

LOYOLA

LAW SCHOOL | LOS ANGELES

2017-2018

**Handbook for
JSD Students**

Spring Update

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 online 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 resources. 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 <https://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>.

STUDENT HANDBOOK ONLINE

The applicable regulations are published in the *Student Handbook*, which can be accessed via the Intranet at <http://intranet.lls.edu> 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
• ASSISTANT DIRECTOR OF GRADUATE ADMISSIONS		HUMAN RESOURCES	1128
MAURA BODEN	1023	INFORMATION and SUPPORT SERVICES	
ADVANCEMENT	8153	Graphics (Founders Hall)	1012
• Alumni Relations	8153	Graphics Satellite (Burns First Floor)	1001
• Development	8153	INFO. DESK (BURNS FIRST FLOOR)	1001
JSD ACADEMIC SUPERVISOR AND DIRECTOR		MAIL CENTER (FOUNDERS HALL)	1050
• ACADEMIC SUPERVISOR		ROOM SCHEDULING	7440
PROF. CESARE ROMANO	8198	INFORMATION TECH - HELP DESK	1097
• JSD PROGRAM DIRECTOR		INSTRUCTIONAL TECHNOLOGY	1111
PROF. AARON GHIRARDELLI	1483	LAW REVIEWS	
BOOKSTORE	1032	▪ Entertainment Law Review	1403
BUSINESS AND FINANCE	8308	▪ International Law Review	1405
CAMPUS PLANNING	8391	▪ Loyola Law Review	1125
CAREER DEVELOPMENT CENTER	1150	LAW LIBRARY	
CENTER FOR CONFLICT RESOLUTION	1145	• Circulation	1117
CENTER FOR JUVENILE LAW & POLICY	8339	• Computer Resource	1426
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COUNSELING (Psychological)	1122	PAYROLL	8105
DEAN'S OFFICE	8154	Physical Plant	1107
• Dean Waterstone	1062	PUBLIC INTEREST LAW	1059
• Associate Dean Archer	8380	REGISTRAR	1130
• Associate Dean Clark	1494	SBA	1008
• Associate Dean Levitt	7417	SECURITY	1121
• Associate Dean Martin	7420	STUDENT ACCOUNTS	1021
• Associate Dean Sridharan	1028	STUDENT AFFAIRS	8151
EMERGENCY		STUDENT ORGANIZATIONS	
▪ (on campus)	1121	ASSISTANCE	1001/8151
▪ (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
Berdejo, Carlos	1137
Boylan, Jean	8130
Brain, Robert	8168
Buckingham, Samantha	1328
Buhai, Sande	1156
Caplan, Aaron	8110
Clark, Brietta	1494
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
Goldman, Stanley	1092
Grossi, Simona	8104
Guttentag, Michael	1168
Hawthorne, Christopher	8344
Hayden, Paul	1064
Hughes, Justin	8108
Hull, Bryan	1193

I-L

Ides, Allan	1464
Johnson, Maureen	1123
Kamita, Jennifer	1057
Kennedy, Sean	8302
Kim, Kathleen	1316
Kowal, Jennifer	8349
Lapp, Kevin	1165
Levenson, Laurie	1149
Levinson, Jessica	1437
Levitt, Justin	7417
Lyons, Katherine	1094

M-R

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

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Schechter, Dan	1068
Scott, Sean	1054
Selmi, Daniel	1098
Seto, Theodore	1154
Sliskovich, Joseph	1067
Smith, Michael	1337
Song, Seagull	1116
Strauss, Marcy	1077
Trevino, Shannon	1066
Trisolini, Katherine	8368
Waterstone, Michael	2243
Wells, Anne	8111
West-Faulcon, Kimberly	8172
Williams, Gary	1090
Willis, Lauren	1086
Zimmerman, Adam	1102

OTHER:

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

2017-2018 ACADEMIC CALENDAR

FALL 2017

Monday, August 21	Classes Begin
Monday, September 4	Labor Day Holiday Observed - No Classes *
Monday, October 9	First Year Mid-term Examinations**
Monday & Tuesday, October 9 & 10	Open Class Days**
Wednesday, November 15	Last Wednesday Class
Thursday, November 16	Last Thursday Class
Friday, November 17	Last Friday Class
Tuesday, November 21	Last Tuesday Class
Wednesday, November 22	Monday Classes Meet; Last Monday Class
Thursday, November 23	Thanksgiving Holiday Observed - No Classes *
Friday, November 24	Day after Thanksgiving - No Classes*
Monday, November 27	Flex Day for Day and Evening Classes***
Tuesday, November 28	Flex Day for Day and Evening Classes***
Wednesday, November 29	Reading Period Begins
Sunday, December 3	Reading Period Ends
Monday, December 4	First Day of Examination Period
Tuesday, December 19	Last Day of Examination Period
Friday, December 22	Winter Break Begins *
Tuesday, January 2, 2018	Last Day of Winter Break*

SPRING 2018

Monday, January 8	Intersession Begins
Friday, January 12	Intersession Ends
Monday, January 15	Martin Luther King Jr. Holiday Observed - No Classes*
Tuesday, January 16	Classes Begin
Monday, March 5	First Year Mid-term Examinations**
Monday & Tuesday, March 5 & 6	Open Class Days**
Wednesday thru Thursday; March 7 - 8	Spring Break - No Classes
Friday, March 9	Spring Break - No Classes*
Thursday, March 29	Cesar Chavez Holiday Observed - No Classes*
Friday, March 30	Good Friday Observed - No Classes*
Tuesday, April 17	Last Tuesday Class
Wednesday, April 18	Last Wednesday Class
Monday, April 23	Last Monday Class
Tuesday, April 24	Thursday Classes Meet; Last Thursday Class
Wednesday, April 25	Friday Classes Meet; Last Friday Class
Thursday, April 26	Flex Day for Day and Evening Classes***
Friday, April 27	Flex Day for Day and Evening Classes***
Saturday, April 28	Reading Period Begins
Tuesday, May 1	Reading Period Ends
Wednesday, May 2	First Day of Examination Period
Thursday, May 17	Last Day of Examination Period
Sunday, May 20	Graduation (Westchester Campus)

* Administrative offices are closed and auxiliary services are not available. For Library hours/schedule, please go to

<http://lts.edu/resources/library/aboutthelibrary/hours/>.

**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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1.0. GRADUATION REQUIREMENTS AND RELATED MATTERS

The degree of Doctor of Juridical Science (JSD) is the highest degree offered by Loyola Law School, Los Angeles. It is designed for individuals who are interested in becoming law professors, scholars, jurists or public intellectuals, or in deepening their scholarship to continue in these fields. Students must spend a minimum of three years, two of which are in residence, and a maximum of five years in the program to complete the degree.

Writing a dissertation is the primary task of JSD students. The dissertation can be either a single manuscript, or a collection of three articles suitable for law journal publication. JSD students write their dissertation under the direct supervision of a full-time faculty member of the law school. Through the dissertation, students are expected to make a substantial contribution to legal scholarship by raising, expanding upon or answering important questions and exercising independent critical ability in making the argument. Students must also successfully completed certain course requirements. Section 1.1 details the specific course and dissertation-related requirements students must satisfy in order to successfully complete the JSD Program. Please refer to Section 1.2 for definitions of important terms used in this section.

1.1. **Graduation Requirements**

In order to be eligible for the degree of Doctor of Juridical Science, a student **MUST** complete each of the following requirements:

1.1.1. Satisfactory Completion of Required Coursework.

-For students entering before August 2016: A minimum of twelve (12) units of coursework must be completed with a passing grade. All twelve (12) units must be completed in the Program at Loyola Law School.

-For students entering August 2016 or later: During the first and second year in residency, students are required to take a number of mandatory, JSD-dedicated seminars and classes, and at least one other elective seminar or course. The following is the core curriculum that must be successfully completed by all JSD students: Doctoral Research Methodology (Quantitative & Qualitative Components); JSD Colloquium I and II; a Required Legal Theory Seminar (designated by the Academic Supervisor). More information about the coursework requirements is found in **Appendix A** to this Handbook.

1.1.2. Good Academic Standing. 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. 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

1.1.3. Dissertation Requirement. To be awarded the JSD degree, all candidates must successfully research, outline, draft, finalize, and orally defend either of the following:

Option 1: A single work of a minimum of approximately 75,000-words and no more than 100,000 words, of publishable quality; or

Option 2: Three law review articles of approximately 25,000 words each, which are of publishable quality, logically connected and part of a coherent scholarly agenda.

Students must successfully complete each stage of the dissertation process, within the applicable deadlines, as explained at **Appendix A** to this Handbook.

- 1.1.4. Five Year Rule. All degree requirements must be satisfactorily completed 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. Students must complete the required units of coursework during the time they are in residence: students entering before August 2016 have a one-year residency requirement; students entering August 2016 or later must be in residence for two years.
- 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 J.S.D. 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.

A student has an obligation to disclose any and all felony or misdemeanor criminal convictions (excluding minor traffic violations). 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. (Reference should be made to 11.1.9., Prohibited Conduct.)

- 1.1.8. Satisfaction of Financial Obligations. A student who has not satisfied all financial obligations to the Law School may be subject to a billing hold. A student with a billing hold who does not pay the balance on his/her student account by the last day of scheduled classes of his/her graduating term may be administratively withdrawn and not permitted to take final examinations. If a student is prohibited from continuing due to non-payment, the Five Year Rule requirement will remain in effect. A student's account must be paid in full before grades, transcripts, and diploma will be released to the student or other outside agencies/institutions. The Law School, however, will comply with all reporting required by law.

1.2. Definitions.

1.2.1 The Loyola Law School, Los Angeles, program leading to the degree of Doctor of Juridical Science (JSD) is referred to as the "Program" or the "JSD Program."

1.2.2 The faculty member who oversees the academic aspects of the Program is referred to as the "Academic Supervisor" or "Supervisor."

1.2.3 The person who oversees the administrative aspects of the Program is referred to as the “Program Director” or “Director.”

1.2.4 The faculty members comprising the committee before which the dissertation must be defended is referred to as the “Dissertation Committee” or the “Committee.”

1.2.5 The faculty member taking primary responsibility for supervising the student’s dissertation research is referred to as the “Chair of the Dissertation Committee” or “Chair.”

2.0. COURSE LOAD AND WORK LIMITATIONS

2.1. Maximum Units per Semester

A JSD student may enroll in more than six (6) units per semester in residency, but may not enroll in more than twelve (12) units. The student’s Dissertation Chair and the Director of the Program must approve each student’s schedule before a student registers in courses.

2.2. Minimum Units

Students beginning the Program on or after August 2016 must register for and remain enrolled in the required courses (described in Appendix A) during the four semesters in residency. For students matriculating prior to August 2016, there is a two-semester residency requirement. In addition to the required coursework, students are expected to enroll in a minimum number of units for directed research credits. During the first year, students will enroll in twelve (12) units of directed research (six units in the fall and spring semesters, respective); for each of the remaining years, students will enroll in a total of six (6) units of directed research each year. A student who wishes to suspend taking courses before completing the resident coursework requirements should request a leave of absence from the Director. (See Section 7.1.) During residency, a student who fails either to register for and remain enrolled in the required courses 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.).

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 Director.

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

Academic credit will be given for courses 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 credit that he/she has previously submitted for course or writing credit in the 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 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 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 & Course Workload Expectations

A student is required to attend classes regularly. 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.

For every one (1) hour of classroom instruction, students must complete at least two (2) hours of out-of-class work each week. This means that for a three (3) unit seminar, a student would be expected to complete $3 \times 2 = 6$ hours of work outside of class each week.

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 Courses

Only courses designated as pass/fail courses can be taken on a pass/fail basis.

3.5. Adding Courses

Once a student registers for classes, courses may be added through the last day of the add period as noted in the Office of the Registrar's Administrative Calendar. Faculty cannot grant permission to a student to enroll in a course after the last day of the add period.

Students may only attend classes for which they are enrolled. Waitlisted students may not attend a class if they are on the waitlist. If students are admitted from the waitlist, they must add the class in timely manner to secure their seat in it. For more information related to adding a class from the waitlist, reference should be made to the term-specific registration e-booklet at <http://www.lls.edu/academics/officeoftheregistrar> . (Reference should be made to the Sections on Maximum Units per Semester, 2.1., for supplemental information.)

3.6. Withdrawing from (Dropping) Courses

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

Withdrawal from a 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.” Students in residency must remain enrolled in a minimum of six (6) 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.*, 0).

3.7. Procedure for Adding and Withdrawing from (Dropping) Courses

A student must consult with the Academic Supervisor about adding a class or withdrawing from a class. Only the Academic Supervisor may ask the Registrar to alter a student’s schedule.

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/financiaid>.

3.8. Tuition Liability for Withdrawing from (Dropping) Courses

If a student changes his/her academic load after the last day to 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’s deadline dates and corresponding percentages of tuition for which a student is liable. The Student Accounts Office provides this information. (For more detailed information regarding tuition liability and the refund policy, see <http://www.lls.edu/studentaccounts/policiesandprocedures/>.)

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 3-unit classes and decides to withdraw from one of them and replace it with another 3-unit class, the student would be liable for the tuition for 15 units; there would be a percentage liability for the three units dropped and full liability for the remaining 12 units.)

Note: The last day to withdraw from classes without tuition penalty does not correspond with the date established by the Office of the Registrar as the last day to drop a class without a “W.” The Tuition Liability/Refund Policy is published every term at <http://www.lls.edu/studentaccounts/policiesandprocedures/>.

If a student is registered, and wishes to withdraw from a class or from the Law School, a formal request to the Director 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 Law School, a student will not be eligible to reapply unless he/she reappplies and is admitted to the JSD program again.

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 not be computed until completion of the second semester of enrollment.

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 Good Academic 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. In addition, a student must successfully satisfy each dissertation milestone and receive a Pass for each Progress Report. (Please refer to Appendix A)

5.0. GRADING SYSTEM AND RELATED REGULATIONS

5.1. In General

The faculty reserves the right to change the grading system and related regulations at any time.

The Office of the Registrar enters the grades on the transcripts. The Office of the Registrar will only disclose grades through transcripts and the student's PROWL account at <http://prowl.ls.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).

Unit credit is not earned for a grade of No Credit.

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 any one of the following three requirements is met:

- (a) The faculty member grading the paper determines that the student has not written a satisfactory paper by the last day of the examination period, and the faculty member has also determined that the paper should be rewritten rather than graded in its current form. – This paragraph does not apply to students in their final semester before graduation.
- (b) The faculty member grading the paper determines that the student is unable to write a satisfactory paper by the last day of the examination period, and the faculty member has also determined that the student should be permitted additional time to complete the paper. – This paragraph does not apply to students in their final semester before graduation.
- (c) 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) directed research in which the project is a paper; (2) seminar courses in which the grade is based solely on a paper with the exception of participation points. 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 F 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 5.7.2.7. 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 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 (via the JSD Director) 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 F 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 F 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 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, the units may be made up by repeating the course.
- 5.6.3. A student who is not otherwise required to repeat a course may choose to repeat any course which he/she previously has taken, regardless of the grade previously received, under the following conditions:
- 5.6.3.1. Students who wish to repeat a course will be permitted to register for the course on a space available basis.
- 5.6.3.2. 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.
- 5.6.3.3. 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.
- 5.6.4. Students should not repeat a course with the same professor if at all possible.
- 5.6.5. 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 Marital Property for two units and then elects to repeat the course will be treated as having taken only two units of Marital Property). Repeat units do not count towards the twelve (12) units required for graduation.
- 5.6.6. 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.
- 5.6.7. A student may not repeat a class after the term in which he/she has graduated.

5.7. Consideration of Class Participation in Grading

For the purposes of this rule, class participation is defined as a student's daily class work in contrast to papers, presentations, assigned critiques or exercises such as closing arguments and negotiations; a seminar is defined as a small advanced class usually of twenty students or less, in which the student's work, in the form of research papers, class presentation and/or substantial non-examination oral and written work, in contrast to an examination, constitute a substantial component of the course; seminars shall be identified

as such in the registration materials; a practical skills-related course is one which emphasizes the theory and practice of lawyering tasks such as counseling, negotiation, discovery, and trial and appellate advocacy.

A professor may take class participation into account in assigning a final grade. With the exception of seminars and skills-related classes, no more than three points, plus or minus, may be assigned for class participation. A professor who intends to take class participation into account in assigning grades shall make an announcement to that effect at the beginning of the course, and shall submit the class participation points to the Registrar no later than the time he/she submits the final grades for the course. No points will be taken into account once the grades are received by the Office of the Registrar.

In seminars and elective skills-related classes, a professor may count class participation up to one-half of the final grade, provided that:

- a. the lowest grade for class participation is 55 on a 100 scale;
- b. the professor announces in advance that class participation will be counted in accordance with this provision; and
- c. the professor affords all students in the class an equal opportunity to participate and encourages all students in the class to participate.

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 6-7.8 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

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 of this Student Handbook (JSD).

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.

6.0. EXAMINATIONS

6.1. Examination Schedule

A tentative final examination schedule is published on the Office of the Registrar's website a few weeks prior to the examination period. The final examination dates will also appear on the course offerings page. The final examination schedule is finalized no later than 2 weeks prior to the registration period for that term and is published on the Office of the Registrar's website and course offerings page.

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.ils.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 a one point deduction 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, 9.0 and Disciplinary Code, 10.0.

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. **Time Limits for Exams**

JSD students will be tested in a room separate from the JD students. Exam proctors will have one English-language dictionary in every testing room for use by any JSD student during any

closed-book written exam. No other materials will be permitted during a closed-book exam. JSD students will be given 50% more time than the time allotted for JD students on timed written exams.

6.5.3. Procedure Before an Examination

6.5.3.1. 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.

6.5.3.2. 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.

6.5.3.3. 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.

6.5.3.4. 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.

6.5.3.5. 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.**

6.5.3.6. Each student must present his/her *Student Identification Card* to the proctor upon entering the examination room.

6.5.3.7. Students may only sit at pre-determined examination stations; they may not move examination materials to another seat unless given permission by the proctor.

- 6.5.3.8. 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.
- 6.5.3.9. 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.
- 6.5.3.10. 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.

6.5.4. 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.

6.5.5. 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.

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 Assistant Dean for Student Affairs and the JSD Program Director.

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 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. **PLAGIARISM POLICY**

8.1. **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.

8.2. **Plagiarism Defined**

- 8.2.1. 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.

8.2.1.1. 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, online sources, commercial law outlines, lectures and speeches, movies, videos, 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 is 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.

8.2.1.2. 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.

8.2.1.3. 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.

8.3. Responsibility for Plagiarism

All authors are responsible for ensuring that their work contains no plagiarism. **Plagiarism, especially in the age of online 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.

8.4. 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.

8.4.1. 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.

8.4.2. 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.

8.4.3. Special Considerations with Online Research

The advent of online 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 online 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 online research.

One rule of thumb is never to download text directly from an online 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 online or otherwise contains information about its source.

8.4.4. 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).

8.4.4.1. 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.

8.4.4.2. 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.

8.4.4.3. 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.

8.4.4.4. 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.

9.0. STANDARDS OF CONDUCT

9.1. **Prohibited Conduct**

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

- 9.1.1. 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.
- 9.1.2. Willful interference with the orderly conduct of the educational or administrative functions of the School.
- 9.1.3. 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.
- 9.1.4. Theft or willful abuse of School property or property of another on the School premises.
- 9.1.5. 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.
- 9.1.6. 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 Career Services Center.
- 9.1.7. Willful and material misrepresentation or nondisclosure concerning qualifications for admission to the School.
- 9.1.8. Plagiarism. (Reference should be made to the Plagiarism Policy, 8.0.)
- 9.1.9. 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.
 - 9.1.9.1. 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.

- 9.1.10. Engaging in any law school related conduct, whether on or off campus, actual or virtual, whether or not criminal, which reflects negatively upon the students 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. (Reference should be made to <https://my.lls.edu/webforms/socialmediapolicy> and the Acceptable Use Policy.)
- 9.1.11. 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.

10.0. 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 provisions of the Disciplinary Code as they existed at the time the Associate Dean for Faculty began his/her review of the matter.

10.1. Sanctions

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

- 10.1.1.1. Expulsion: Complete and permanent termination of an individual's status as a student, with the loss of all rights and privileges appurtenant thereto.
- 10.1.1.2. 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 lifted provided the suspended individual can demonstrate to the Dean that such action serves the best interests of the School. The Dean shall have authority to lift the suspension and to impose such conditions on the student's reinstatement as he/she deems advisable under the circumstances.
- 10.1.1.3. 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.
- 10.1.1.4. Formal Censure: A letter of reprimand, explaining the reasons for censure.
- 10.1.1.5. Oral Censure: An oral reprimand, explaining the reasons for the censure.
- 10.1.1.6. Academic penalty: Whole or partial withdrawal of credit for a course, a course assignment or an examination, or the determination or the lowering of a grade for a course, a course assignment or an examination (including the awarding of a failing grade for that course, assignment or examination), 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.
- 10.1.1.7. Disciplinary Probation: After a final determination is made by the Dean, Associate Dean for Faculty, or the Student Conduct Committee that a violation has occurred, the student may be on probation for a specified period of time, usually the

remainder of his/her law school career. Disciplinary probation may be used alone or in conjunction with other sanctions.

10.1.1.8. 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 at the Law School be revoked.

10.1.2. The foregoing sanctions are not mutually exclusive, and may be imposed in combination. Other appropriate sanctions may also be imposed (*e.g.*, completion of an appropriate rehabilitation program).

10.1.3. 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.

10.1.4. Record of a prior violation of the Standards of Conduct may be considered in determining the appropriate sanction for a subsequent violation.

10.1.5. In the event of an expulsion or suspension which terminates a student's right to attend class during a term, the School shall retain only that portion of the total term tuition as the number of weeks of class completed before termination bears to the total number of weeks of class in the term. 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.

10.2. Preliminary Disposition of Allegations

The following procedures apply to violations of the Standards of Conduct except violations of section 9.1.11. With respect to such violations under section 9.1.11., academic penalties may be imposed under section 10.1.1.6. at the discretion of the Associate Dean for Faculty.

10.2.1. Informal Investigation

Upon receiving notice of a credible alleged violation of the Standards of Conduct, the Associate Dean for Faculty shall initiate an informal investigation to determine whether one or more of the Standards of Conduct (section 9.0.) have been violated. The investigation may involve meeting with the person making the allegations, any faculty, student or staff member who may have information about the alleged violation, and the student or students alleged to have violated the Standards.

10.2.2. Notice of Infraction or Notice of Formal Disciplinary Action

At the conclusion of the informal investigation, the Associate Dean for Faculty shall determine whether an infraction has occurred, and if so, whether the infraction is sufficiently serious to warrant the initiation of formal disciplinary proceedings. If it is not serious enough to initiate such proceedings, then the procedures set forth in section 10.2.3 for Notice of Infraction shall apply. If the Associate Dean for Faculty determines that the infraction warrants formal disciplinary proceedings, then the procedures outlined in section 10.2.4. for Formal Disciplinary Action will

apply.

10.2.3. Determination of Infraction

a. General

In cases in which the Associate Dean for Faculty determines in his/her discretion that an infraction by a student is not sufficiently serious to warrant the initiation and imposition of formal discipline, then the Associate Dean for Faculty may deal with the matter by issuing a Notice of Infraction.

b. Notice of Infraction

A Notice of Infraction will include:

1. A statement of the infraction, including the specific Standard(s) of Conduct violated;
2. A copy of the Disciplinary Code; and
3. A statement of the Associate Dean for Faculty's disposition of the matter, including any sanction imposed.

c. Effective Date of Disposition

The Associate Dean for Faculty's disposition will become effective five (5) business days from the date of the Notice.

d. No Public Disclosure

The Notice of Infraction will be placed in the student's file held by the Associate Dean for Faculty. However, it will not be reported outside of the Law School so long as the student engages in no additional violations of the Law School's Standards of Conduct. If there are no additional violations, the Notice of Infraction will be removed from the student's file and destroyed upon graduation of the student.

e. Additional Infraction

If a student who has previously received a Notice of Infraction is later found to again violate the Law School's Standards of Conduct, in the Dean's discretion the initial infraction may be disclosed outside the Law School. Additionally, the Dean or Associate Dean for Faculty may impose a more serious sanction for the subsequent violation than might otherwise have been imposed.

10.2.4. Formal Disposition of Disciplinary Cases - Formal Disciplinary Action

Should the Associate Dean for Faculty determine that the infraction is serious enough to warrant

Formal Disciplinary Action, or if the student chooses to invoke the formal disciplinary procedures after the Associate Dean for Faculty issues a Notice of Infraction, then the matter will be subject to the following procedures:

10.2.4.1. Student-Initiated Proceedings

A student who invokes the process for Formal Disposition of Disciplinary Cases is entitled to have the matter reviewed by the Dean or, in the Dean's sole discretion, his/her designee. The student may request review by the Dean without a formal hearing. In that event, the Dean may review the matter under any reasonable procedure that he/she selects. At the end of that procedure, the Dean will decide the matter, and that decision is final, unless the Dean, in the Dean's sole discretion, declines to render a final decision, and instead decides to refer the matter to the Student Conduct Committee for hearing and determination. In the event of such a referral, the matter will be heard under the rules and procedures set forth in 10.4.-10.7. The Dean, or his/her designee, shall notify the student in writing of the Dean's decision. Alternatively, the student may request a formal hearing under the procedures outlined below.

10.2.4.2. Associate Dean-Initiated Proceedings

If the Associate Dean for Faculty determines that the infraction is serious enough to warrant formal disciplinary action, he/she shall issue a Notice of Formal Disciplinary Action.

- a. The Notice of Formal Disciplinary Action shall include:
 1. A statement of the charge, including the specific Standard(s) of Conduct violated;
 2. A copy of the Disciplinary Code;
 3. A statement of the Associate Dean for Faculty's recommended resolution; and
 4. A statement that the student has the following options:
 - a. To accept the resolution recommended by the Associate Dean for Faculty;
 - b. To have the matter referred to, heard and resolved by the Dean, who retains the ability to refer the matter to the Student Conduct Committee; or
 - c. To have the matter referred to, heard and resolved by the Student Conduct Committee.
- b. The student must notify the Associate Dean for Faculty within five (5) business days from the date of the Notice of Formal Disciplinary Action of his/her decision. If the student does not notify the Associate Dean within that time period, then the resolution recommended by the Associate Dean for Faculty becomes final and effective within seven (7) business days from the date of the Notice of Formal Disciplinary Action.

c. Public Disclosure

All Formal Disciplinary Actions become a part of a student's official Law School records and will be subject to disclosure to the public if, at the conclusion of the proceeding, it is determined that the student has violated the Law School's Standards of Conduct.

10.3. Student Conduct Committee

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

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

12.0.1.2. Three (3) members of the full-time Law School faculty appointed by the Dean; and, 10.3.1.3. 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 Associations 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.

10.3.2. Term. The Committee shall be appointed for an academic year, including the Summer Session, and shall serve from the date of its appointment until a new committee is appointed.

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

10.3.2.2. 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-time faculty.

10.3.2.3. 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.

10.4. Hearings of Committee

10.4.1. Representation. 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 or his/her designee, the student may be represented by himself/herself, or by outside counsel at the student's sole expense.

10.4.2. Notice. The Chairperson shall set the date, time and place for 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 less than fourteen (14) days before the hearing date.

10.4.3. Student Rights. The student charged shall have the following rights at the hearing:

10.4.3.1. 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;

10.4.3.2. To confront and cross-examine witnesses giving evidence against him/her or about the matter;

10.4.3.3. To testify and present other evidence on his/her own behalf;

10.4.3.4. To decline to testify, and such declination shall not be considered by the Committee as an inference of or evidence of culpability;

10.4.3.4 To have a copy of all written documents submitted to the Committee.

10.4.4. Privacy.

10.4.4.1. Hearings will be held in private, provided, however:

10.4.4.1.1. The student, in addition to his/her rights with respect to representation, may have a non-participant observer present during the hearings;

10.4.4.1.2. The student may send a written request to the Chairperson of the Committee not later than three (3) days before the date set for the hearing, to have the hearing be open. If a majority of the Committee concurs, the hearing shall be open. The Committee, however, shall have the right to exclude potential witnesses or later close the hearing by majority vote.

10.4.4.2. Matters presented during the hearings and the decision of the Committee shall be kept in confidence by all persons present, provided, however, that the Dean may make such disclosures as the Dean deems appropriate.

10.4.5. Presentation of Charge. Evidence in support of the charge shall be presented by an individual designated by the Dean, normally a full-time member of the Law School faculty.

10.4.6. Disqualification.

10.4.6.1. A member of the Committee shall disqualify himself/herself if he/she determines that he/she will be unable to render an impartial decision in the matter.

10.4.6.2. Any member of the Committee shall be subject to challenge for cause, either by the student or the person appointed to present evidence of the violation, upon a showing of a reasonable probability that he/she will be unable to render an impartial decision in the matter.

10.4.6.2.1. The student or the student's 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.

10.4.6.2.2. Removal by challenge shall be by majority vote of the Committee, with the challenged member abstaining.

10.4.7. Quorum. A quorum shall consist of at least four (4) voting members of the Committee.

10.4.8. Evidence and Procedure.

10.4.8.1. The Committee may receive any evidence relating to the violation that it deems proper. Rulings on the evidence 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 all witnesses and may, on its own motion, call additional witnesses or request the production of additional evidence.

10.4.8.2. The order of proceeding shall be as follows: 1) evidence in support of the charge; 2) student's evidence in rebuttal; 3) any other evidence requested by the Committee; and 4) oral arguments. The Committee shall then close the hearing and decide whether the student has committed a violation. If the Committee decides that the student has committed the violation charged, the order of the remaining proceeding shall be as follows: 1) evidence on the appropriate sanction by the person who presented evidence on the charge; 2) evidence by the student on the subject of the appropriate sanction; and 3) arguments on sanction. The Committee shall then decide an appropriate sanction for the violation.

10.4.9. Decision.

10.4.9.1. The Committee shall arrive at its decisions in private deliberations and, by majority vote, based only upon the evidence received at the hearing. The Chairperson shall be without vote except to break a tie.

10.4.9.2. A decision that the student has committed the violation charged shall be in writing and supported by clear and convincing evidence to a reasonable certainty. The decision shall be supported by written findings of fact adopted by the Committee, and shared with the Dean, the student, the student's representative, and the person appointed to present evidence in support of the charge

10.4.9.3. In rendering its decision, the Committee is not bound by the Recommended Sanction issued by the Associate Dean, if any, and may impose any sanction set forth in

Section 12.1.

10.4.10. Record. The Committee shall cause a record of the hearing to be kept, as property of the Law School. At the conclusion of the proceeding, the record shall be made available to the student at his/her expense.

10.5. Action by Dean

10.5.1. The Dean shall review the decision of the Student Conduct Committee as set forth in Section 12.5.2. and take final action thereon.

10.5.2. The decision of the Committee shall be followed by the Dean. However, when the Dean deems it advisable in the interests of justice, the Dean may reduce the sanction imposed by the Committee.

10.5.3. 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.

10.6. Appeal to Provost

10.6.1. 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.

10.6.2. 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.

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

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

10.6.5. 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.

10.6.6. The decision by the Provost shall be final and there are no further appeals available to the student.

10.7. Miscellaneous

10.7.1. Notices. Notices required or permitted in this code shall be in writing and may be delivered personally or by United States Postal Service. Notice given by mail shall be deemed received forty-

eight (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.

10.7.2. 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 Associate Dean for Faculty, 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.

10.8. Effective Date and Application

10.8.1. This code shall be effective commencing Fall 2013.*

10.8.2. Conduct occurring prior to admission to the School shall not be a disciplinary action under this code, except as provided in 9.1.9. of "Prohibited Conduct" (Section 9.1.).

*This code was amended effective August 1, 2013.

11.0. STUDENT-ON-STUDENT SEXUAL & INTERPERSONAL MISCONDUCT POLICY & PROTOCOL

11.1 Please refer to Appendix B.

12.0. OFFICIAL ACADEMIC RECORDS DISPOSITION POLICY

12.1 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 or 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.

12.2. 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 US 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.

12.3. 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 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;
3. 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 successor to the professional role of the individual who made the record; and
4. 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 cents 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).

12.4. 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/petitionandrequestforms/> 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.

12.5 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.

13.0. 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.

13.1. Official Notices

The Law School's e-mail system (through a moderated list, officialnotice@mailman.lls.edu) is utilized to publish official notices and inform all students of Law School-related issues. There is also a

dedicated email list for JSD students to receive official notices specific to the JSD program (JSD-officialnotice@mailman.lls.edu). **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. There is also a dedicated email list to send information about events of interest to JSD students (JSD-events@mailman.lls.edu).

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>.

Reference should be made to the sections on E-mail (13.13), and *In Brief* (13.22) for more information.

13.2. 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 *Reservation Form* online at <http://lls.edu/reservationform>.

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.

13.3. Audio Recording of Classes

13.3.1. Audio recording by the Instructional Technology Department

The Instructional Technology Department will audio record classes under the following three circumstances: (1) serious illness or family emergency, (2) approved disability accommodation, (3) 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://webdb.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://webdb.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.

13.3.2. 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.

13.4. Bookstore

The Law School bookstore operated by a private concession is 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.

13.5. Bulletin Boards

The Law School's intranet 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 online 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 Center. Announcements must be brief and pertinent to all viewers.

Student Bar Association Boards. The Student Bar Associations (SBAs) have bulletin boards located in the ground floor foyer of the Burns 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.

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

- Esplanade kiosk
- Burns Building Student 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 (near the payphones above the stairs)

Reference should be made to the posting policy (item 13.30.) for guidelines regarding the posting of notices on these boards.

13.6. 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 on the second floor of Founders Hall. For service difficulties and refund of lost monies, students should contact the vending company, whose number appears on the front of the machine. Suggestions or comments about the service should be brought to the attention of the Executive Director for Business and Finance at (213) 736-8308.

13.7. 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.

13.8. Computer Lab

For detailed information, reference should be made to <http://lls.edu/resources/library/services/computerlabrcr/#d.en.27692>

13.9. 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>.

13.10. 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.

13.11. 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 law 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 twenty-one and the serving of alcohol to those under the age of twenty-one. 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.

13.12. E-Mail

- 13.12.1. Officialnotice@mailman.lls.edu is utilized to publish general official notices and inform all students of Law School-related issues. JSD-officialnotice@mailman.lls.edu is utilized for official notices specific to students in the JSD program. **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 lists will be considered to have been transmitted to all students. Students will not be able to unsubscribe from these lists.

13.12.2. 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. For events specific to students in the JSD Program, the following email address is used: jsd-events@mailman.lls.edu Messages on these lists should not be of an official nature but they should 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. Information handouts are also available from the Computer Lab.

Reference should be made to the section on Computer Usage (13.10) 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.

13.13. 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>.

13.14. 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>.

13.15. 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.

13.16. 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.

13.17. Health Insurance Plan

Loyola Law School requires that all students have health insurance. Students will be able to purchase health insurance through the Law School provided by AETNA Student Health. Students covered by another health insurance plan must provide information regarding their coverage in order not to be automatically enrolled in Loyola's health insurance option.

Students who do not enroll or waive coverage by the deadline will be enrolled in annual coverage and have his/her student account charged the SHIP full-year premium.

For more information on the cost, coverage, and enrollment in the AETNA Student Health plan, students should visit <https://webdb.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 <https://www.aetnastudenthealth.com/students/student-connection.aspx?GroupID=474945>.

13.18. 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).

13.18.1. 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 on-line. 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.

13.18.2. The SHS staff includes:

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

13.18.3. 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.

13.18.4. 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/>

13.18.5. 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.

13.18.6. 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

St. Vincent Medical Center
2131 W. 3rd Street
Los Angeles, CA 90057
General Information: 213-484-7111
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

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

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

Playa Vista Medical Center
6020 Sea Bluff Drive
Playa Vista, CA 90094
Urgent Care: 310-862-0400
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

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

Concentra Urgent Care
6033 West Century Blvd., Ste 200
Los Angeles, CA 90045
Urgent Care: 310-215-1600
www.concentra.com/urgent-care-centers/california/los-angeles/airport-lax-urgent-care/

13.19. 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://my.lls.edu/information-support-services/information-students> or contact the Information Desk at (213) 736-1001.

13.20. 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 Lisa Martinez in Campus Planning at 213-736-8391 or by e-mail to lisa.martinez@lls.edu.

13.21. 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.

13.22. 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.

13.23. 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>.

13.24. Lost and Found

The campus Lost and Found is located in and operated by the Information Center - G. This department is in the first floor of Burns Building. Business hours are 8:00 a.m. to 6:30 p.m. from Monday through Thursday, and 8:00 a.m. to 4:00 p.m. on Friday. Reference should be made to the Information Center – home page for additional contact information at <https://my.lls.edu/infocenter/lostandfound>

Articles should be turned in to the Information Center if found during business hours.

Articles found after the Information Center is closed should be turned in to the 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 Center is closed.

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

Students who have lost an article should contact the Information Center using the Request Form found at <https://my.lls.edu/infocenter/lostandfound>. They can visit the Information Center located in the Burns Building or call 213-736-1001. If the Information Center does not have the article, students may contact the Library's Circulation Desk at 213-736-1117, 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 Center after 48 to 72 hours have passed.

Found articles are kept in the Information 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.

13.25. Loyola Name and Logo

The sale or distribution of items on which the name "Loyola Law School," the Law School logo, the Law School seal or any portions of the Law School name, logo or seal 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, logo and/or seal must obtain advance approval from the Office of Student Affairs.

Students may not use the Loyola Law School logo or seal in social media applications or on websites. More information about this is available in the Law School's Social Media Policy at <https://my.lls.edu/webforms/socialmediapolicy>.

13.26. 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.

13.27. Parking and Transportation

Parking

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

The parking fee for the 2014-2015 academic year is for the period August 1, 2014 through July 31, 2015. The parking fee is \$348.00 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, 2014 for the Fall semester and by January 31, 2015 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 7th 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.

13.28. Pets

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

13.29. 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 Center, Burns Building, second 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 Center for posting in the areas listed below:
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, near pay phones – 1 flyer may be posted
(Items posted in areas other than listed above 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 Center.

13.30. 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.

13.31. 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.

13.32. Safety and Security

The annual Security Report can be viewed at <https://my.lls.edu/campusplanning/publicsafety>.

13.33. 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, Student Lounge, student organization offices, Library, Faculty Lounge, faculty and administrative offices, and staff lounge areas. Smoking will only be permitted in designated outdoor areas.

13.34. 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.

13.35. Weapons

The law prohibits the possession of weapons on campus.

14.0. EMERGENCY AND SAFETY PROGRAMS

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

14.1. 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.

14.2. 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.

14.3. 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.

14.4. 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 - Housekeeping Office - Graphics Office Second floor - Staff Lounge
Girardi Advocacy Center:	Third floor - Instructional Technology Staff Office
Parking Garage:	Security Office
Rains Building:	First floor - Circulation Desk - Staff Lounge Second floor - Computer Lab

14.5. 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).

14.6. 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.

14.7. 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 intranet at 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.

15.0. 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. It maintains over 6,000 serial subscriptions.

15.1. 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, <http://www.lls.edu/library/aboutthelibrary/hours/>.

15.2. Facilities and Services

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

15.3. Library Rules

15.3.1. 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.

15.3.2. 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. See more on civility and courtesy at the California Bar web site: <http://ethics.calbar.ca.gov/LinkClick.aspx?fileticket=mPBEL3nGaFs%3d&tabid=455>

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.

15.3.3. 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*.

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

15.3.5. JSD students have their own dedicated study room in the Rains library that hosts only them and any visiting foreign professor. There is room for up to 12 persons at any given time. It is

equipped with desks, computers, boards, printers and readily available reference manuals, and books in the JSD study room are not re-shelved.

Other rooms in the library are available for group study, and 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. Reservations can only be made online at <http://lls.libcal.com/>. 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.

15.3.6. 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.

15.3.7. 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://lls.edu/resources/library/services/computerlabrc/printinginthecomputerlab/#d.en.28202>

15.3.8. 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.

15.3.9. 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.

- 15.3.10. 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.
- 15.3.11. 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://lls.edu/resources/library/aboutthelibrary/accesstothelibrary/>.

16.0. FINANCIAL AID

Financial aid may be available to U.S. citizens and permanent residents. 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. (Please note that 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 family loan programs, loan deferment procedures, and students' financial aid rights and responsibilities, reference should be made to <http://lls.edu/admissions/financialaid/>.

17.0. 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.

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.

18.0. CAREER DEVELOPMENT

JSD candidates are encouraged to take advantage of every opportunity to have regular interaction with peers and law professors at the Law School and beyond. Students will receive general emails about school events and conferences, as well as targeted email reminders about relevant events from the Academic Supervisor and Program Director. In addition, the Academic Supervisor circulates announcements regarding fellowships, post-doc opportunities, conferences and seminars and vacancies at universities in law school in the U.S. and abroad. To ensure that you receive this information, students should contact the JSD Academic Supervisor or Program Director.

18.1. General Policies

The services of the Office are for the exclusive use of Loyola Law School students and alumni. 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/careerdevelopmentcenter/forcurrentstudents/generalinformation/careerdevelopmentpolicies/>.

18.2. 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.

18.3. 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/careerdevelopmentcenter/forcurrentstudents/>.

18.4. 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://www.lls.edu/resources/careerdevelopmentcenter/forcurrentstudents/generalinformation/careerdevelopmentpolicies/>.

18.5. 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/careerdevelopmentcenter/forcurrentstudents/employmentstatistics/>.

APPENDIX A

JSD PROGRAM TIMELINE: COURSEWORK & RESEARCH MILESTONES

The academic year runs from mid-August to end of May. All newly admitted JSD students start in August.

For the purpose of this timeline, by “year” it is meant the period from beginning of classes for the Fall semester (mid-August) to the end of classes of the Spring semester (mid-May). JSD students are expected to continue working on their research throughout the Summer (mid-May to mid-August). Any program requirements during the Summer are included in the next year’s schedule.

Note that all deadlines in this timeline are “No Later Than”. The JSD program is a three-year minimum and five-year maximum program. Students are strongly advised to try to reach all milestones well in advance of the deadline indicated in this timeline.

FIRST YEAR

Coursework

During the first year of residency, JSD students must complete a maximum of 12 units of coursework. The choice of the elective class will be made after consulting with the Chair and the Supervisor. The following is the mandatory, first year, core curriculum for JSD students.

FALL	SPRING
<i>JSD Colloquium I (year-long) (4 units, total)</i>	
<i>Biological Foundations of the Law seminar, Part I (2 units). If it is not available, another seminar approved by the Academic Supervisor.</i>	<i>One elective class (maximum 3 units)¹</i>
<i>Doctoral Research Methodology course (3 units, total)</i>	

¹ JSD students take one class offered at LLS or at the Westchester campus during the spring semester. Seminars are strongly recommended, as they help students hone their research and writing skills. On average, about 11 seminars are offered each Spring at LLS alone. Some are broad in scope and more theory oriented; others are more focused and practice-oriented. The JSD student will consult with the Academic Supervisor to select an appropriate elective class/seminar.

Research Milestones

Research Units & Progress Reports. Each term of the first year, students are expected to earn 6 units of credit for their research-related work. To earn these units, students must submit a progress report to their Dissertation Chair at the end of the summer term (August 1st), the end of the fall term (December 1st), and the end of the spring term (May 1st), describing in detail the progress they have made toward their research goals. Credit for research-related work is awarded on a pass/fail basis.² A student scoring two consecutive fails will be terminated from the program. A student scoring three or more fails in total during his or her enrollment in the program will also be terminated from the program.

Research Reading List/Bibliography. By the beginning of classes of the Spring term, in January, all first-year doctoral students must turn in to their Chair a bibliography/reading list that is designed to ensure students get a solid foundation in the legal theories and concepts relevant to their field of research. This list will also be used to facilitate first year students' participation in the JSD Colloquium; they will be required to choose one or two articles from their reading list for discussion in the JSD Colloquium. This list must be approved by the Chair.

SECOND YEAR

Coursework

FALL	SPRING
<i>JSD Colloquium II (year-long) (4 units, total)</i>	

Students may also choose to take up to 6 units of electives over the course of the year, if the Chair deems it necessary.³

Should a student fail to complete all required coursework by the end of the second year, she/he will be required to remain in residence for up to two additional semesters to complete the required coursework or equivalent coursework as deemed suitable by the Academic Supervisor and the Chair. Should the student fail to complete all required coursework by the end of the third year, she/he will be terminated from the program.

Research Milestones

Draft Prospectus (due no later than mid-August, at beginning of Year 2). Before the beginning of classes of the second year, in mid-August, all first-year doctoral students must turn in to their Chair and the Academic Supervisor a draft Prospectus. A "Prospectus" is a maximum 10,000 word long document that lays out the justification for the dissertation research, identifies relevant theoretical, epistemological,

² See below, note 4.

³ JSD students can choose from classes offered at LLS or the Westchester campus. Seminars are strongly recommended, as they help students hone their writing skills; but non-seminar courses may be approved where appropriate. The choice of the elective class will be made after consulting with the Chair and the Supervisor.

and methodological issues, reviews the relevant literature, and provides a detailed research design that includes a timetable for the completion of the work.

Identify Dissertation Committee Members (due no later than May 30, at end of Year 2). By May 30 of the second year, the student will have chosen the members of his/her Dissertation Committee in consultation with the faculty Chair. The Dissertation Committee comprises three professors, including the Chair. The other two members of the Committee will be typically be chosen from the full-time research faculty selected by the student, with the advice and consent of the Chair. If the topic chosen for the dissertation so requires, one of the two members of the Committee may be an LLS clinical faculty member, a LLS adjunct faculty member, or a research faculty member from LMU or any other school or university.

Revised Prospectus (due no later than May 30, at the end of Year 2). By May 30 of the second year, the student must have turned in to the Chair and the Supervisor a revised Prospectus. The Supervisor and the Committee Chair consult to determine whether the student may move forward with the defense. If the Chair and the Supervisor determine that, given the Prospectus, the student is not likely to be able to complete the program requirements, the Chair can resign and the student will be terminated from the program. Or, if the Supervisor and the Chair conclude the Prospectus is not ready to be defended yet but can be fixed, the student will be asked to revise and resubmit it. This can be done only once.

Research Units & Progress Reports. Students are expected to continue to turn in progress reports – at the end of the summer term (August 1st), the end of the fall term (December 1st), and the end of the spring term (May 1st). In addition, any written work related to the student’s research project should be attached to these progress reports. If the faculty Chair determines the student has made satisfactory progress, the student will earn a total of 6 units of research related credit for the academic year.⁴ As noted earlier, a student scoring two consecutive fails in their progress reports will be terminated from the program. A student scoring three or more fails in total during his or her enrollment in the program will also be terminated from the program.

THIRD YEAR AND BEYOND

After the second year and completion of residency, JSD students are expected to dedicate themselves completely to writing their dissertation. JSD students are no longer required to take classes and participate in seminars. They are also not required to be full-time students, unless they are residing in the U.S. on a student visa requiring that.

Assuming the required coursework of the residency and the first and second year research- related milestones have been completed, and unless otherwise authorized by the Supervisor, each student must clear the following additional milestones to graduate:

⁴ Initially, these 6 units will be allocated equally (i.e., 2 per term) at the time students submit their progress reports on August 1st, December 1st and May 1st. In rare circumstances, the Academic Supervisor may approve allocating these units in a different manner.

Final Prospectus. No later than mid-August of the third year, the student must have turned in to their Chair and the Supervisor the final Prospectus. The Supervisor and the Committee Chair consult to determine whether the student may advance to candidacy. If they agree, the student can proceed to the Prospectus Defense.

Prospectus Oral Defense. No later than September 1st of the third year, the student must have defended orally the Prospectus in front of the Academic Supervisor and the Dissertation Committee.

The Academic Supervisor is the chair of the Prospectus defense.⁵ The other examiners include the members of the Dissertation Committee. The Chair will attend the defense but will not vote.⁶ The prospectus defense is open to all members of the academic community and students are free to invite guests.

The prospectus defense and evaluation takes approximately two hours. The format of the prospectus defense is:

- i. The student is given 15 minutes to present a brief summary of the prospectus. The student should construct the presentation based on the knowledge that the committee has already read the prospectus.
- ii. Each member of the prospectus examination committee is given 15 minutes to question the student about the proposed research (other committee members may ask a question during another member's time if its purpose is to clarify a response or specifically relevant to the issue at hand).
- iii. The student and others in attendance will be asked to leave the room while the members of the prospectus examination committee discuss the Prospectus defense. Normally, within 30 minutes the student will be asked to return to the room so that the Academic Supervisor can inform the student of the outcome of the defense.

The Committee, including the Academic Supervisor and without the Chair,⁷ decide by consensus whether the student received a:

- Pass – the student may go forward with the proposed research, and now has the title of “*JSD Candidate*”. After a successful defense, the student must update his or her dissertation design as the project evolves. Under most circumstances, the student should simply keep the Committee informed of these developments.
- Provisional Pass – the student will be given specific areas of the prospectus that must be addressed before the research can proceed. The examining committee will also determine by whom the revisions must be approved in order for the results of the defense to be changed to Pass.
- Fail – the student will be informed of the specific deficiencies of the prospectus that must be addressed in a future draft. If a student fails the prospectus defense, he or she must, in consultation with the Chair and the Academic Supervisor, (i) prepare a new prospectus and (ii) successfully complete the prospectus defense procedures within six months.

⁵ If the Academic Supervisor is the Chair, the role of Academic Supervisor for the purpose of the defense of the prospectus and dissertation will be taken by another full-time LLS professor holding a Ph.D. or equivalent degree.

⁶ Id.

⁷ Id.

The Chair has the discretion to ask for a new prospectus at any time if the research question, method or subject matter of the dissertation change so substantially that it is a fundamentally different research project from that which was defended. However, students are not required to defend the new prospectus in such instances. The Committee has the responsibility to ensure that the content, scope and method of the new proposal are appropriate for a JSD dissertation.

Submission of Substantial Research Paper. No later than December 1st of the third year:

<i>If the JSD Candidate elected the three-article option....</i>	<i>If the JSD Candidate elected the single monograph option....</i>
<ul style="list-style-type: none"> The Candidate must have completed a research paper that is indicative of the overall research project, and is equivalent to one of the law review articles required for graduation. 	<ul style="list-style-type: none"> The Candidate must complete a Doctoral Essay (in French: <i>mémoire de thèse</i>; in Spanish and Italian: <i>tesina</i>), of approximately 25,000 words.

No later than April 30th of the third year:

<i>Three-article option</i>	<i>Single monograph option</i>
<ul style="list-style-type: none"> The first article is completed, of publishable quality, and has been submitted or accepted for publication in a law review acceptable by both the JSD Candidate and the Chair; and a draft of the second article is given to the Chair and Supervisor. 	<ul style="list-style-type: none"> Substantial draft of the dissertation must be submitted to the Chair and Supervisor.

No later than April 30th of the fourth year:

<i>Three-article option</i>	<i>Single monograph option</i>
<ul style="list-style-type: none"> The second article is completed, of publishable quality, and has been submitted or accepted for publication in a law review acceptable by both the JSD Candidate and the Chair; and a draft of the third article is given to the Chair and Supervisor. 	<ul style="list-style-type: none"> The Candidate must submit a more developed draft of the dissertation, demonstrating continued progress toward completion and making improvements based on feedback from the chair.

No later than April 30th of the fifth year:

<i>Three-article option</i>	<i>Single monograph option</i>

<ul style="list-style-type: none"> The third article is completed and submitted for publication in a law review acceptable by both the student and the Chair 	<ul style="list-style-type: none"> The Candidate must submit the final draft of the dissertation to the chair and the full dissertation committee.
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No later than August 15th (end of summer of the fifth year):

The JSD Candidate must defend orally the dissertation.

The JSD Candidate must announce his or her intent to graduate by notifying the JSD Director and the Supervisor three months before graduation.

One month before the dissertation defense, the student must turn in to the Director and Supervisor:

<i>Three-article option</i>	<i>Single monograph option</i>
<ul style="list-style-type: none"> All three articles and all materials presented at the defense, as a PDF file. Letters of acceptance of publication for each article will be included. 	<ul style="list-style-type: none"> The complete dissertation and all materials to be presented at the defense as a PDF file.

A JSD Candidate defends the dissertation in front of the Committee, including the Academic Supervisor, if she/he is not already the Chair.⁸ The defense session is open to full-time faculty members of Loyola Law School and Loyola Marymount University, who may also ask questions.

The dissertation defense and evaluation takes approximately two hours. The format of the dissertation defense is:

- i. The student is given 30 minutes to present the project. The student should construct the presentation based on the knowledge that the committee has already read the dissertation or the articles.
- ii. Members of the academic community in attendance have fifteen minutes to ask questions to the student.
- iii. Each member of the Committee is given 20 minutes to question the student about the proposed research (other committee members may ask a question during another member's time if its purpose is to clarify a response or specifically relevant to the issue at hand).
- iv. The student and others in attendance are asked to leave the room while the members of the Committee discuss the merits of the defense. A consensus decision determines the result of the defense.
- v. Upon completion of the discussion, the student is asked to return to the room so that the Chair can inform the student of the outcome of the defense.

⁸ Id.

The possible outcomes for the defense are:

- Pass – The Law School will only award the JSD degree if the Committee decides so by consensus.
- Fail – The student will be informed of the specific deficiencies of the defense by the Supervisor. If a student fails the defense, she/he can try only a second time in the same month of the following calendar year.

After a successful defense, the student is expected to print and bind three (3) copies of his or her dissertation or three articles, bundled in a single volume: one will be given to the Chair; one to the Supervisor; and one to school's library.⁹⁸

In the case of single monograph dissertations, should the Committee suggest any changes to the dissertation prior to attempting publication, the student will have six months to do so. Publication will not be sought unless all changes have been made. After that, the student, with the assistance of the Chair and Supervisor, will contact academic publishers and/or law review with a view of having his or her work published.

⁹ If the Chair and Academic Supervisor are the same person, only two copies are required.

APPENDIX B

STUDENT-ON-STUDENT SEXUAL & INTERPERSONAL MISCONDUCT POLICY & PROTOCOL

I. INTRODUCTION

Loyola Law School (“LLS” or law school) recognizes the significant, unacceptable and nationwide existence of sexual and interpersonal misconduct on college and graduate school campuses. LLS is dedicated to the prevention of such misconduct and to providing a caring, supportive and effective response when such misconduct occurs. Accordingly, LLS encourages students and law school community members to report such misconduct so that the law school can take appropriate responsive action.

Title IX of the Education Amendments of 1972 (“Title IX”) is a federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Under Title IX, discrimination on the basis of sex can include Student-on-Student Sexual Harassment or Sexual Assault including sexual violence, rape, sexual battery, sexual coercion, sexual exploitation and unwelcome intrusion into another’s sexual seclusion or privacy, as well as interpersonal misconduct including Dating Violence, Domestic Violence and Stalking. The law school has established this Student-on-Student Sexual & Interpersonal Misconduct Policy & Protocol to assist and respond to complaints of student-on-student sexual and interpersonal misconduct.

Students should report all forms of sexual misconduct (student-on-student; student and non-student; faculty/staff-on-student) and interpersonal misconduct by filing a report with Campus Safety and Security at 213-736-1121 (x1121 on campus).

In addition, a case for alleged student-on-student sexual misconduct or interpersonal misconduct will be initiated and adjudicated according to Section VIII of this policy, and not according to the process articulated in the law school Discipline Code specified in Student Handbook Section 12.0.

Sexual or interpersonal misconduct involving a Student and any non-student in the LLS community is governed by and adjudicated under the LLS Discriminatory Harassment and Complaint Process.

All persons, including law school faculty and staff, are prohibited from taking any retaliatory action against any other member of the law school community including, but not limited to, the Complainant, Respondent or witnesses to an alleged incident of sexual or interpersonal misconduct. Any student engaging in any retaliatory action(s) will be subject to discipline under the Standards of Conduct and the Discipline Code and appropriate sanctions for determined violations may include dismissal from the Law School. Retaliation by non-students will be adjudicated and determined in accordance with the LLS Discriminatory Harassment and Complaint Process. Any Student who believes that they have been retaliated against for having filed, or being named in, a complaint for sexual or interpersonal misconduct or having participated in the investigation of such a complaint, should promptly notify the Campus Safety and Security at 213-736-1121 (x1121 on campus). Alleged retaliation by a faculty or staff member should also be reported to Deputy Title IX Coordinator, Mickie Okamoto-Tsudama at (213) 736-1128.

For additional information on sexual and interpersonal misconduct awareness, prevention and training, including bystander intervention, please visit the LMU CARES office online: <http://studentaffairs.lmu.edu/lmucares/> or contact Deputy Title IX Coordinator Mickie Okamoto-Tsudama at (213) 736-1128.

II. POLICY

Under Title IX, Sexual Harassment is broadly defined as unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature including sexual violence. This policy applies to all students, regardless of sexual orientation or gender identity. Under this policy, Sexual Misconduct includes all forms of sexual harassment under Title IX including sexual violence, such as rape, sexual assault, sexual battery and sexual coercion. Interpersonal misconduct includes Dating Violence, Domestic Violence and Stalking. All forms of sexual and interpersonal misconduct are unacceptable and will not be tolerated, including acts that occur off campus. Any allegation that a student has participated in Sexual Misconduct or interpersonal misconduct will be adjudicated through the process described in

Section VIII of this policy. Any student found to have violated this policy will be subject to disciplinary action as set forth in the Student Handbook, including disciplinary warnings through suspension or dismissal from the Law School. If a Complainant chooses not to participate in the Law School conduct process, the Law School reserves the right to initiate that process.

A. Adjudication of alleged incidents under this policy.

All alleged incidents of student-on-student sexual and interpersonal misconduct will be adjudicated in accordance with this policy, utilizing the preponderance of the evidence standard. These proceedings pursuant to this policy shall be prompt, fair and impartial and adjudicated by officials who have received regular training regarding incidents of this nature (“Trained Judicial Officers”).

B. Interim Measures to Ensure Well-Being of Students.

In cases alleging sexual and interpersonal misconduct the Associate Dean for Student Affairs or a designee may take interim measures, including, but not limited to, academic, residential, transportation and/or employment accommodations, intended to ensure the well-being of the Complainant, the Respondent, the investigatory process and/or the law school community while the complaint is being investigated and prior to the determination on the charge. Any such interim measures shall not be referred to or offered as evidence at the hearing on the underlying charge. Any such interim measures shall be designed and implemented in a manner intended to achieve their purpose while at the same time limiting, to the extent practicable, any adverse effect to the Complainant’s and/or Respondent’s educational program. Any such interim measures shall remain confidential to the extent practicable to achieve the measure. Both Complainant and Respondent will receive written notification of their access to interim measures.

C. Notice.

Both Complainant and Respondent will receive written notification of their rights and options in regards to the Student Conduct Process. Both Complainant and Respondent will also receive written notification of available on and off campus counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services offered by the University and other local organizations.

D. No Contact Orders.

No Contact Orders (NCO) will also be utilized by Campus Safety and Security both during the investigation and through the completion of the disciplinary process. Both parties will be expected to sign a document stating their awareness of the NCO and the stipulations of no contact. Safety and Security will provide information about available community resources.

E. Disclosure of Underage/Excessive Consumption of Alcohol or Possession of Illegal Substances.

Except as required by law, including without limitation, disclosure to licensing boards and agencies, violations of the Discipline Code regarding underage or excessive consumption of alcohol or use or possession of illegal substances will not be utilized to commence disciplinary proceedings against a Complainant if the information is divulged through the process of reporting sexual or interpersonal misconduct. The law school reserves the right to refuse to grant amnesty to reporters under certain extenuating circumstances. Criminal investigations and other police action may still occur at the discretion of the law enforcement agency responding to the incident.

F. Special Training for Investigation and Disciplinary Proceedings.

Disciplinary proceedings regarding alleged incidents of sexual and interpersonal misconduct will be coordinated by an Associate Dean who is regularly trained in the adjudication of these types of incidents. The investigative process will involve individual meetings with both parties and witnesses regarding the alleged violation(s). Students will not be permitted to cross-examine each other or witnesses through these proceedings.

All Judicial Officers receive training regarding the adjudication of allegations of sexual and interpersonal misconduct.

G. Prior Sexual History.

Prior sexual history of Complainant or Respondent with people outside of each other will not be utilized as evidence in these disciplinary proceedings.

H. Determination of Notification. Once a determination of the charges has been made, a determination notification letter will be concurrently sent to Complainant and Respondent.**I.** Complainants are encouraged to report all instances of sexual or interpersonal misconduct regardless of the amount of time that has passed since the alleged misconduct occurred. The University reserves the right to take disciplinary action regarding allegations involving current LMU students irrespective of the length of time since the alleged misconduct occurred.**J.** Student Conduct Code proceedings are independent from criminal or civil proceedings and will normally proceed without regard to the pendency or potential pendency of criminal or civil proceedings.

III. DEFINITIONS

A. **Sexual Assault.**

For purposes of this policy, **Sexual Assault** is defined as engaging in sexual intercourse, or any of the sexual activities listed below, with another person without that person's consent. Sexual Assault includes, but is not limited to, rape, sexual battery, anal intercourse, oral copulation or penetration of a body cavity by a foreign object. Sexual intercourse includes the penetration, however slight, of the vagina or anus with any object or body part and of the mouth with a body part and/or object in a sexual manner.

B. **Sexual Harassment.**

Sexual Harassment is defined as unwelcome conduct of a sexual nature including, without limitation, unwelcome sexual advances, requests for sexual favors, intrusion into another's sexual seclusion or privacy and other unwelcome verbal, nonverbal, auditory, visual, recording, transmission or display of sexual matters or materials or physical conduct of a sexual nature. A sexually hostile environment exists when Sexual Harassment is so continuous and pervasive that it interferes with or limits a student's ability to participate in, or benefit from, the law school's educational program.

Sexual Harassment also includes the act of making sexual contact with the intimate body part of another person without that person's consent, including as the result of sexual coercion. Intimate body parts include the mouth, the sex organs, the anus, the groin or buttocks of any person, and/or the breasts.

For purposes of this policy, **Sexual Harassment** includes, but is not limited to, invasion of sexual privacy, audio or video recording or photographing of any type (webcam, camera, Internet exposure, etc.) without knowledge and consent of all persons, going beyond the boundaries of consent (such as letting another person hide and watch you have consensual sex without the knowledge of the other party), engaging in unconsented voyeurism, exposing one's genitals or breasts in non-consensual circumstances, coercing another against their will to expose their genitals or breasts and prostituting another person.

C. **Sexual Exploitation.**

For purposes of this policy, **Sexual Exploitation** is defined as sexual misconduct that occurs when a person takes unjust or abusive sexual advantage of another for his or her benefit or for the benefit of anyone other than the exploited party; and that behavior does not otherwise constitute Sexual Assault. Examples of sexual exploitation include, but are not limited to, invasion of sexual privacy, videotaping or photographing of any type (webcam, camera, Internet exposure, etc.) without knowledge and consent of all persons; going beyond the boundaries of consent (such as letting another person hide and watch you have consensual sex without the knowledge of the other party), engaging in voyeurism, exposing one's genitals in non-consensual circumstances; coercing another to expose their genitals, prostituting another person.

D. Consent.

- a. **Consent** is defined as the unambiguous and willing participation or cooperation in act, behavior or attitude that is commonly understood to be consistent with the exercise of free will. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other(s) to engage in the sexual activity. Consent requires participants who are lawful adults, fully conscious, equally free and legally competent to act, have clearly communicated their willingness, cooperation or permission to participate in the specific sexual activity engaged in, are positive and clear about their desires and are able to cease ongoing consensual activity at any time. Refusal to consent does not have to be verbal; it can be expressed with clear gestures, body language or attitude. Lack of protest or resistance does not mean consent, nor does silence mean consent. Prior sexual history between the Complainant and Respondent, by itself, does not constitute Consent, nor does consenting to sexual activity with one person imply consent to sexual activity with another person.
- b. Consent is not freely given if:
 - i. It is obtained through the use of force, through the fear of or the threat of force, through the abuse of a power position over another (such as employment status or position within an organization) or by kidnap; or
 - ii. A reasonable person, in the position of the alleged perpetrator at the time the alleged conduct occurred, should have known that the other person was unable to give consent for any of the following reasons:
 - a. The individual is unable to make an informed decision as a result of the use of alcohol, drugs or other substances (including but not limited to predatory drugs or prescribed medications); or
 - b. The individual is unable to consciously respond for whatever reason including lack of consciousness, sleep, illness or shock; or
 - c. The individual is under the age of eighteen and therefore legally incapable of giving consent; or
 - d. The individual is known by reason of impairment, mental condition or developmental or physical disability to be reasonably unable to consent.
 - iii. The individual has acted or spoken in a manner which expresses a lack of consent or a refusal to consent.
- c. The following are invalid excuses for failing to obtain affirmative consent from the Complainant:
 - i. The Respondent's believe in affirmative consent arose from the intoxication or recklessness of the Respondent; or
 - ii. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented.

E. Domestic Violence.

In accordance with the reauthorization of the Violence Against Women Act, **Domestic Violence** is defined as a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated

to a spouse of the victim under California law or by any other person against an adult or youth victim who is protected from that person's acts under California law.

F. **Dating Violence.**

For purposes of this policy and in accordance with the reauthorization of the Violence Against Women Act, **Dating Violence** is defined as violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the following factors:
 - a. The length of the relationship.
 - b. The type of the relationship.
 - c. The frequency of interaction between the persons involved in the relationship.
3. **Dating Violence** includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

G. **Stalking.**

For purposes of this policy and in accordance with the reauthorization of the Violence Against Women Act **Stalking** means engaging in a course of conduct directed at a specific person(s) that would cause a reasonable person under similar circumstances and with similar identities to the Complainant to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

For purposes of this definition, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property.

For the purpose of this definition, *substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

H. **Complainant.**

Complainant means the individual(s) who files(s) a Discipline Code complaint with the University. In some instances the law school may initiate proceedings on behalf of the Complainant. Complainants of sexual and interpersonal misconduct are not required to be members of the LLS community; they may be third parties, or others unaffiliated with the University. Outcomes related to sexual and interpersonal misconduct cases run the full spectrum as outlined in Section 12.1 of the Discipline Code and include disciplinary probation through suspension or expulsion from the Law School.

I. **Hostile Environment.**

Hostile Environment is defined as any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive that it limits, interferes

with or denies educational benefits or opportunities, from both a subjective (the Complainant's) and an objective (reasonable person's) viewpoint.

- J. Respondent** means the individual(s) against whom a Discipline Code complaint is made.
- K. "Retaliation"** means any adverse, non-permitted action taken against a person who reports a violation of this policy, assists someone with a report of a violation of this policy, or participates in any manner in an investigation or resolution of a report of a violation of this policy. Retaliation can include but is not limited to: threats, intimidation, coercion, harassment, reprisals, spreading negative information about an individual, exclusions from academic and non-academic programs, and/or adverse actions related to employment.

IV. CALIFORNIA LAW

The following excerpts are only partially explanatory of certain California laws pertaining to sexual and interpersonal misconduct. These excerpts are not intended to be an exhaustive description or list of California laws pertaining to Sexual Misconduct, inappropriate or criminal sexual behaviors or interpersonal misconduct.

A. Excerpts from Sections 11165.1 and 261 of the California Penal Code:

Sexual assault includes rape, statutory rape, rape in concert, incest, sodomy, oral copulation, sexual penetration, lewd or lascivious acts upon a child, child molestation and the following:

1. Penetration, however slight, of the vagina or anal opening of one person by the penis or another person whether or not there is emission of semen. Sexual contact between the genitals or anal opening of one person and the mouth or tongue of another person.
2. Intrusion by one person into the genitals or anal opening of another person, including the use of an object for this purpose, except that it does not include acts performed for a valid medical purpose.
3. The intentional touching of the genitals or intimate parts, including the breasts, genital area, groin, inner thighs and buttocks, or the clothing covering them, of a child, or of the perpetrator by a child, for purposes of sexual arousal or gratification, except that it does not include acts which may reasonably be construed to be normal caretaker responsibilities; interactions with, or demonstrations of affection for, the child; or acts performed for valid medical purpose.
4. The intentional masturbation of the perpetrator's genitals in the presence of a child.

Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator under any of the following circumstances:

1. Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent and this is known or reasonably should be known to the person committing the act
2. Where it is accomplished against a person's will by means of force, violence, duress, menace or fear of immediate and unlawful bodily injury on the person or another
3. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused

4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused

As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions:

- a) Was unconscious or asleep.
 - b) Was not aware, knowing, perceiving or cognizant that the act occurred.
 - c) Was not aware, knowing, perceiving or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.
 - d) Was not aware, knowing, perceiving or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
5. Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense or concealment practiced by the accused, with the intent to induce the belief.
 6. Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate,” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury or death.

California law also states that “The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime” (Penal Code section 263). California law further defines both marital rape (Penal Code section 262) and “statutory rape” (Penal Code section 261.5).

Though laws vary from state to state, intercourse in which consent was not obtained or was obtained under coercive conditions will usually be considered rape.

B. Excerpts from Section 67386 of the California Education Code:

University policies concerning sexual assault, domestic violence, dating violence and stalking shall include an affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. “Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

C. Excerpts from Section 261.6 and 261.7 of the California Penal Code:

In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, “consent” shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288a, or 289.

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent. In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, evidence that the victim suggested, requested or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

D. Excerpts from Section 646.9 of the California Penal Code:

Any person who willfully, maliciously and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by:

1. Imprisonment in a county jail for not more than one year, or
2. A fine of not more than \$1,000, or
3. By both that fine and imprisonment, or by imprisonment in the state prison.

For the purposes of this section, “harasses” means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments or terrorizes the person, and that serves no legitimate purpose.

E. Excerpts from Section 13700 of the California Penal Code and 6211 of the California Family Code:

“Domestic Violence” means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, person with whom the suspect has had a child or is having, has had a dating or engagement relationship, a child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected or any other person related by consanguinity or affinity within the second degree.

For the purposes of this subdivision, “cohabitant” means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:

1. Sexual relations between the parties while sharing the same living quarters.
2. Sharing of income or expenses.
3. Joint use or ownership of property.
4. Whether the parties hold themselves out as husband and wife.
5. The continuity of the relationship.
6. The length of the relationship.

V. Complainant/Respondent

A. Complainants and Respondents in a sexual or interpersonal misconduct case have the right to:

1. An appointed advisor who will assist them through the judicial process.
2. Receive a written notification of available on and off campus counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial

aid, and other services available as well as notification of the procedures for institutional disciplinary action and their rights and options as defined in sexual and interpersonal misconduct cases.

3. Make a complaint to Campus Safety and Security.
4. File a police report and take legal action separate from and/or in addition to filing a complaint seeking disciplinary action pursuant to this policy.
5. Be informed of the disciplinary finding (responsible or not responsible) in writing.
6. Present material witnesses to the alleged incident.
7. Refuse any/all of the above.

VI. TITLE IX

Under Title IX, LLS has a responsibility to respond promptly and equitably to address Sexual Harassment, sexual violence and interpersonal misconduct. If LLS knows or reasonably should know about Sexual Harassment, sexual violence or interpersonal misconduct that creates a hostile environment, LLS must take action to eliminate the Sexual Harassment, sexual violence or relationship misconduct, prevent its recurrence and address its effects.

LLS has a Deputy Title IX Coordinator, Mickie Okamoto-Tsudama, who can be reached at (213) 736-1128. Loyola Marymount University's Title IX Coordinator is Sara Trivedi, who can be reached at (310) 568-6105.

LLS encourages prompt reporting of crime to Campus Safety and Security and/or law enforcement. A criminal investigation into allegations of Sexual Harassment or sexual violence does not relieve LLS of its duty under Title IX to resolve complaints promptly and equitably. Even if a Student elects not to file a complaint pursuant to this policy, does not request that LLS take any action on the Student's behalf or is unable to make a report to LLS and/or law enforcement, if LLS knows or reasonably should know about possible Sexual Harassment, sexual violence or interpersonal misconduct, it must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. In appropriate circumstances, LLS may report crimes to law enforcement when a victim decides not to report or cannot report the crime.

Questions about Title IX or this policy may be directed to the Deputy Title IX Coordinator, Mickie Okamoto-Tsudama in the Human Resources Department, who can be reached at (213) 736-1128 or Mickie.Okamoto-Tsudama@lls.edu. The Deputy Title IX Coordinator is notified of reported incidents of sexual and interpersonal misconduct and monitors the Law School's response to such misconduct.

If you believe that Loyola Law School does not respond appropriately to your allegations of sexual assault, harassment, or misconduct after you have filed a report with Campus Safety and Security or gone through the adjudication process, you have the option to file a complaint with the Office of Civil Rights.

1. You may file a complaint in person, online, or by mail
 - a. In person: via telephone (877) 292-3804.
 - b. Online: via email: education@usdoj.gov.
 - c. By mail: write letter to: U.S. Department of Justice Civil Rights Division, 950 Pennsylvania Avenue, N.W., Educational Opportunities Section, PHB, Washington, D.C. 20530.
2. For more information about filing a complaint please visit: <https://www.notalone.gov/students/#how-do-i-file-a-complaint-about-my-school-and-then-what-happens>

VII. REPORTING MISCONDUCT.**A. Reporting Misconduct.**

The Law School and LMU encourage prompt reporting of crime to Campus Safety and Security, the Office of Student Affairs and/or law enforcement. Even if a Student elects not to file a Discipline Code complaint, does not request that the Law School or LMU take any action on the Student's behalf or is unable to make a report to the Law School and/or law enforcement, if the Law School knows or reasonably should know about possible Sexual Harassment, sexual violence or interpersonal misconduct, the Law School must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. In appropriate circumstances, the Law School may report crimes to law enforcement when a victim decides not to report or cannot report the crime. The law school encourages students to report sexual harassment, sexual misconduct or interpersonal misconduct so that the law school can investigate and respond effectively. Once the law school receives a report, it must investigate.

B. Confidential Resources.

Title IX requires all universities to identify "responsible employees" as those who are obligated to report all details of an incident, including the identities of those involved, to Campus Safety and Security whenever that information is brought forward to the employee. Responsible employees include faculty, administrative staff and some student staff. Responsible employees do not include the following:

Professional, licensed counselors, such as Dr. Michael Douglas in the Student Affairs Counseling Office (502 Casassa, 213-736-1122), are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Campus Safety and Security, the Title IX Coordinator or any other reporting body, without consent from the student.

Pastoral counselors, such as Catholic priests and women religious, are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Campus Safety and Security, the Title IX Coordinator or any other reporting body, without consent from the student provided they receive the information in performance of their pastoral duties.

- C.** *Community Resource Advisor (CRA)*, whose names can be found on the Student-on-Student Sexual and Interpersonal Misconduct Policy website, may speak privately with students regarding incidents of sexual and interpersonal misconduct without automatically triggering a University investigation into the matter. These individuals may have time and place reporting responsibilities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), but are not obligated to report identifying information of the Complainant. If the Respondent's name is presented to a Community Resource Advisor, they will be obligated to report that information to the Deputy Title IX Coordinator. Reports by the Community Resource Advisor will not trigger a University investigation unless the Deputy Title IX Coordinator in consultation with the Associate Dean for Student Affairs or designee determines that an investigation is necessary because:

- a. a. The Respondent has known prior allegations of sexual or interpersonal misconduct and a potential for a campus safety risk exists; or
- b. The location in which the alleged incident occurred is a location where previous complaints of sexual or interpersonal misconduct occurred creating the potential for a unsafe environment for the LLS community; or
- c. A threat to the campus community at large has been identified; or
- d. A frequency or pattern is detected that suggests an unsafe environment exists for the LLS community or an LLS community member; or
- e. The Sexual or interpersonal misconduct was perpetrated with a weapon; or
- f. The Victim is a minor; or
- g. Some combination of the above factors exists.

D. Law School Employees Are Obligated to Inform Campus Safety and Security.

Any law school employee (other than the confidential resources or Community Resource Advisor identified in the Resources listing) who receives a report is required to inform Campus Safety and Security about the report they have received. Campus Safety and Security and the law school will follow up on any report it receives about possible misconduct, whether from a student, other member of the community or an anonymous source, including informing the Deputy Title IX Coordinator of any reports of Sexual or Interpersonal Misconduct.

Before a student reveals information, University employees will try to ensure that the student understands the employee's reporting obligations—and, if the student wishes to maintain confidentiality, direct the student to confidential resources. A student may choose to make a full report or request confidentiality as he or she determines.

E. Student Requests for Confidentiality.

A complainant may report misconduct pursuant to this section and request that the law school not disclose his or her identity to anyone else, including the person who allegedly committed the misconduct. While such a request may limit the law school's ability to investigate and respond to the reported misconduct, the Deputy Title IX Coordinator, in consultation with appropriate school officials, will consider the request in light of LLS' commitment to provide a safe and non-discriminatory environment for all students and will honor the request, provided such accommodation can be made consistent with LLS' duties to protect the law school community from sexual and interpersonal misconduct. The Community Resource Advisor with whom the complainant met will promptly notify the complainant making the request whether the law school will be presently able to honor it.

Whether or not LLS is able to grant a request to keep the complainant's identity confidential, law school personnel will reveal information about investigations and disciplinary proceedings related to sexual harassment, sexual misconduct or interpersonal misconduct only to those who need to know in order to carry out their duties and responsibilities.

F. Advisor.

At any time prior to or during proceedings regarding an allegation of sexual or interpersonal misconduct governed by this policy, Complainants and Respondents may choose an advisor of their choice to accompany them during the investigative process or

any related meeting that is part Sexual and Interpersonal Misconduct investigative and adjudicative proceedings. An advisor is any individual who provides the complainant or respondent support, guidance, or advice. This advisor may be a parent, a community advocate, or any other person. The advisor's role is purely supportive; the advisor may not speak on behalf of the complainant or respondent.

VIII. VIOLATIONS OF THIS POLICY.

All allegations of student-on-student sexual harassment, sexual misconduct, or interpersonal misconduct as defined in this policy will be reviewed, and action taken as warranted, according to the process delineated in this section. Proceedings shall be prompt, fair and impartial. Like the Discipline Code, the proceedings defined in this section do not, and are not intended to, emulate the criminal justice system, its processes and/or procedures.

A. Investigation and Adjudication.

Once a report has been received, the law school will initiate an investigation.

1. The investigation shall be conducted by an Associate Dean.
2. The law school will notify the respondent in writing that a report of sexual and/or interpersonal misconduct has been made. The notice will generally describe the allegations in the report. The complainant and respondent will be given the opportunity to meet separately with the Associate Dean to review the Policy and these Procedures. The parties shall have the right to present any relevant evidence in support of or in opposition to the allegations of misconduct in the report. Should either party request, s/he may review, in the office of the Associate Dean, the report of misconduct and any information or evidence submitted in support of or in opposition to the report.
3. The Associate Dean conducting the investigation will have successfully completed required University training and may also employ the services of a qualified private consultant investigator (or team of investigators) to assist in the fact-gathering portion of the investigation.
4. The law school's investigation and adjudication of any reports will continue during any law enforcement proceeding. The Associate Dean conducting the investigation may need to temporarily delay an investigation while the police are gathering evidence but will resume the investigation after s/he learns that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.
5. The Associate Dean and/or the investigator (or team of investigators) assisting the Associate Dean will gather pertinent documentary materials (if any) and other information. The Associate Dean will determine the manner of the investigation, but it will typically involve talking to the complainant, the respondent, other involved or observing parties, and reviewing other relevant information, such as emails, voicemail messages, text messages, photographs, on and off campus conduct, etc.

B. Determination of Discipline.

1. The Associate Dean conducting the investigation will review all evidence regarding the report and make a determination of whether the policy has been violated. Using

the preponderance of evidence standard, the Associate Dean will determine whether this policy or any of the Standards of Conduct have been violated.

2. If the Associate Dean concludes that either this policy or the Standards of Conduct have been violated, the Associate Dean will determine the appropriate sanction, pursuant to Section 12.1 of the Student Handbook. Sanctions may include, but are not limited to, expulsion, indefinite suspension, suspension until a specified date, formal censure, oral censure, academic penalty, disciplinary probation, and revocation of the degree.
3. The Associate Dean shall notify the complainant and the respondent of his/her conclusion in writing. Either the complainant or the respondent will have the right to appeal the decision.

C. Appeal.

1. Once written notification of the resolution has been provided, the complainant and the respondent will have the opportunity to appeal the outcome, including any discipline or corrective measure imposed, and/or the issue of whether there has been a Policy violation.
2. Any appeal must be submitted in writing to the Deputy Title IX Coordinator within ten (10) calendar days of being notified of the outcome of the investigation or hearing.
3. Appeals will be heard *de novo*.
4. Appeals will be considered by a hearing board consisting of two members of the law school's Student Conduct Committee. The Deputy Title IX Coordinator will refer the appeal to the chair of the Student Conduct Committee.

IX. RESOURCE ADMINISTRATOR

Prior to the commencement of proceedings regarding an allegation of sexual or interpersonal misconduct governed by this policy, both the Complainant and the Respondent will be assigned Advisors by the Associate Dean for Student Affairs or designee to assist the students as they progress through the process outlined in this policy. Students are not required to utilize their appointed Advisors, and may select a different Advisor. In the unique instance of an incident involving Sexual Harassment/Sexual Misconduct and interpersonal misconduct, Complainants and Respondents may choose an Advisor of their choice.

If the Student chooses an Advisor for incidents involving sexual and/or interpersonal misconduct, the student should inform the Judicial Officer in writing or via e-mail at least two (2) days prior to the scheduled date of the hearing.

What Should You Do if You Experience Sexual Assault, Sexual Violence, Domestic Violence, Dating Violence or Stalking?

- A. Go to a safe place as soon as you can
- B. Preserve all physical evidence

Do not wash your face or hands, bathe, brush your teeth, drink or eat, douche or change clothes. If you do change your clothes, put all clothing you were wearing at the time of the assault in individual paper bags (not plastic). It is important to preserve as much evidence as possible for investigation and processing of criminal and/or disciplinary charges.

C. Contact LLS Campus Safety & Security at 213-736-1121 (x1121).

Public Safety can assist you in reporting a crime that occurred off-campus to the appropriate authorities. You may decline to report your experience to such authorities.

D. Seek immediate or prompt medical treatment (typically within 72 hours)

It is important to seek immediate or prompt and necessary follow-up medical attention for several reasons:

1. To assess and treat any physical injuries you may have sustained.
2. To determine the risk of sexually transmitted diseases or pregnancy and take appropriate medical measures.
3. If you choose, you may have evidence collected and preserved to aid in the investigation and processing of criminal and/or disciplinary prosecution.

It is best for any physical evidence to be collected within the first 24 hours following the incident. (The quality and quantity of evidence collected later than this may be substantially diminished.)

E. Visit the Rape Treatment Center at Santa Monica-UCLA Medical Center – (310) 319-4000 and/or utilize the other resources in closer proximity to LLS, as listed on our website.

The Rape Treatment Center can provide general medical treatment and, if you choose, collection of evidence. A medical exam could include treatment of any physical problems; evaluation of risks; various lab tests for sexually transmitted diseases and pregnancy; appropriate treatment; identification and collection of physical evidence of any Sexual Assault.

A specially trained nurse will perform the evidence collection exam. A Sexual Assault advocate or a support person of your choice may be present throughout the procedure.

The Rape Treatment Center hospital emergency department follows national standards for victim care, Sexual Assault exams and evidence collection procedures. If the decision is made to conduct an evidence collection exam, the anonymous evidence may be held for six months or longer. This means you do not have to decide immediately whether or not you want to press charges.

The Rape Treatment Center also provides long term counseling support for victims of Sexual Assault and Sexual Violence, as well as advocacy and accompanying services.

F. Schedule non-emergency medical treatment

Even if you choose not to go to the hospital or to seek immediate medical attention, it is still important to get medical attention to treat any physical problems and to conduct various lab tests for sexually transmitted diseases and pregnancy. Please consult the list of local resources on the website.

G. Utilize counseling services

LLS's Counseling Office (Dr. Michael Douglas, 213-736-1122, 502 Casassa) is available for students in crisis. Dr. Douglas will quickly make an appointment to see you if you have an emergency.