraining>.

The *Student Application* and the *Declaration by the Supervising Attorney* must be submitted to the Office of Student Affairs in order for the *Declaration by the Dean* to be completed. The Office of Student Affairs will provide the *Declaration by the Dean*. Students should ensure that the *Student Application* and the *Declaration by the Supervising Attorney* are fully completed when they submit the *Application* to the Office of Student Affairs.

### **16.8. Chaplain**

Loyola Law School encourages the spiritual and interior life of its students, faculty, and staff. The chaplain of the Law School is available for conversation or counseling, and offers religious services for the Law School community. He can be reached at (213) 736-8193.

The Chapel of the Advocate, located at the south end of the campus, is opened from 7:30 a.m. until 9:00 p.m. for prayer and quiet reflection.

### **16.9. Computer Lab**

For detailed information, reference should be made to <http://library.lls.edu/crc>.

### **16.10. Computer Usage – Acceptable Use Policy**

Reference should be made to Appendix A for the *Acceptable Use Policy* in its entirety. Only authorized personnel shall publish to websites maintained on Law School Web servers. All published material shall conform to applicable standards of conduct, including standards contained in the *Student Handbook*, *Faculty Handbook* and *Acceptable Use Policy*.

The Law School exercises no direct control over websites housed on non-Law School Web servers. However, persons maintaining those sites are advised as follows:

- a. The Law School name, likeness, logo, and domain name are the property of the Law School and may not be used without permission.

- b. Any pages containing a reference to Loyola Law School, where the reference could reasonably lead to a perception by a viewer that he/she has accessed an official Law School site, should indicate that the site is not an official Loyola Law School site.
- c. Material posted on off-campus sites that might reasonably be attributable to the Law School, its administration, faculty, staff, or students, is subject to the applicable standards of conduct.
- d. All computer use on the campus of Loyola Law School is subject to the applicable standards of conduct.
- e. Any questions concerning the *Acceptable Use Policy* should be directed to the Associate Dean for Faculty at Loyola Law School.

Current versions of policies covering various technology services provided at the Law School that each user of a given service is required to read are available on-line at the URL, <https://my.lls.edu/informationtechnologydepartment/policies/acceptableusepolicy>.

### 16.11. Students with a Disability

The Law School endeavors to assist students with disabilities to complete law school successfully. It is committed to allowing these students the opportunity to academically perform in a manner comparable with all other students.

Students seeking disability accommodations must submit a completed *Reasonable Accommodation Request Form* and supporting documentation to the Office of Student Affairs. Once the completed forms and supplemental documentation from health care providers have been received, the Office of Student Affairs in consultation with the Law School's Committee on Disability Issues will determine appropriate accommodations. Accommodations during the semester or on final examinations, including auxiliary services and aids as needed, will be implemented by the Office of Student Affairs in conjunction with the Office of the Registrar. Suitable accommodations consistent with the Law School's educational mission will be developed in an attempt to meet each individual student's needs.

For additional information regarding disability accommodations and the *Reasonable Accommodation Request Forms*, reference should be made to <https://my.lls.edu/studentaffairs/disabilityaccommodations>.

All students should be aware that requests for accommodations on final examinations must be received at least six weeks prior to the beginning of the final examination period. Requests which are received less than six weeks in advance may not be processed in time for accommodations to be provided for that final examination period.

Requests for accommodations, along with any supporting documentation, are kept confidential.

### 16.12. Drug-Free School and Campus

The Drug-Free Schools and Communities Act Amendments of 1989 is a government response to growing concern over substance abuse among college and university students. This Act mandates that students be informed of government and university regulations regarding substance abuse. The information provided below is an overview of these policies. More detailed information can be obtained through the on-campus psychological counseling program or in the Office of Student Affairs.

There are serious physical and psychological effects to the use of drugs, including alcohol. The use of alcohol and other drugs can impair an individual's ability to function rationally and responsibly.

Although different drugs exhibit a variety of symptoms, common effects of drug use include loss of motor control, nausea, impaired vision, and a lessened capacity to think clearly and control behavior. Continued and frequent use of drugs can lead to physical and/or psychological dependence and may result in permanent organic damage. Moreover, abuse of drugs is associated with incidents of violent and irresponsible behavior: assault, rape, vandalism, reckless driving, etc.

The Law School offers assistance to any student experiencing drug abuse or dependency problems. Short-term individual counseling to students can be provided through the on-campus counseling service. The counselor will also refer students to support groups, outside counselors, and treatment programs.

The use, possession, or distribution of illicit drugs is prohibited by state, federal, and local laws and the Law School's Standards of Conduct also reflects this. This prohibition includes the use and possession of alcohol at any Law School event by any person under the age of 21 and the serving of alcohol to those under the age of 21. Students who violate the policies are subject to disciplinary action by the Law School. Possible sanctions for prohibited conduct include suspension or dismissal from the Law School.

In addition to Law School and University sanctions, there are federal and state criminal penalties for the sale and/or possession of illegal drugs.

Drug abuse is a serious national problem. Substance abuse and chemical dependency prevent a student from taking full advantage of the educational and social opportunities offered at the Law School. The use of alcohol and/or drugs can also affect the student's chances of success in employment and interpersonal relationships. Any student experiencing difficulty with alcohol or other drugs should contact the On Campus Psychological Counseling Office, Student Health, or the Office of Student Affairs for resources that assist with treating alcohol or substance abuse.

### 16.13. E-Mail

16.13.1. [Officialnotice@mailman.lls.edu](mailto:Officialnotice@mailman.lls.edu) is utilized to publish official notices and inform students of Law School-related issues. **Students are required to access and read messages at least once a week but are strongly urged to do so on a daily basis. Official notices published through the official notice e-mail list will be considered to have been transmitted to all students.** Students will not be able to unsubscribe from this list.

16.13.2. [Events@mailman.lls.edu](mailto:Events@mailman.lls.edu) is utilized for events, programming notices, and announcements. Departments, recognized student organizations, student bar associations, and local bar associations will be permitted to send messages on this list. Messages on this list should not be of an official nature but be Law School-related, promoting events, programs, functions, or announcements which are planned by the various authors. All messages are reviewed before sending.

Students seeking assistance on e-mail usage (including procedures necessary to forward Law School e-mail messages to a personal account, or for using the unmoderated discussion board) should contact the Computer Lab Helpdesk. The phone number is (213) 736-1426 and the e-mail address is [crc.help@lls.edu](mailto:crc.help@lls.edu). Information handouts are also available from the Computer Lab.

Reference should be made to the section on Computer Usage (16.10) and the *Acceptable Use Policy* (Appendix A or on-line at <https://my.lls.edu/informationtechnologydepartment/policies/acceptableusepolicy>). Individual student e-mail can be accessed at <http://email.lls.edu>. Loyola Law School e-mail accounts will be valid and continue to function until December 31 of the year of graduation.

### 16.14. Ethics Reporting

In its endeavor to maintain the highest ethical standards in all of its operations, the University has a confidential reporting mechanism for vendors and the entire University community. *Ethics Reporting Line* provides a confidential and anonymous means to report suspected misconduct at the University. The system can be accessed on the Law School's webpage at <http://www.lmu.edu/resources/contact/ethicsline.htm>.

### 16.15. Facilities Usage

Law School facilities are available for Law School-related events. Facilities must be reserved in advance of an event and are available on a first-come, first-served basis.

Information and Support Services - Scheduling (213-736-7440) is responsible for scheduling and reserving locations for on-campus events. Events must be scheduled at least two weeks in advance. In order to schedule an event, students must electronically submit a *Student Activity Form*. **Before an event is confirmed or publicized, the *Student Activity Form* must be approved by the Office of ISS/Scheduling.** Students will receive an e-mail confirmation indicating the event booking is finalized. **It is ultimately the responsibility of the event requestor to follow up and ensure everything is finalized prior to the event.** All special requests such as tables, additional chairs, or microphones must be made using the *Student Activity Form*. The *Student Activity Form* can be located, completed, and submitted on the ISS/Scheduling web page at <http://intranet.lls.edu/iss/scheduling/form/step1.php>.

For more information regarding special events, students should refer to the *Student Organization Handbook* which may be viewed on-line at <https://my.lls.edu/studentaffairs/studenthandbooks>.

### 16.16. Information and Support Services - Graphics/Reprographics/Business Cards

Course Materials. Course materials are distributed from the Graphics Center (Founders Hall). Course material availability can be found at <https://my.lls.edu/graphics>.

The Information and Support Services - Graphics Center is located in the lower level of Founders Hall. Reference can be made <https://my.lls.edu/graphics>. Suggestions or comments about the service should be brought to the attention of the Information and Support Services Directors at (213) 736-8156 or (213) 736-1420 and/or the Executive Director for Business and Finance at (213) 736-8308.

Business Cards. Business cards can be purchased using the on-line form located at: <https://my.lls.edu/graphics/businesscards>. The price for business cards is \$25.00 for 250 and \$30.00 for 500. Students should submit cash (exact change required) or a check to the Information and Support Services - Graphics Center, payable to Loyola Law School.

Payment is due upon placement of order. An on-line order is not complete until payment is submitted -- in person -- **to the Information and Support Services - Graphics Center . Delivery requires up to two weeks.** Students will be notified by e-mail when their business cards are ready for pick-up in the Information and Support Services - Graphics Center.

Color Copies. Color copies may be purchased from the Information and Support Services - Graphics Center The price for color copies printed on regular white paper is \$0.15.

### 16.17. Grievances and Complaints

If a student has a grievance or a complaint regarding a faculty member, it should be brought to the attention of the Associate Dean for Faculty. If the Associate Dean determines that there is a basis for formal

inquiry and the grievance cannot be resolved informally, it will be forwarded to the Dean's Advisory Committee for appropriate action. The Dean's Advisory Committee will make a recommendation to the Dean regarding the disposition of the matter.

If a student has a grievance or a complaint regarding a disability accommodation or related matter, it should be reported to the Office of Student Affairs. If the Office of Student Affairs is unable to resolve the matter informally, the student will have the opportunity to present his/her concerns to the Committee on Disability Issues. If the student is dissatisfied with the resolution of the matter by the Committee on Disability Issues, the student may then bring the matter to the Associate Dean for Faculty. If the Associate Dean is unable to resolve the matter informally or if the student is dissatisfied with the resolution, the student may make a written appeal to the Dean.

A student having a grievance or a complaint regarding an issue other than an academic or disability one should present that issue to the Office of Student Affairs. If the Office of Student Affairs is unable to resolve the matter informally, it will be forwarded to the Associate Dean for Student Affairs for appropriate action. If the matter cannot be satisfactorily resolved by the Associate Dean, the student may make a written appeal to the Dean.

### **16.18. Headnotes Meetings**

Headnotes meetings are brief in-class information sessions by which administrative departments communicate with first year day and evening students, and second year evening students. Sessions will be announced typically two weeks in advance via the official notice e-mail listserv and in class by the faculty. Meetings will be taped and archived for the academic year.

Headnotes meetings may be mandatory or optional. Students unable to attend a mandatory meeting must submit a written request to the Office of Student Affairs asking to be excused and providing an explanation. Students missing a mandatory meeting will be held accountable for all information disseminated; it will be the student's responsibility to obtain the information.

### **16.19. Health Insurance Plan**

Loyola Law School requires that all first, second and third year students (*i.e.*, those who entered as first year students on or after Fall 2010 or as students with advanced standing on or after Fall 2011) have health insurance. Students will be able to purchase health insurance through the Law School provided by AETNA Student Health. Students who already have health insurance and will maintain that coverage throughout the year must provide information regarding their coverage in order to not be automatically enrolled in Loyola's health insurance option.

Fifth year students (*i.e.*, those who entered as first year students on or before Fall 2009 or as students with advanced standing on or before Fall 2010) will NOT be required to maintain health insurance coverage. Students, however, are strongly encouraged to have health insurance coverage.

For more information on the cost, coverage, and enrollment in the AETNA Student Health plan, students should visit <https://technology.lls.edu/ship/index.php> or reference can be made to <https://my.lls.edu/studentaffairs/studenthealthoptions>. Additional Student Health Insurance information and brochures are available and can be referenced at <http://www.aetnastudenthealth.com>.

### **16.20. Student Health Services (SHS) (at the Westchester Campus) for Loyola Law School (LLS) Students**

Loyola Marymount Student Health Center (SHC) is a full-service medical office and is accredited by the Accreditation Association for Ambulatory Health Care (AAAHC).

#### 16.20.1. Location, Hours, and Appointments

Student Health Services (SHS) is located on the Westchester Campus on the north side of the Fritz B. Burns Center building. For parking information, a campus map is available online. The Health Center is open Monday through Friday from 8:00 a.m. - 5:00 p.m., with extended hours on Wednesday until 7:00 p.m. during the academic year. Services are available by appointment only. To make same-day appointments, students are advised to call 310-338-2881 before 9:00 a.m. Failure to keep an appointment or cancel two hours prior to it will result in a \$25.00 office charge (assessed to the student's account). Generally patients are advised of the cancellation policy at the time the appointment is made. The LLS Student Identification Card must be presented when service is requested.

#### 16.20.2. The SHS staff includes:

- Board certified internist
- Certified nurse practitioners
- Registered nurses
- Medical assistants
- X-ray technologist
- Administrative staff

#### 16.20.3. SHC offers a wide range of primary healthcare services, including the following:

- Treatment for common acute illness and injuries
- Women's healthcare
- Skin care problems
- Prescription refills
- Immunizations and allergy shots
- Laboratory and X-ray services
- Referrals to specialists

SHS does not provide services related to workers compensation or most work-related physicals.

#### 16.20.4. Eligibility and Cost

Loyola Law School students who are enrolled in at least six units per term are eligible to seek care through SHS. A \$50.00 per term access fee is charged for the first visit of each term. There is no charge for the healthcare provider's professional services, *i.e.*, no office visit fee. Expenses may be incurred for laboratory tests, dispensed prescription medications, medical supplies, and certain procedures such as X-rays. Charges are billed directly to the student's account. SHS does not assume any responsibility for medical costs incurred by the students.

SHS does not bill health insurance carriers directly. Therefore, proof of insurance is not required to access care at the SHC. With a written request from the student (via the Authorization To Release Medical Information Form), SHS can provide an itemized list of charges which will include the diagnosis and procedure codes as required by health insurance companies for reimbursement. This document, with an insurance claim form, can be submitted by the insured to his/her plan for reimbursement.

For additional information regarding student health services, students should call 310-338-2881 or visit the SHS website at: <http://studentaffairs.lmu.edu/healthwellness/studenthealthservices/>

#### 16.20.5. Confidentiality

Health information is protected information and the student's health/medical records are kept strictly confidential and separated from all other University records. Medical records will not be released without the student's written consent.

#### 16.20.6. Health Insurance

Loyola Law School mandates health insurance for all students. Students are able to purchase Student Health Insurance Plan through Aetna Student Health.

The policy covers 12 months for a cost of \$1,350.00 and will be billed to your student account. The full year amount of the health insurance premium is due at the beginning of the Fall term.

Please visit <https://technology.lls.edu/ship> to either choose the Loyola Law School Student Health Insurance Plan or waive out of coverage.

Waivers require the name of your insurance carrier, policy number, subscriber's name, and subscriber's relationship to the student.

Waivers must be provided by August 2nd, 2013 or your student account will be charged \$1,350.00 for the Loyola Law School Student Health Insurance Plan. (Please note that the health insurance premium is not refundable after 08/30/2013).

#### 16.20.7. Outside Health Services

Outside of office hours, students with medical insurance seeking **emergency medical care** should go to the nearest emergency room. The following two medical facilities are in the vicinity of the Law School.

Hospital of the Good Samaritan  
1225 Wilshire Boulevard  
Los Angeles, CA 90017  
General Information: 213-977-2121  
[www.goodsam.org](http://www.goodsam.org)

St. Vincent Medical Center  
2131 W. 3<sup>rd</sup> Street  
Los Angeles, CA 90057  
General Information: 213-484-7111  
[www.stvincentmedicalcenter.com](http://www.stvincentmedicalcenter.com)

Students without medical insurance:

L.A. County - U.S.C.  
LAC+USC HealthCare Network  
(Dental services also available)  
1200 N. State Street



Los Angeles, CA 90033  
General Information: 323-226-2622  
[www.ladhs.org/wps/portal](http://www.ladhs.org/wps/portal)

For other health care services, students may contact the following:

The Saban Free Clinic is The Los Angeles Free Clinic  
8405 Beverly Boulevard (@ Orlando)  
Los Angeles, CA 90048  
Appointments: 323-653-1990  
[www.thesabanfreeclinic.org](http://www.thesabanfreeclinic.org)

South Bay Family Health Care  
23430 Hawthorne Blvd., Ste 210  
Torrance, CA 90505  
General Administration Number: 310-802-6177  
General Fax Number: 310-802-6178  
Appointments: 310-802-6170  
[www.sbfhc.org](http://www.sbfhc.org)

Playa Vista Medical Center  
6020 Sea Bluff Drive  
Playa Vista, CA 90094  
Urgent Care: 310-862-0400  
[www.pvmedcenter.com](http://www.pvmedcenter.com)

Playa Marina Walk-In Urgent Care Center  
4560 Admiralty Way, Suite Ste 100  
Marina Del Rey, CA 90292  
Urgent Care: 310-827-3700  
[www.playamarinawalkincare.com](http://www.playamarinawalkincare.com)

ExpressCare Medical Clinic  
8930 Sepulveda Blvd. Ste 200  
Los Angeles, CA 90045  
Urgent Care: 310-641-8111

Concentra Urgent Care  
6033 West Century Blvd., Ste 200  
Los Angeles, CA 90045  
Urgent Care: 310-215-1600

## 16.21. Housing

As a resource to assist students in search of housing, the Law School provides a roommate referral service. During the summer and the beginning of the Fall semester, a listing of students who desire to share housing with other students are maintained by the Law School. This includes both those who have housing they wish to share, and those who wish to find someone with whom to share housing. In addition, a listing of a limited number of housing vacancies in the immediate vicinity of the Law School is available for students to consult.

Students wishing to use any of the services listed above should visit <https://technology.lls.edu/housing/> or contact the Information Desk at (213) 736-1001.

### 16.22. Identification Cards

Each entering student is issued a *Student Identification Card*, and a *Parking Card* if the parking fee is paid. These cards, which are ordinarily issued during Orientation, are to be used throughout a student's attendance at the Law School. There is a \$25.00 replacement fee for lost or stolen cards. Any lost cards should be reported to Esther Martinez in Campus Planning at 213-736-8391 or by e-mail to [esther.martinez@lls.edu](mailto:esther.martinez@lls.edu).

### 16.23. In Brief

*In Brief* is an official electronic newsletter for Loyola Law School students. It contains details about school events, activities and academic offerings, as well as other important information. It is published at <http://inbrief.lls.edu> and distributed via e-mail. Students are responsible for knowing its contents.

Deadlines to submit items for publication in *In Brief* are noted at <http://inbrief.lls.edu>. The page includes a link to a submission form, which lists the parameters for items to be included in *In Brief*. Items received past posted deadlines may be delayed or not published.

### 16.24. Laptop Computer Usage

Use of laptop computers in the classroom is permitted at the discretion of the professor. Individual faculty members may restrict the location in the classroom of students using laptop computers. Faculty members who grant permission for the use of laptop computers may suspend their usage in class if such usage is distracting or disruptive. Computers may be used during examinations in accordance with Section 6.4., Use of Computers for Examinations.

### 16.25. Lockers

A limited number of lockers are available to students at the Law School. The lockers are located on the first floor of the parking garage at the north end. The locker size is approximately 12" x 15" x 24".

There is no charge for lockers, but students must provide their own locks. All lockers are available on a first-come, first-served basis for the academic year. Students may use no more than one locker.

For additional information regarding locker policies and procedures, reference should be made to <https://my.lls.edu/studentaffairs/lockers>.

### 16.26. Lost and Found

The campus Lost and Found is located in and operated by the Information and Support Services - Graphics Center. This department is in the lower level of Founders Hall. Business hours are 9:00 a.m. to 5:00 p.m. from Monday through Thursday, and 9:00 a.m. to 4:00 p.m. on Friday. Reference should be made to the Information and Support Services – Graphics Center home page for additional contact information at <https://my.lls.edu/graphics/lostandfound>.

Articles should be turned in to the Information and Support Services – Graphics Center if found during business hours.

Articles found after the Information and Support Services – Graphics Center is closed should be turned in to the Information Desk in the Burns Building, Circulation Desk in the Library, or the Security Office located by the garage entrance. These locations serve as a temporary Lost and Found while the Information and Support Services – Graphics Center is closed.

The Library and Security Office take found articles to the Information and Support Services - Graphics Center on at least a weekly basis. Articles are delivered to Information and Support Services – Graphics Center at least every Friday during normal business hours.

Students who have lost an article should contact the Information and Support Services – Graphics Center using the Request Form found at <https://my.lls.edu/graphics/lostandfound> or visit the Information and Support Services – Graphics Center located in the lower of Founders Hall. If the Information and Support Services – Graphics Center does not have the article, students may contact the Library’s Circulation Desk at 213-736-1117, Information Desk at 213-736-1001, and/or Security at 213-736-1121.

Many articles take a few days to be turned in. If the article is not turned in immediately, students should contact the Information and Support Services – Graphics Center after 48 to 72 hours have passed.

Found articles are kept in the Information and Support Services – Graphics Center based on the following schedule:

Articles found from the first day of Fall classes until the first day of the next Fall term (one year) are kept until the first day of the next Spring term.

### **16.27. Loyola Name and Logo**

The sale or distribution of items on which the name “Loyola Law School,” the Law School logo, or any portions of the Law School name or logo appear is not permitted unless prior permission has been granted by the Law School. Officially recognized student organizations seeking to sell or distribute items bearing the Law School name and/or logo must obtain advance approval from the Office of Student Affairs.

### **16.28. Mail Center**

The Law School will not receive personal packages, bills, or mail addressed to students. If such items are received, they will be refused and returned to the sender.

### **16.29. Parking and Transportation**

#### Parking

- a. Parking is primarily available in the parking facility located at 919 Albany Street.

The parking fee for the 2013-2014 academic year is for the period August 1, 2013 through July 31, 2014. The parking fee is \$317.00 per semester (which includes the 10% City parking tax) and will be billed to the student's account. **PARKING FEES ARE NON-REFUNDABLE. If a student elects parking in the Fall semester, it will be renewed automatically for the Spring semester and charged to his/her account. A student who does not elect parking must advise Campus Planning in writing by August 31, 2013 for the Fall semester and by January 31, 2014 for the Spring semester.** Any changes to a student's parking status must be in writing and filed with Campus Planning by the appropriate aforementioned dates for that semester.

Students may park in all spaces except:

- a) Faculty
- b) Carpool (unless registered for carpool through Campus Planning)
- c) Disabled (blue coded)
- d) Motorcycle (motorcycles only)

Parking spaces are available for disabled members of the Law School community. To park or enter these spaces, a valid Loyola Law School parking permit is required as well as a special placard which must be obtained through the Department of Motor Vehicles or AAA. The Law School parking permit and the California placard must be displayed at all times. The California placard is required under California law; there can be no exceptions to this policy. Individuals are also subject to separate citation by local authorities. *Anyone parking a vehicle in the disabled area must have a valid Law School parking card or must pay the daily parking rate.*

A limited number of special motorcycle parking spaces are available. The parking fee for these spaces is \$211.00 per semester, including City tax. All parking rules apply except that a parking card and placard will not be provided. Motorcycle parking stickers will be provided and must be prominently displayed on the motorcycle. Those with these permits may enter by asking the parking attendant to lift the parking gate after providing the attendant with their last name and permit number. As with regular parking, a spot is not guaranteed and is subject to availability at the time of parking. Should those with a motorcycle permit desire to also park a car, they must either purchase a full price parking permit or pay the daily parking rate on the days they park a car. A document indicating the location of the designated motorcycle parking spaces will be provided by Campus Planning when the permit is purchased. These spaces are also specifically marked as such in the garage. A \$50.00 ticket will be issued to any unregistered motorcycle found parked in the garage or to a motorcycle parked in any location other than those marked for motorcycle parking.

- b. The purchase of a parking permit does not guarantee a space in the garage at any given time. Significant effort is made through scheduling of classes and the commuter incentive program to manage the number of parking spaces required at a given point in time. However, on occasion the garage may be full. During those times, the parking attendants will valet park.
- c. **The Law School is not responsible for and assumes no liability for damage or theft of any vehicle or its contents.** Those parking in any of the Law School designated parking facilities are strongly advised not to leave valuables in their vehicles. Overnight parking is not allowed. Disabled vehicles and those left overnight will be towed at the expense of the registered owner/operator.

As part of the consideration for the parking services furnished, students confirm and agree to the following statement:

"I agree to pay Loyola Law School all of the amount(s) for which I am liable/responsible by the appropriate due date(s) and any late fees or fines that I may incur. I understand that if I elect to purchase parking in the Fall semester, I will **automatically** be charged the parking fee in the Spring semester unless otherwise specified."

Additional information is available using the link at <https://my.lls.edu/campusplanning> or by contacting Campus Planning.

### Carpooling

Carpooling to school not only reduces inconvenience and helps the environment, but can save money on gas, car repairs, tune ups, and general wear and tear on an individual's car. By driving to Loyola Law School with other students, the parking fee can be divided among the carpoolers.

Students who form a "two-person" carpool are entitled to receive a 35% discount from the current annual parking rate. "Three-person" carpools are entitled to park for no charge.

Detailed information is available using the link at <https://my.lls.edu/campusplanning/parkingandtransportation> or by contacting Campus Planning.

### Public Transportation

- a. Transportation Incentive Program. The Law School actively encourages students to take alternative transportation through ride sharing and public transit options. The Transportation Incentive Program (TIP) benefits students, the Law School, and the environment.

The Law School will pay a significant portion of the transportation costs should a student agree to ride share or take public transportation. Students are eligible to receive an additional 50% discount from the currently reduced Metrolink Train, Metrorail (Red, Green, Blue, Orange, and Gold) and Metro bus rates.

Detailed information is available using the link at <https://my.lls.edu/campusplanning/parkingandtransportation> or by contacting Campus Planning.

- b. Shuttle Service Operations. A private Law School shuttle service operates daily, Monday through Friday (except on holidays), and at specially designated times between the Law School and the 7<sup>th</sup> Street Metro Station (located at 7th Street and Figueroa Street). Students may obtain departure schedules from the shuttle driver, at the Security Office, and on the bulletin board outside of Campus Planning.

The shuttle service departs from the exterior of the main entrance of the parking facility on Albany Street.

Additional information is available using the links at <https://my.lls.edu/campusplanning/parkingandtransportation/shuttle> or by contacting Campus Planning.

### **16.30. Pets**

No pets, with the exception of service animals (*e.g.*, guide dogs), are permitted on campus.

### **16.31. Posting Policy**

In order to keep postings on bulletin boards and kiosks current, the Law School community is required to follow these guidelines:

1. All announcements (including student organization special events and personal advertisements) must be date-stamped by the Information Desk (Burns Building, first floor). Student personal advertisements can include notices such as “roommate wanted,” lost items, etc. For-profit business advertisements are not permitted.
2. Promotional announcements will be removed by staff following the event. Notices and advertisements will be removed after 10 days.
3. All bulletin boards and kiosks are for general campus community use. Only up to a maximum of six announcements per any single student organization special event, or advertisements will be date-stamped by the Information Desk for posting in the following areas:

Burns Building – south end across from Campus Planning office – 1 flyer may be posted  
Esplanade kiosk – 4 flyers may be posted

Library – second floor, student message board, in foyer – 1 flyer may be posted

Items posted in areas other than those listed will be removed.

4. Banners advertising pre-approved special events sponsored by student organizations may be hung on the railing located on the south side of the Rains Library Building, and on the retaining wall located to the northeast of Merrifield Hall. No banner can be permanently affixed to Law School buildings. **Banners must be approved by the Office of Student Affairs prior to being hung.**
5. Notices and banners not approved will be removed by a staff member.
6. Two posters per pre-approved activity may be enlarged. Posters will be placed by staff on the Burns lobby bulletin board and the south ground floor side of the parking garage elevators one day prior to the promoted event, and removed within 24 hours following the event. Student organizations should submit an 8 ½ x 11” flyer suitable for enlargement (flyer must have 1” margins) to the Information and Support Services - Graphics Center..

### **16.32. Psychological Counseling Services**

Loyola Law School supports an on-campus psychological counseling program. Students can participate in a maximum of three confidential counseling sessions per semester, provided that counseling hours are available. Students can be seen either individually or with a partner in couples counseling.

If an off-campus psychotherapist or counseling center is preferred, or if on-going therapy is recommended, the Loyola Law School counselor will work with students to locate appropriate referrals.

Students wishing to arrange an appointment should call the counseling service directly at (213) 736-1122. Phone messages are confidential. Telephone calls will be returned and handled with sensitivity to the student's privacy.

### **16.33. Universal Religious Holiday Observance Policy**

The Law School respects the right of all students to observe holidays as their respective religions require. Any student who plans to miss a regularly scheduled class session for religious reasons may request that that class session be audio recorded and that the recording be made available to him/her on a streaming basis. A student who notifies the professor in advance that he/she will be unable to attend a particular regularly scheduled class session for religious reasons will not be marked absent for that session. This policy is intended to permit students of all faiths to reconcile their attendance obligations with the bona fide requirements of their respective faiths. Individual faculty members have the discretion to respond to students who abuse this policy.

### **16.34. Smoking**

Smoking of cigarettes and other tobacco products is not permitted in any enclosed area within the confines of Loyola Law School. This includes the cafeteria, Burns Lounge, student organization offices, Library, Faculty Lounge, faculty and administrative offices, and staff lounge areas. Smoking will only be permitted in designated outdoor areas.

### **16.35. Student Evaluations of Faculty**

For each course, evaluations of faculty member performance are completed by students at the conclusion of each semester. Evaluations are available for review at the Circulation Desk in the Law Library.

**16.36. Weapons**

The law prohibits the possession of weapons on campus.

**17.0. EMERGENCY AND SAFETY PROGRAMS**

**FOR ON-CAMPUS EMERGENCIES, CALL 213-736-1121 (or x1121 from campus telephones).**

**17.1. Emergency Notification of a Student**

An emergency notification is a situation in which human life or property is in jeopardy. The Office of the Registrar (213-736-1130), Office of Student Affairs (213-736-8151), and Office of the Dean (213-736-8154 or 213-736-1038) have a listing of class schedules for all students so that a student's location in class can be determined. Emergency messages shall be delivered to the person concerned if he/she is in class.

**17.2. Fire**

In the event of a fire, the nearest fire alarm located near the building exit doors should be pulled. Immediately call Security at x1121 (213-736-1121). In case of a fire, students, faculty, and staff should leave the building by walking (not running) to the nearest exit.

Students should know where the fire extinguishers are located. Fire extinguishers should be used only by those trained to use them and if the fire is no larger than a small trash can. Students should also listen for possible announcements over the School's public address system.

**17.3. Earthquakes**

In case of a strong earthquake, refuge should immediately be sought under a sturdy desk or heavy table. When tremors cease, students should remain where they are. An Emergency Response Team has been established to deal with an emergency situation such as this. A team of individuals wearing designated clothing will provide further instructions. Students should also listen for possible announcements over the School's public address system.

**17.4. First Aid Kits**

The location of first aid kits are as follows:

Burns Building:	first floor - Cafeteria second floor - Staff Lounge third floor - Faculty Lounge
Founders Hall:	basement level - Physical Plant Office second floor - Staff Lounge
Girardi Advocacy Center:	third floor - Instructional Technology Staff Office
Parking Garage:	Security Office
Rains Building:	first floor - Circulation Desk second floor - Computer Lab

**17.5. Medical Emergency Facilities** (From any campus telephone, paramedics or an ambulance can be summoned by dialing 9-911.)

In the event of an injury or illness requiring emergency medical treatment, call Security at x1121 (213-736-1121). Security will call 911 to summon the paramedics, if required.

In the event of a minor injury, first aid kits may be used. If medical treatment is necessary on a non-emergency basis, it must be reported to Security at x1121 (213-736-1121).

### **17.6. Disturbances of the Peace/Law Violations**

In case a student or employee notices the occurrence of any vandalism, harassment of another member of the Law School community by someone from outside the campus, or any violence or fighting, that person should:

1. Immediately inform a uniformed campus security guard or contact the Security Office at x1121 (213-736-1121).
2. Call the police at 911 (9-911 from any campus telephone) if Security does not answer or instructed to do so.

### **17.7. Communication During and After Emergencies**

During an emergency that affects the Law School campus, members of a campus Emergency Response Team or other emergency personnel will provide instructions. Individuals should also listen for announcements over the School's public address system. As appropriate during or after an emergency, messages and instructions will be prominently posted to the Law School webpage at [www.lls.edu](http://www.lls.edu) or the School's emergency information number at 1-866-456-9652, as well as sent from the LLS Emergency Alert System.

### **18.0. WILLIAM M. RAINS LIBRARY**

The William M. Rains Library, one of the largest private California law libraries in the Western United States, houses over 600,000 volume equivalents, including microform, video and audio cassettes, diskettes, and CD titles. It maintains over 6,000 serial subscriptions.

### **18.1. Regular Schedule: Library Hours**

Regular (academic year) Library hours are as follows:

Monday-Thursday: 7:00 a.m.-12:00 a.m.

Friday: 7:00 a.m.-8:30 p.m.

Saturday: 9:00 a.m.-8:30 p.m.

Sunday: 9:00 a.m.-12:00 a.m.

Schedule exceptions are posted on the Library's website at <http://library.lls.edu/>.

### **18.2. Facilities and Services**

For information on Library policies facilities and services, students should visit <http://library.lls.edu/policies/librarypolicies.html>.

### **18.3. Library Rules**

- 18.3.1. The Library has a gated electronic security system which protects all Library materials against unauthorized removal. If a student activates the alarm, he/she should return to the Circulation Desk. The Library reserves the right to examine all book bags, briefcases, parcels, and the like.



18.3.2. Students are expected to be courteous and show respect to other Library users and the Library staff. The Library has a reputation as a quiet, comfortable place to study. It is unlikely that any disputes will arise if everyone avoids noisy, smelly snacks, cleans up his/her own food/drink messes, and conducts conversations (cell phone and otherwise) outside the Library. This is the same type of considerate, cooperative, and professional behavior that will someday be expected of all students after they graduate and pass the bar.

The Library also has a reputation for having a very organized collection. Students will be helping themselves and their colleagues if they reshelve the materials they use.

18.3.3. In order to protect the security of circulation records and the integrity of the collection, Library materials can be checked out only with a student's *Student Identification Card*.

18.3.4. Any Library user with borrowing privileges may request the recall of material that has been checked out; however, all Library circulation records are confidential.

18.3.5. Group study room use is restricted to Loyola Law School students and faculty. Rooms may be reserved on a first-come, first-served basis for groups of two or more (three or more for larger rooms) and for a maximum of four hours per day. There are four ways to reserve a room: In person at the Circulation Desk, [Online Reservation Form](#), by Email ([circdesk.lls.edu](mailto:circdesk.lls.edu)), and by Phone (213-736-1117). For more information see <http://lls.edu/resources/library/forstudents/studyrooms/#d.en.23938>. Media Center rooms may also be reserved as group study rooms.

18.3.6. Use of the Computer Lab is restricted to currently enrolled Loyola Law School students and faculty. The Lab is also used for group computer-assisted legal research training. Such training will preempt individual use. Students should plan their word processing and on-line research needs accordingly. Notices will be posted on Computer Lab doors indicating dates and times for this training.

18.3.7. Students are provided an annual allotment of free printing in the Computer Lab. Students may purchase additional printing in the Computer Lab. Students should carefully note the status of their printing account as students cannot print if they have an insufficient balance in their account. For additional information about printing in the Computer Lab, students should visit <http://library.lls.edu/crc/CRCprinting.html>.

18.3.8. Students may borrow Library materials as follows:

- |  |         |
|--|---------|
| • One-volume treatises which are not updated | 14 days |
| • Videotapes and DVDs                        | 2 days  |
| • Audiotapes                                 | 1 day   |
| • Reserve collection materials               | 2 hours |

All other materials may be used in the Library only.

Any circulating item may be renewed by phone (x1117), in person, or on-line by going to "My Library Record:" without limit, unless another user or Library staff member has asked for it to be recalled. Renewal periods are for the same amount of time as the item's original circulation period. Materials are not considered returned unless they are brought to the Circulation Desk.

The Library bills for lost or seriously damaged materials at the actual replacement cost plus a \$25.00 processing fee.

A student's Library account must be cleared prior to registration, examinations, graduation, or withdrawal from the Law School (whichever comes first after the charge is added to the student's Library account). Failure to return Library materials, or damage to or destruction of Library materials may result in disciplinary action.

- 18.3.9. Photocopiers for student use are located in the CRC lab on the second floor of the Rains building.

PHOTOCOPIER USERS ARE RESPONSIBLE FOR DUPLICATING COPYRIGHTED MATERIALS IN ACCORDANCE WITH 17 USC 107 et seq. FAILURE TO COMPLY WITH THE STATUTE MAY RESULT IN CIVIL AND CRIMINAL PENALTIES AS WELL AS DISCIPLINARY ACTION BY THE LAW SCHOOL.

- 18.3.10. Instructions for use of the microform readers are posted on or near the machines in the Media Center. Students are encouraged to ask for assistance in using the equipment if they do not understand these instructions. Students can scan, save, print, and/or e-mail directly from the microform readers.

- 18.3.11. Access to the Library is restricted to Loyola Law School students, faculty, staff, alumni, and members of the bar. Students should be prepared to present their *Student Identification Card* to access the facility. For exceptions to the access policy, students should contact the Library's Director at 213-736-1197. For further detailed information regarding the Library's access policy, students should visit <http://www.lls.edu/resources/library/about/accesspolicy/>.

## 19.0. FINANCIAL AID

Financial aid proceeds are intended to be used exclusively for educational expenses which a student incurs while attending the Law School. Financial aid is administered through programs which include scholarships, student loans, and student employment. Aid is awarded on an annual basis and recipients must reapply each year. Counseling and information concerning specific aid programs are readily available in the Office of Financial Aid along with necessary application forms.

Students should be aware that the provisions of all financial aid programs are subject to change at any time due to legislative and/or administrative regulations and funding limits. Although every effort is made to provide students with complete and accurate information, the Law School's published financial aid materials are not intended to be contracts.

Questions concerning financial aid should be directed to the office at (213) 736-1140. The Office of Financial Aid is located on the first floor of Founders Hall. It is open Monday through Thursday from 10:30 a.m. to 6:00 p.m., and Friday from 10:30 a.m. to 4:00 p.m. (Office hours are subject to change.) Evening students may call to schedule appointments for hours other than those noted.

Note: The office may occasionally close for special projects. Student cooperation is appreciated during these occasions.

For detailed information regarding award disbursements, satisfactory academic progress, refund/repayment policies, full-time and part-time enrollment status, scholarships, employment programs, Federal Direct Loan Programs, loan deferment procedures, and student's financial aid rights and responsibilities, reference should be made to <http://lls.edu/admissions/financialaid/>.

**20.0. STUDENT ACCOUNTS**

The Student Accounts Office is available to assist students with matters concerning the student billing process including tuition and fees charges, receipt of payments, and refunds from loan proceeds (check and electronic).

The Office is open Monday - Thursday from 10:30 a.m. to 6:00 p.m., and Friday from 10:30 a.m. to 4:00 p.m. The Office is closed between 12:00 noon and 1:00 p.m. (Office hours are subject to change.) Phone inquiries should be made to (213) 736-1021. The Student Accounts Office is located on the first floor of Founders Hall.

For detailed information regarding tuition charges, returned checks, payment plans, tuition liability and refund policy (as it pertains to dropping classes and withdrawal/leave of absence), health services, and parking fees, reference should be made to <http://lls.edu/site/studentaccounts/> Students may view their accounts in SWS under the Billing tab.

**21.0. PUBLIC INTEREST LAW DEPARTMENT**

Overseeing several different programs, the Public Interest Law Department works to assist all students, including those wishing to make a career in public interest law, offering scholarship programs, post-graduate fellowships, summer stipends, loan forgiveness assistance, and general guidance. Also, as the first ABA-accredited school in California to have a mandatory pro bono graduation requirement, all Loyola students have the opportunity to experience the satisfaction of fulfilling their professional obligation to the community at large.

The Public Interest Law Department oversees a number of specific programs, including the pro bono graduation requirement, the Summer Public Interest Employment Program (SPIEP), the Public Interest Loan Assistance Program, the Post-Graduate Fellowships in Public Interest Law, and the Public Interest Scholars Program. The Department also sponsors seminars, special events, and workshops.

For detailed information on staff, pro bono graduation requirements, Summer Public Interest Employment Programs (SPIEP), Public Interest Loan Assistance Program (PILAP), Post-Graduate Fellowships, and Public Interest Scholars Program, reference should be made to <http://www.lls.edu/academics/centersprograms/publicinterestlawdepartment/> .

**22.0. OFFICE OF CAREER SERVICES**

The Office of Career Services serves all members of the Loyola Law School community in their search for employment. The Office has three essential functions: to counsel students regarding various aspects of career development, to identify employment opportunities for students and alumni/ae, and to provide informational resources.

Professional staff members are available in the Office of Career Services for career counseling. The support staff provides general information and introduces those using the Office to the services and resources available.

For more detailed information, reference should be made to <http://lls.edu/resources/careerservices/>.

### 22.1. General Policies

The services of the Office are for the exclusive use of Loyola Law School students and alumni/ae. Those utilizing Office resources should be prepared to produce proper identification upon request by a staff member.

Policies address the following areas:

- Resumes (academic information)
- On-campus interviews (OCI)
- Career Services use (procedures/student files/resources)
- Part-time work restrictions for full-time students
- Non-discrimination (Law School policy for employers)
- Student complaint procedures

All students utilizing the office are required to read and comply with Career Services policies and procedures. For detailed information on policies and procedures, resume content, rankings, resume and G.P.A. policies and examples, reference should be made to <http://www.lls.edu/resources/careerservices/currentstudents/generalinformation/careerservicespolicies/>.

### 22.2. Non-Discrimination

Loyola Law School is a member of the National Association for Law Placement (NALP) and the Association of American Law Schools (AALS) and adheres to a policy of non-discrimination in the hiring, compensation, work assignment, or promotion of any person on the basis of sex, age, race, color, religious creed, national origin, sexual orientation, disability, parental or veteran status, or the prejudice of clients.

### 22.3. Services

For detailed information regarding services, individual and group career counseling, workshop programs, Fall and Spring On-Campus Interview Programs, resume referral service, alumni programs, and communication methods, reference should be made to <http://lls.edu/resources/careerservices/currentstudents/>.

### 22.4. Complaint Procedures

For detailed information regarding informal complaints and resolutions, the formal complaint procedures, the initial disposition of formal complaints, the Placement Complaints Committee, Placement Complaints Committee hearings, remedies, and other such related issues, reference should be made to <http://lls.edu/resources/careerservices/currentstudents/generalinformation/careerservicespolicies/>.

### 22.5. Employment Statistics

For detailed information regarding employment statistics, employment patterns, salary ranges, and employer size and location, reference should be made to <http://lls.edu/resources/careerservices/currentstudents/employmentstatistics/>.

## APPENDIX A

### ACCEPTABLE USE POLICY FOR LOYOLA LAW SCHOOL INFORMATION TECHNOLOGY FACILITIES

Computers and networks provide access to resources on and off campus, as well as the ability to communicate with other users worldwide. Such open access is a privilege, and requires that individuals act responsibly. Users must respect the rights of other users, respect the integrity of the systems and related physical resources, and observe all relevant laws, regulations, and contractual obligations. In addition to these general principles, Loyola Law School (LLS) has adopted Acceptable Use Policies which follow.

These policies apply, where appropriate, to any person using Loyola Law School Information Technology Facilities. In the event any of these policies conflicts with items contained in the *Faculty Handbook*, *Student Handbook*, departmental manuals, or individual contracts, the latter shall control except where they reference or incorporate these policies. These policies do not apply to the activities of students, faculty, staff, or others where such activities do not involve the use of LLS Information Technology Facilities.

This document contains the general policies for use of LLS Information Technology Facilities. More specific policies relating to Internet access, e-mail, and web publishing are contained elsewhere (*e.g.*, users' manuals and standards manuals). Users should consult and familiarize themselves with the policies and standards applicable to particular uses. The most recent versions of these specific policies along with any updates to this document are available at <http://intranet.lls.edu/itd/policies/use-policy.html>.

In addition to these policies, various state and federal laws govern the use of computers and computer networks. These include (as of the time this document was written): The Copyright Act (17 U.S.C. § 101, et seq.); The Digital Millennium Copyright Act (Public Law 105-304); The Computer Crime and Abuse Act of 1986 (18 U.S.C. § 1030 (A)(5)(a)); The Family Educational Rights and Privacy Act of 1974 (20 U.S.C. § 1232g), The Electronic Communications Privacy Act of 1986 (18 U.S.C. § 2510, et. seq.), The Federal Trademark Dilution Act of 1995 (15 U.S.C. § 1125(c)); California Criminal Code §§ 502, 13848, and California Education Code § 94367. This list is not intended to be all encompassing.

#### **I. Definitions**

As used in this document, the following terms have the meanings stated:

**Loyola Law School Information Technology Facilities [LLS IT Facilities]:** (1) all physical devices owned by and/or located on the campus of Loyola Law School relating to computing or data transmission, including but not limited to: desktop and portable computers; computer peripherals (such as printers); network cameras; the network-based public address system; network wiring, switches and connections; servers; telephone equipment connected to the campus network; and (2) data files, applications, and other software used in conjunction with the devices listed in (1). Example: a privately owned computer or smart device connected to the LLS network or to the Internet, using an LLS on-campus hard-wired or wireless network connection or an off-campus connection to access an LLS server, is *using* LLS IT Facilities, even though the privately owned computer is not *itself* considered an LLS IT Facility.

**Loyola Law School Web Server:** any computer connected to the campus network containing web pages, text files, graphic files, or other data accessible to others using Internet protocols (*e.g.*, IP, HTTP, FTP). A privately owned computer connected to the campus network that serves web pages over the Internet is considered an LLS Web Server for purposes of this Policy.

**Campus Network:** the physical and virtual networks, both hard-wired and wireless, that connect two or more devices of LLS IT Facilities. This includes intercampus network connections between LLS and facilities located at Loyola Marymount University. It also includes the Law School's connection to its Internet service provider (ISP), currently Los Angeles Regional Network (Los Nettos).

**User:** any person, including faculty, students, staff, guests, concessionaires, vendors, and licensees, using LLS IT Facilities.

**Codes of Conduct:** requirements or restrictions contained in the *Faculty Handbook*, *Student Handbook*, or Departmental Manuals.

## **II. Prohibited & Discouraged Uses**

Except as noted below, Loyola Law School does not impose content restrictions on the use of LLS IT Facilities. LLS also respects the privacy of users, and expects them to do so for others. Users are advised, however, to exercise good judgment in selecting content where access might be shared or available to others. Users are further advised that the LLS Information Technology Department (ITD) performs routine statistical monitoring of Internet access to maintain an efficient gateway to the Internet for all users. Particular sites, or species of sites, that are heavily used, may be flagged for analysis purposes. Users should also be aware that computers and/or smart devices (such as a smartphone or iPad) used to connect to the Internet retain traces of Internet usage (*e.g.*, "cookies," "cached" copies of images and files). Often, these traces can be retrieved by trained technicians even if the user takes precautions, such as deleting downloaded files.

1. The following uses of LLS IT Facilities are prohibited:
  - a. Any use constituting a crime.
  - b. Any use that would make the user or LLS liable in a civil action, or that could adversely affect the Law School's eligibility for any grant, certificate, status, waiver, or benefit.
  - c. Any use related to a violation of applicable codes of conduct including classroom usage that disrupts instruction or the ability of others to learn.
  - d. Any fraudulent or deceptive use.
  - e. Violating terms of applicable software purchase, licensing, or acquisition agreements or infringing any patent, copyright, trademark, or other intellectual property right.
  - f. Publishing, altering or deleting code, content, or data without appropriate authorization.
  - g. Publishing defamatory, scandalous, illegal, harassing, threatening, intimidating, or unlawfully obtained matter, or matter provoking violence.
  - h. Willfully transmitting damaging agents (*e.g.*, computer viruses, trojan horses, worms) or otherwise willfully damaging or disrupting any computer facility, software, or data.
  - i. Willfully accessing or attempting to access protected data, files, web pages, or computers (wherever located) without appropriate access rights.
  - j. Any attempt to circumvent security measures including, but not limited to, bypassing normal log-in methods and attempting to connect to restricted areas of the network.

- k. Willfully performing an act that is likely to interfere with the operation of computers, terminals, peripherals, or networks.
  - l. Willfully wasting/overloading computing resources such as maintaining open connections or downloading large multimedia or other bandwidth intensive data for entertainment or other uses not directly related to Law School activities.
  - m. Willfully acting in such a manner as to bring disrepute to Loyola Law School, or any of its faculty, students, staff, or others.
  - n. Willfully publishing or displaying material that injures or invades the privacy of others.
  - o. Willfully attempting to intercept or analyze data exchanges that occur over the Law School network.
  - p. Setting up or maintaining private servers on campus without explicit written permission from ITD.
  - q. Attaching wireless *access points* to the network.
  - r. Unauthorized experimentation with computer facilities and software.
  - s. Any use specifically prohibited by the Dean or his or her designee after written notice.
2. The following activities relating to e-mail sent, received, or routed through LLS IT Facilities are prohibited:
- a. Willfully intercepting, altering, copying, disclosing, or deleting e-mail, except with the permission of the sender or recipient, or as authorized by law. [This policy also applies to the administration of e-mail accounts and network systems by ITD, with the understanding that certain administrative functions may entail inspection, rerouting, archiving and maintenance of e-mail files, which shall be accomplished with the least amount of intrusion possible.]
  - b. Sending e-mail using a false or misleading identity, or under another person's name, for deceptive purposes. E-mail may be sent anonymously where it does not otherwise violate law or these policies. E-mail names and aliases shall not be misleading or offensive. A Loyola e-mail account holder has no proprietary interest in his or her e-mail name. Loyola reserves the right to rescind or reassign a user name.
  - c. Illegal, harassing, threatening, or intimidating matter, or matter provoking violence.
  - d. Pyramid schemes, chain letters, and mass mailings ("spam").
  - e. Personal e-mail accounts may not be shared or used by persons other than the account holder. Personal passwords may not be given to others.
  - f. E-mail sent via Loyola IT Facilities may carry the imprimatur of Loyola Law School (because of titles, return addresses, Internet routing protocols, etc.). All such e-mail must refrain from misleading readers into believing that it represents official business or positions of the Law School, unless it does.
3. The following uses of LLS IT Facilities are discouraged:
- a. Non-productive use of facilities.
  - b. Excessive bandwidth-intensive activities such as large-scale transfers of digital video and audio over Internet connections.

- c. Excessive personal use of facilities. The use of Loyola IT Facilities for purposes unrelated to Law School activities has the lowest priority, and shall yield to Loyola-related activities where necessary.
  - d. The running of unusual scripts or other client-side applications.
  - e. Any use inimical to the educational mission of the Law School.
4. Commercial Use of LLS IT Facilities
- a. Commercial uses are prohibited where:
    1. They are unrelated to academic, professional or school activities (*e.g.*, publishing, consulting, tutoring, secretarial services, work assignments, sale of used books);
    2. They impose burdensome demands on LLS IT Facilities;
    3. They are the dominant feature or significant use of an LLS Computer Facility (other than specially designated facilities); or
    4. They are inconsistent with the use of .edu and .org top-level domain names.
  - b. Loyola Law School may require that particular commercial uses be limited to designated areas or services (*e.g.*, for-sale items on electronic bulletin boards).

### **III. Enforcement and Sanctions**

1. Each person using LLS IT Facilities has a duty to read, understand and acknowledge these Acceptable Use Policies.
2. Each person using LLS IT Facilities is responsible for his or her own use, and use by others where the person has permitted or enabled that use. Each user shall report to the ITD any known or obvious violation of these policies by any person.
3. LLS and Loyola Marymount University, their employees, contractors and agents, make no representations concerning the security and integrity of IT Facilities, data, e-mail or other traffic on their networks, or third-party devices. Under no circumstances, shall they be liable for misuse or damage to users or third-parties. Efforts LLS makes to protect the security and integrity of its IT Facilities is for the benefit of those facilities. Users are advised to take proper precaution for their own equipment and information. Support services provided by LLS to users shall impose no liability upon LLS.
4. Violations of any of the policies contained herein may result in any or all of the following, depending upon the severity of the violation: (1) warning; (2) restrictions on access; (3) loss of access privileges; (4) disciplinary action consistent with applicable disciplinary rules and procedures, or pursuant to contract; or (5) referral to law enforcement authorities.
5. Procedures
  - a. The sanctions described in Paragraph 3 will be implemented consistent with applicable requirements of due process.
  - b. If a use of LLS IT Facilities is suspected of compromising the physical or functional integrity of the facilities, or of interfering with the productive use of facilities by others, or of violating any use prohibited by Section II, the Dean or his/her designate is



authorized to isolate and suspend the operation of the offending use until such time as the use can be investigated and remedial measures taken.

**These policies may be amended from time to time, and shall apply to uses of LLS IT Facilities as if contained herein. All amendments will be announced through normal distribution channels.**