

**WIDENER UNIVERSITY
SCHOOL OF LAW
GRADUATE PROGRAMS
STUDENT HANDBOOK**

2011 - 2012



**Widener
University**

WIDENER UNIVERSITY

SCHOOL OF LAW
GRADUATE PROGRAMS STUDENT HANDBOOK
LL.M.'S, S.J.D.'S, M.J.'S, D.L.'S & M.J./M.P.H.

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GRADUATE PROGRAMS ACADEMIC CODE

OF

WIDENER UNIVERSITY SCHOOL OF LAW

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GRADUATE PROGRAMS ACADEMIC CODE

OF

WIDENER UNIVERSITY SCHOOL OF LAW

PART ONE: DEFINITIONS AND EFFECTIVE DATE

Section 101. Definitions.

The following definitions apply to this Academic Code:

- (a) **Academic Year.** The academic year begins July 1 and runs through June 30. Each academic year begins with the summer term which is followed by the fall and spring semesters.
- (b) **Dean.** The Dean of the Law School.
- (c) **Vice Dean.** The Vice Dean for the Delaware Campus and the Vice Dean for the Harrisburg Campus.
- (d) **Dean of Students.** The Dean of Students for the Delaware Campus and the Dean of Students for the Harrisburg Campus.
- (e) **Graduate Student.** A student enrolled in one of the Law School=s LL.M., M.J., or doctoral programs.
- (f) **Director.** The term “Director” means the Director of Graduate Programs, the Director of the Health Law Institute, or the Executive Director of Institutes.
- (g) **Law School.** Widener University School of Law, Delaware Campus and Widener University School of Law, Harrisburg Campus.
- (h) **Registrar.** The office of the Assistant Dean and Registrar at the Delaware Campus and the office of the Assistant Registrar at the Harrisburg Campus.
- (i) **Code.** The Academic Code of Widener University School of Law.

Section 102. Effective Date.

The provisions of the Academic Code as amended are effective for all students matriculating on or after June 1, 2001, unless otherwise provided.

PART TWO: GRADUATION REQUIREMENTS

Section 201-1. Graduation Requirements, Master of Laws (LL.M.) in Corporate Law and Finance.

In order to receive the LL.M. degree in Corporate Law and Finance from the Law School, a student must satisfy the following requirements:

- (a) **Academic Credits.** A student must earn 24 academic credits, including at least 20 in corporate related areas, including but not limited to antitrust, finance, intellectual property, international law, labor law, and taxation. The remaining four credits may be in an unrelated area, such as constitutional law or family law. Students from the United States normally do not receive credit toward the LL.M. degree for the basic course in Business Organizations, which is usually completed at the Juris Doctor level. All courses must be graded A through F; graduate students may not take courses on a pass/fail basis, unless the Director approves a course that is offered only on that basis (e.g., a clinic or externship). See Part Three, '301 et seq. of the Code for rules relating to academic credits and course load.
- (b) **Required Courses.** Graduates of American Bar Association (ABA) Approved Law Schools must take the Colloquium, Business Principles, Securities Regulation, and the Seminar in Advanced Corporations. International students must take Business Organizations, the Colloquium, Business Principles, Introduction to United States Law and Legal Institutions, and Securities Regulation.
- (c) **Residence Requirement and Transfer Credits.** At least 18 of the 24 credit hours must be completed in residence at the Law School. These may be completed on a full or part time basis, in the day or evening. At the Director=s discretion, a candidate for the LL.M. degree in Corporate Law and Finance may transfer credit for courses taken at another institution if: (1) the courses were taken at a law school accredited by the American Bar Association; (2) the courses were taken after the candidate received his or her undergraduate law degree (J.D. or equivalent); (3) the courses were completed with a grade of C+ or better; (4) the candidate received no credit for these courses toward any other degree; and (5) the work was completed no earlier than three years prior to the date of matriculation for the graduate degree at Widener University School of Law. The Director=s decision to grant or deny transfer credit is not appealable. No more than six hours of transfer credit can count toward the LL.M. degree. Transfer grades will not be counted in computing the student=s cumulative grade point average.
- (d) **Grade Point Average Requirements.** The LL.M. degree in Corporate Law and Finance is awarded only if the student has a cumulative grade point average of 2.5 or higher for: (1) all 24 credit hours required for the degree, and (2) all credit hours in the general area of corporate law and finance. For international students, the required grade point average is 2.0. Grade point averages are computed using the rules set forth in '602 of the Code. A student may be dismissed for poor scholarship at the end of any applicable grading period if he or she has a cumulative grade point average below that needed for the degree.
- (e) **Completion of All Required Courses.** A student must earn a passing grade in each required course, and may be required to retake any course (whether required or not) in which he or she

receives a grade of C- or lower.

(f) **Effect on Student Transcript.** A failing grade received by a student shall remain on the student's transcript notwithstanding the subsequent completion of the course by the student.

(g) **Completion of Degree Requirements.** All degree requirements must be completed within four years from the date of matriculation to qualify for the LL.M. degree in Corporate Law and Finance.

(h) **Character and Fitness.** Students have a continuing duty to update the information they provided in response to the character and fitness section of the Law School application to reflect any changes since law school matriculation.

Section 201-2. Graduation Requirements, Master of Laws (LL.M.) in Health Law.

In order to receive the LL.M. degree in Health Law from the Law School, a student must satisfy the following requirements:

(a) **Academic Credits.** A student must earn 24 academic credits, including at least 20 in health law. The remaining four credits may be in an unrelated area, such as constitutional law or family law. All courses must be graded A through F; graduate students may not take courses on a pass/fail basis, unless the Director approves a course that is offered only on that basis (e.g., a clinic or externship). See Part Three, §301 et seq. of the Code for rules relating to academic credits and course load.

(b) **Required Courses.** All students must take Health Law I: Liability and Quality (709), Health Law II, Health Care Regulation (710), and Health Care Finance (712). In addition, all candidates must take the Health Law Advanced Research Seminars, which require production of a publishable work of advanced scholarship.

(c) **Residence Requirement and Transfer Credits.** At least 18 of the 24 credit hours must be completed in residence at the Law School. These may be completed on a full or part time basis, in the day or evening. At the Director's discretion, a candidate for the LL.M. degree in Health Law may transfer credit for courses taken at another institution if: (1) the courses were taken at a law school accredited by the American Bar Association; (2) the courses were taken after the candidate received his or her undergraduate law degree (J.D. or equivalent); (3) the courses were completed with a grade of C+ or better; (4) the candidate received no credit for these courses toward any other degree; and (5) the work was completed no earlier than three years prior to the date of matriculation for the graduate degree at Widener University School of Law. The Director's decision to grant or deny transfer credit is not appealable. No more than six hours of transfer credit can count toward the LL.M. degree. Transfer grades will not be counted in computing the student's cumulative grade point average.

(d) **Grade Point Average Requirements.** The LL.M. degree in Health Law is awarded only if the student has a cumulative grade point average of 2.5 or higher for: (1) all 24 credit hours required for the degree, and (2) all credit hours in the general area of Health Law. For international students, the required grade point average is 2.0. Grade point averages are computed using the rules set forth in '602 of the Code. A student may be dismissed for poor scholarship at the end of any applicable grading period if he or she has a cumulative grade point average below that needed for the degree.

(e) **Completion of All Required Courses.** A student must earn a passing grade in each required course, and may be required to retake any course (whether required or not) in which he or she receives a grade of C- or lower.

(f) **Completion of Degree Requirements.** All degree requirements must be completed within four years from the date of matriculation to qualify for the LL.M. degree in Health Law.

(g) **Character and Fitness.** Students have a continuing duty to update the information they provided in response to the character and fitness section of the Law School application to reflect any changes since law school matriculation.

Section 201-3. Graduation Requirements, Master of Jurisprudence (M.J.) in Health Law.

In order to receive the M.J. degree in Health Law from the Law School, a student must satisfy the following requirements:

(a) **Academic Credits.** A student must earn 28 academic credits. All courses must be graded A through F; graduate students may not take courses on a pass/fail basis, unless the Director approves a course that is offered only on that basis. See Part Three, '301 et seq. of the Code for rules relating to academic credits and course load. No credits obtained in the M.J. program are transferable to the J.D. program.

(b) **Required Courses.** All students must take M.J. Introduction to Law, which is offered only in the summer. Passing this course is not a prerequisite to progression to the Fall semester; however, if a candidate receives a grade of C- or below, the candidate must retake and pass this course in order to graduate. In the first year, Fall Semester, M.J. students must take M.J. Legal Methods – Part I, and M.J. Torts. Thereafter, the M.J. Health Law students are to check the curriculum tracks that they have chosen to pursue and register for those classes (curriculum is subject to change). In addition, all candidates must fulfill a writing requirement which will consist of a 20 page paper. If the MJ candidate receives a grade of C- or below in their writing requirement, regardless if the candidate receives a grade of C or better in their registered course, he/she must register for a two (2) credit Directed Research, with an approved faculty member, and obtain a grade of C or above in order to graduate.

(c) **Transfer Credits:** At the Director's discretion, a candidate for the MJ Health Law degree may transfer credits for courses taken at this institution if the courses were completed with a grade of C+ or better; and the work was completed no earlier than three years prior to the date of matriculation for the graduate degree at Widener University School of Law. The Director's decision to grant or deny transfer credit is not appealable. No more than six hours of transfer credits can count toward the MJ

degree. Transfer grades will not be counted in computing the student's cumulative grade point average

(d) **Grade Point Average Requirements.** The M.J. degree is awarded only if the student has a cumulative grade point average of 2.0 or greater. After completion of each semester, MJ candidates must have a cumulative GPA of at least a 2.0 in order to continue in the program. Students who fall below the cumulative 2.0 will be given one semester to raise their GPA. Students who fail to do so will be academically dismissed from the MJ program.

(e) **Completion of All Required Courses.** A student must earn a C or above in each required course. A student who receives a C- or below will be required to retake and pass this course in order to graduate.

(f) **Completion of Degree Requirements.** All degree requirements must be completed within four years from the date of matriculation to qualify for the M.J. degree in Health Law.

(g) **Character and Fitness.** Students have a continuing duty to update the information they provided in response to the character and fitness section of the Law School application to reflect any changes since Law School matriculation.

Section 201-4. Graduation Requirements, Master of Jurisprudence (M.J.) in Corporate and Business Law.

In order to receive the M.J. degree in Corporate and Business Law from the Law School, a student must satisfy the following requirements:

(a) **Academic Credits.** A student must earn 28 academic credits. All courses must be graded A through F; graduate students may not take courses on a pass/fail basis, unless the Director approves a course that is offered only on that basis. See Part Three, '301 et seq. of the Code for rules relating to academic credits and course load. No credits obtained in the M.J. program are transferable to the J.D. program.

(b) **Required Courses.** All students must take M.J. Introduction to Law, which is offered only in the summer. Passing this course is not a prerequisite to progression to the Fall semester; however, if a candidate receives a grade of C- or below, the candidate must retake and pass this course in order to graduate. In the first year, Fall Semester, M.J. students must take M.J. Legal Methods – Part I, and M.J. Business Principles. Thereafter, the M.J. Corporate and Business Law students are to check the curriculum tracks that they have chosen to pursue and register for those classes (curriculum is subject to change). If the MJ candidate receives a grade of C- or below in their writing requirement, regardless if the candidate receives a grade of C or better in their registered course, he/she must register for a two (2) credit Directed Research, with an approved faculty member, and obtain a grade of C or above in order to graduate.

(c) **Transfer Credits:** At the Director's discretion, a candidate for the MJ Health Law degree may transfer credits for courses taken at this institution if the courses were completed with a grade of C+

or better; and the work was completed no earlier than three years prior to the date of matriculation for the graduate degree at Widener University School of Law. The Director's decision to grant or deny transfer credit is not appealable. No more than six hours of transfer credits can count toward the MJ degree. Transfer grades will not be counted in computing the student's cumulative grade point average

(d) **Grade Point Average Requirements.** The M.J. degree is awarded only if the student has a cumulative grade point average of 2.0 or greater. After completion of each semester, MJ candidates must have a GPA of at least a cumulative 2.0 in order to continue in the program. Students who fall below the cumulative 2.0 will be given one semester to raise their GPA. Students who fail to do so, will be academically dismissed from the MJ program.

(e) **Completion of All Required Courses.** A student must earn a C or above in each required course. A student who receives a C- or below will be required to retake and pass this course in order to graduate.

(f) **Completion of Degree Requirements.** All degree requirements must be completed within four years from the date of matriculation to qualify for the M.J. degree in Health Law.

(g) **Character and Fitness.** Students have a continuing duty to update the information they provided in response to the character and fitness section of the Law School application to reflect any changes since Law School matriculation.

Section 201-5 Graduation Requirements, Doctoral Programs in Health Law (S.J.D. and D.L.)

(a) **Doctor of Juridical Science (S.J.D.)** This doctoral program is designed for attorneys with a strong scholarly interest in health care law and policy.

(b) **Doctor of Laws (D.L.)** This doctoral program is designed for graduates of a Master of Jurisprudence (M.J.) or Master of Juridical Science (M.S.J.) in Health Law program.

(c) **Curriculum.** Individualized programs will be designed for the S.J.D. and D.L. candidates. Doctoral students may enroll in certain advanced health law courses depending on experience. In addition to course work, doctoral candidates may perform field work such as lectures, course development, or continuing education instruction. Candidates will write a doctoral dissertation and present it to the doctoral committee and health law community. Dissertations will be supervised by a member of the core health law faculty. If the S.J.D./ D.L. candidate goes beyond the four semesters for their dissertation then a \$500.00 continuation fee will be assessed.

Section 201-6 Graduation Requirements, Doctoral Programs in Corporate and Business Law (S.J.D. and D.L.)

(a) **Doctor of Juridical Science (S.J.D.)** This doctoral program is designed for attorneys with a

strong scholarly interest in corporate/business law and policy.

(b) **Doctor of Laws (D.L.)** This doctoral program is designed for graduates of the M.J. in Corporate and Business Law degree program.

(c) **Curriculum.** Individualized programs will be designed for the S.J.D. and D.L. candidates. Doctoral students may enroll in certain advanced corporate/business law courses depending on experience. In addition to course work, doctoral candidates may perform field work such as lectures, course development, or continuing education instruction. Candidates will write a doctoral dissertation and present it to the doctoral committee and corporate/business law community. Dissertations will be supervised by a member of the core corporate/business law faculty. If the S.J.D./D.L. candidate goes beyond the four semesters for their dissertation then a \$500.00 continuation fee will be assessed.

Section 201- 7 Graduation Requirements, Joint Program for Master of Jurisprudence and Master of Public Health Degrees (M.J./M.P.H.)

(a) **M.J./M.P.H. Programs.** This program is administered jointly by Widener University School of Law and the College of Graduate Studies of Thomas Jefferson University (TJU), located in Philadelphia. Students accepted into the program (Section 309 below) and satisfying its requirements will be awarded the M.J. Degree in Health Law by Widener Law School and the M.P.H. degree by TJU.

(b) **Curriculum.** Students in the M.J./M.P.H. program may count up to (9) academic credits towards the M.J. degree in Health Law for designated Program courses satisfactorily completed in TJU's M.P.H. curriculum and up to 9 credits towards the M.P.H. degree for designated Program courses satisfactorily completed in Widener's Health Law M.J. Programs.

(c) **Grade Point Average Requirements.** Students may be admitted into the M.J./M.P.H. program only if they have the minimum GPA specified in Section 309 below and meet the separate admissions M.P.H. program admission requirements of TJU. Students must maintain a GPA of (2.7) or greater in their law school courses (and satisfy any similar requirements imposed by TJU) to remain the Program, and will be awarded the M.J. degree under the M.J./M.P.H. Program only if they have a GPA of (2.7) or greater at the time of graduation. GPA's are computed using the rules set forth in 402 of the Code. GPA's applicable to the M.J. Degree are calculated using only law school courses. A student may be dismissed from the Program at the end of the first two semesters of M.J. courses (15 semester hours) if he or she has less than a (2.7) GPA in law school courses, and may be dismissed from Widener Law School for poor scholarship at the end of any applicable grading period if he or she has a cumulative GPA below that needed for the M.J. degree. Students in the M.J./M.P.H. Program with a GPA in law courses of less than 2.7 at the time of graduation, or who have otherwise withdrawn from or failed to qualify for the M.J./M.P.H. Program, may nevertheless apply up to (6) credits earned from designated joint Program courses taken at TJU toward the M.J. degree.

(d) **Completion of Degree Requirements.** The period otherwise required under Section 201-2(f) above for completion of degree requirements will be extended by one year for students in the M.J./M.P.H. Program.

PART THREE: ACADEMIC CREDITS & COURSE LOAD

Section 301. Definitions.

The following definitions apply to this Part:

- (a) **Classroom Credit.** Credit earned for receipt of a passing grade in any course which meets on a regular basis in a classroom setting during the academic year, the summer term, or between semesters.
- (b) **Non-Classroom Credit.** Credit earned for satisfactory participation in an activity described in '303 of the Code.
- (c) **Clinical Credit.** Credit earned for satisfactory participation in an in-house clinical program or externship program described in '304 of the Code.
- (d) **Directed Research Credit.** Credit earned for satisfactory completion of a research project which satisfies the requirements set forth in '305 of the Code.

Section 302. Academic Credits.

- (a) **General Rule.** Participation in activities leading to non-classroom and clinical credit requires satisfaction of all applicable prerequisites and Director approval.
- (b) **Directed Research Credit.** Students in the graduate programs must receive approval from the Director and the supervising faculty member to receive credit for directed research, and LL.M. and M.J. students will generally be limited to two directed research credits. The Director may grant a request for additional directed research credit upon approval of a supervising faculty member and a showing of good cause.
- (c) This section will be effective for all credits earned on or after July 1, 2001.

Section 303. Non-Classroom Credit.

- (a) **General Rule.** Eligible students may earn non-classroom credit for satisfactory participation in the following activities:

(1)**Law Review.** Every spring semester, the student with the highest grade point average in the Corporate Law and Finance LL.M. program, who has completed at least ten credits, will

be entitled to participate on the *Delaware Journal of Corporate Law* under terms prescribed by the *Journal* and the faculty.”

(2) Interscholastic Competitions. If otherwise eligible, and with approval from the Director, an LL.M. student may earn up to two academic credits for satisfactory participation in an approved interscholastic competition. In order to qualify for credit, a student must register for credit in the semester in which credit will be earned or in the semester immediately following the semester in which credit is earned. (Most interscholastic competitions are not open to LL.M. students, and few will relate to Corporate Law and Finance or Health Law, so LL.M. students will rarely, if ever, have the opportunity to receive credit under this subsection.)

(b) Grading of Non-Classroom Credit. Non-classroom credit is graded on a pass-fail basis only.

(c) Eligible Students. No student whose cumulative grade point average is less than that required for graduation may register for non-classroom credit. Nothing in this section shall prevent student organizations from requiring a higher grade point average for membership or participation in its programs, which may exclude an otherwise eligible student.

(d) Effective Date. This section shall apply to all students earning non-classroom credit on or after July 1, 2001.

Section 304. Clinical Credit.

(a) General Rule, LL.M. Students. Students in the Law School's LL.M. programs may register for clinical programs if they: (i) receive Director approval; (ii) receive clinic supervisor approval; (iii) satisfy applicable court rules; and (iv) have successfully completed the course in Professional Responsibility and all academic prerequisites listed in the Faculty Policy Statement on the Curriculum for the clinical program in question. Successful completion means the student has earned a grade of at least 2.0 in that course. No LL.M. student whose cumulative grade point average is less than that required for graduation may register for a clinical program. If the LL.M. student received his or her J.D. degree from an ABA approved law school, the academic prerequisites may be satisfied by courses taken at that school if the student has earned a grade of at least a 2.0 or its equivalent. Courses taken at law schools not approved by the ABA will not satisfy academic prerequisites for clinic participation.

(b) General Rule, M.J. Students. As a general rule, M.J. students are not permitted to participate in clinical programs.

(c) Effective Date. This section shall apply to all students earning clinical credit on or after July 1, 2001.

Section 305. Directed Research.

(a) General Rule. Directed research credits may be earned only by the submission of suitable written work (paper, memorandum or brief) by the student to the supervising faculty member.

(b) **Standards Applicable to Directed Research Projects.** Directed research credits shall be awarded by the supervising faculty member in relation to the amount of work performed by the student. One directed research credit shall be granted for approximately five hours of work performed by the student each week during the semester. The student and supervising faculty member must agree in advance on the number of credits to be earned for any semester.

© **No Right to Defer.** The normal and expected sequence is that papers in seminars, courses and directed research projects will be completed and submitted in the semester in which the student has registered for the seminar, course or directed research project. No student has a right to defer the completion of a seminar paper, course paper or directed research paper beyond the last day of final examinations for the semester in which the student has registered for that semester, course or directed research project.

(d) **Supervising Faculty Member.** Only a full-time tenured or tenure track faculty member located at the Delaware campus of the Law School may serve as a supervising faculty member under this section.

(e) **Restriction on Recycling.** No student may earn directed research credit for a paper which substantially relies on research or writing previously or concurrently performed by the student for any other purpose.

(f) **Effective Date.** This section shall apply to all students enrolled for directed research credit on or after July 1, 2001.

Section 306. Course Load.

- (a) **LL.M. Students.** Any graduate student enrolled for 8 or more semester hours of instruction is a full-time student. Any graduate student enrolled for less than 8 semester hours of instruction is a part-time student. Any graduate student enrolled for 4 semester hours is considered at least half-time.
- (b) **M.J. in Health Law.** Students enrolled in the M.J. in Health Law Program are considered full-time when registered for 6 or more credits in the fall and spring semesters and 2 or more credits in the summer term. M.J. in Health Law students registered for 3 or more credits but less than 6 credits are considered at least half-time in the fall and spring semesters.
- (c) **M.J. in Corporate and Business Law.** Students enrolled in the M.J. in Corporate and Business Law Program are considered full-time when registered for 6 or more credits in the fall and spring semesters and 2 or more credits in the summer term. M.J. in Health Law students registered for 3 or more credits but less than 6 credits are considered at least half-time in the fall and spring semesters.
- (d) **M.J./M.P.H. Program.** Students enrolled in the joint Widener/TJU M.J./M.P.H. Program are considered to be full time students at the institution whose requirements for full-time status they meet, and are considered half time students only at the institution from which they are taking a majority of their course credits, provided they otherwise meet that institution's requirements for half-time status. Students taking courses with equal amounts of credit at each institution and students receiving federal financial aid should consult with

financial aid personnel at both institutions.

Section 307. Withdrawal from Courses.

- (a) **Withdrawal, LL.M., S.J.D. and D.L. Programs.** The Director may grant a written request filed by a student to withdraw from any course, except that permission to withdraw from Introduction to United States Law and Legal Institutions (or a substitute like Legal Methods), for those required to take it, will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control. The Director's decision is not appealable.
- (b) **Withdrawal, M.J. Programs.** The Director may grant a written request filed by an M.J. student to withdraw from any course. Permission to withdraw from a required first year M.J. course will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control. The Director's decision is not appealable.
- (c) **Report of W for Dropped Course.** The Registrar shall record a "W" for any course dropped by a student after the end of the Add/Drop period, i.e., the first six weeks of the Fall and Spring semesters, and the first two weeks of the summer term.
- (d) **Forfeiture of Tuition for Withdrawal From Class After Add/Drop.** Tuition for any class from which a student withdraws after Add/Drop shall be charged on a pro-rated basis according to the Withdrawal and Adjustment of Charges schedule in the Financial Information section of this Handbook. A student who adds a course as a replacement for the course from which the student withdraws shall be responsible for payment of tuition for the course added.

Section 308. Auditing Courses.

- (a) **Registration.** Prior to the end of Add/Drop, a student may register to audit an elective course with permission from the Director and the instructor if the Registrar certifies that space is available. The Director may grant a written request for a change from credit to audit enrollment in an elective course at any time after Add/Drop and within six weeks of the beginning of the semester (or within two weeks of the beginning of the summer term).
- (b) **Other Rules.** A grade of "AU" (Audit) will be awarded to each student who audits a course. An auditing student who fails to comply with the attendance requirements set forth in '601 of the Code will be treated as having withdrawn from the course after Add/Drop under '307(b) of the Code. A student shall not receive academic credit or residency credit for auditing a course.

Section 309. Other Academic Programs.

- (a) **General Rule.** A student shall not enroll in another academic program or a joint degree program without the consent of the Director.
- (b) **Other Programs.** No student may visit another law school or enroll in any other academic program without first obtaining written approval from the Director. For rules dealing

with visitation at other law schools, see Part Eight, '801 et seq. of the Code.

(c) **M.J./M.P.H. Program.** Students wishing to enroll in the joint Widener/TJU M.J./M.P.H. Program (may) indicate that intention in their application for admission into the M.J. Program in Health Law. Applications may be considered by the Director at his or her discretion later dates. Students must apply separately to TJU for admission into its M.P.H. Program. Each institution will apply its own admissions standards and procedures, and acceptance by one institution does not assure acceptance by the other. Students may be provisionally accepted into the M.J. component of the joint M.J./M.P.H. Program upon application, but must have a cumulative GPA of (2.7) or greater in law school courses at the end of the first 9 semester hours to be permitted to continue in the Program. GPA's are computed using the rules set forth in 602 of the Code. See Section 201-5 above for additional Program requirements.

Section 310. Outside Employment, LL.M. Students.

(a) **General Rule.** Full time LL.M. students may not exceed twenty hours of outside employment per week during the academic year, and are advised not to exceed fifteen hours of outside employment per week.

(b) **Violation of Restriction on Outside Employment.** Any full time LL.M. student whose outside employment exceeds twenty hours per week during a semester shall become a part time student for that semester. The course load of such student shall be reduced in order to comply with the requirements of '306(b) of the Code. This reduction in course load shall be treated as a withdrawal from courses under '307 of the Code.

(c) **Compliance.** Each full time LL.M. student shall complete and deliver to the Director a written statement in support of the student's compliance with the requirements of subsection (a) of this section, each semester.

Section 311. Summer School - LL.M Student

The Law School conducts a seven week summer term. The normal academic course load for any student enrolled during the summer term is 3 to 6 credit hours. A student is not permitted to register for fewer than 2 nor more than 6 credit hours without obtaining written permission from the Director. A student must enroll in and successfully complete at least 3 credit hours during a summer term in order to receive residency credit for the summer term. See Part IV, '401(b) of the Code for rules relating to residency credit.

Section 312. Variation from Rules for Hardship.

(a) **Petition for Variance.** A student may petition the Director in writing for a variance from the rules set forth in sections 306, 307, 308, 309 or 311 on grounds of substantial hardship or exceptional merit. The petition shall conform substantially to Official Form One (reproduced in Appendix B).

(b) **Decision by Director of Graduate Programs.** The Director shall review all petitions filed pursuant to '312(a) of the Code and, after considering relevant evidence offered by the student in support of the petition, shall either grant or deny the request for relief. The Director shall have

absolute discretion to grant or deny the petition. Any variance granted shall be consistent with the terms of American Bar Association Standards. The Director=s decision is not appealable.

PART FOUR: EXAMINATION AND GRADING

Section 401. Grading System.

(a) **Grades Issued After August 20, 1989.** The Law School grade structure for all registered course work after the summer term, 1989, is as follows:

A+	=	4.000	B-	=	2.700	D	=	1.000
A	=	4.000	C+	=	2.300	F	=	0.000
A-	=	3.700	C	=	2.000	W	=	Withdrawal
B+	=	3.300	C-	=	1.700	AU	=	Audit Only
B	=	3.000	D+	=	1.300	I	=	Incomplete
						P	=	Pass

Except as provided below, an instructor may award only one A+ in each course or seminar. The student awarded the highest grade in a course may receive a Certificate of Achievement for that course. If the student with the highest grade in a course is enrolled in one of the Law School's LL.M. programs, and that student receives an A+ and/or is awarded a Certificate of Achievement, the professor may, at his or her discretion, assign an additional grade of A+ and/or award an additional Certificate of Achievement to the highest scoring J.D. student.

(b) **Pass/Fail Courses.** In certain courses, a grade of "P" (Pass) is assigned if the student satisfactorily completes the course. A "P" does not have a grade point or other equivalent. A grade of "F" (Fail) in a pass/fail course is treated as the letter grade of "F." Students may not elect to enroll in a course on a pass/fail basis.

Section 402. Grade Point Average.

(a) **Computation of Grade Point Average.** The grade point average of a student is determined by multiplying the numeric equivalent of each letter grade received in each course by the number of credit hours assigned to each course. The product is divided by the number of attempted credits to arrive at the student's grade point average for the semester.

(b) **Attempted Credits.** For purposes of this section, "attempted credits" means the total number of credit hours for which a student is enrolled for a semester. Credit hours attributable to courses graded on a pass/fail basis shall be included in the total number of attempted credits only if the student fails to receive a passing grade in the course.

Section 403. Grade for Classroom Performance.

An instructor may give a grade of plus or minus for each student's classroom performance during any course other than courses required in the first and second semesters of the Juris Doctor program. Such grade is issued in addition to an examination grade or grade derived from papers, projects or other graded course work. A plus or minus grade issued under this section shall change the student's grade for the course by one third of a grade or one step (e.g., from C+ to B- or from B to B+). An instructor wishing to grade classroom performance under this section must announce the criteria applicable to the classroom performance grade within the first two weeks of class. At the conclusion of the course, the instructor will receive a grade adjustment sheet for all

students in the course. If the instructor has complied with the requirements of this section, a "plus" or "minus" may be issued for any student. No student may be minused to an "F.@ No student may be plussed to a "D" from an "F" or to an "A+" from an "A.@

Section 404. Grade Changes.

- (a) **General Rule.** Any grade for a course, seminar or special course submitted by an instructor is final when received by the Registrar and may not be changed by the instructor.
- (b) **Exception.** A grade given by an instructor in a course, seminar or special course may be changed by the instructor if the original grade was recorded as an "Incomplete." The instructor may submit the correct letter grade to the Registrar for inclusion in the affected student's transcript.
- (c) **Student Application for Change of Grade.** A student may apply for a change of grade on the grounds that the grade was awarded contrary to the provisions of the Academic Code, or was the proximate result of discrimination on account of race, religion, national origin, sex, sexual preference, or disability initiated by the faculty member responsible for issuing the grade. The burden of proof is on the student to prove the allegations. Any petition for change of grade under this subsection shall be considered by the Director pursuant to rules set forth in '312(b) of the Code.
- (d) **Faculty Application for Change of Grade.** An instructor may apply to the Dean or Vice Dean for a change of grade upon a showing of good cause. For purposes of this subsection, "good cause" is limited to a clerical error in recording a grade or other similar situation.

Section 405. Honors Graduates.

- (a) **Master of Laws (LL.M.).** Any student with a final cumulative grade point average of 3.500 or higher shall graduate with honors (honoris causa).
- (b) **Master of Jurisprudence (M.J.) in Health Law.** Any student with a final cumulative grade point average of 3.300 or higher shall graduate with honors (honoris causa).
- (c) **Master of Jurisprudence (M.J.) in Corporate and Business Law.** Any student with a final cumulative grade point average of 3.300 or higher shall graduate with honors (honoris causa).

Section 406. Repetition of Courses.

- (a) **General Rule.** A student who earns academic credit for successful completion of a course may not register for that course again, unless required to do so pursuant to Section 201-1, 201-2, or 201-3 of the Code.
- (b) **Repetition of Required Course.** If a student does not earn a passing grade in a required course, the student must repeat the course until it is successfully completed. If a student fails

a course which is a prerequisite for an advanced course, the student must successfully complete the prerequisite course before taking the advanced course. (See also Sections 201-1 through 201-3 regarding retaking courses in which the student receives a grade of C- or lower.)

(c) **Effect on Student Transcript.** A failing grade received by a student shall remain on the student's transcript notwithstanding the subsequent successful completion of the course by the student.

Section 407. Examination Process.

(a) **Necessity of Evaluation.** The scholastic achievement of students shall be evaluated from the inception of their studies. As part of this evaluation, a written examination of suitable length and complexity shall be required in every course for which credit is given.

(b) **Final Examination Exception.** No final examination shall be required for the Legal Methods course, for all seminars, and for courses in which students earn Non-Classroom Credit, Clinical Credit or Directed Research Credit. The Director and/or instructors may exercise their discretion with respect to examination policies in the M.J. Introduction to law courses in the M.J. in Health Law and the M.J. in Corporate and Business Law programs.

(c) **Materials Permitted at an Examination.** During the first two weeks of the semester or summer term, each instructor should identify the materials students will be permitted to use during the examination. An instructor may conduct an "open book" examination.

(d) **Take Home Examinations.** An instructor may give a take home examination. Such examinations must be given during the regularly scheduled time for examinations. Each student in the course in which a take home examination is given must pick up the examination from the Office of the Registrar or the faculty member at the designated time during working hours on the day scheduled for the start of the examination, and must return the examination to the Office of the Registrar at the designated time during working hours on the day scheduled for completion of the exam.

(e) **Mid-Term Examinations.** An instructor may give a mid-term examination. An instructor who intends to give a mid-term examination must notify students during the first week of class that a mid-term exam is planned for the course. The Registrar shall determine the date and time of each mid-term examination scheduled for the semester or term before the end of Add/Drop.

(f) **Anonymous Grading.**

(1)**General Rule.** All examinations are graded anonymously. Any statement made or action taken by a student which has the effect of compromising the anonymous grading system by allowing an instructor to identify a student for whom a grade must be issued shall be treated as a violation of '202(a) of the Student Code of Conduct.

(2)**Exception.** Papers submitted for credit in a course, seminar or directed research project, and work involving evaluation of student performance during the course of the semester, need not be graded anonymously. The Registrar shall publish a list of such

courses during registration.

(g) **Submission of Papers in Lieu of Final Examination.** At the election of the instructor, all or any portion of the final grade awarded in any course or seminar may be determined by grades awarded to students on one or more papers completed in connection with the course.

Section 408. Departure from Examination Schedule.

(a) **General Rule.** No student has the right to defer an examination. A student who fails to sit for an examination when scheduled will receive a failing grade in the course unless the examination is properly deferred pursuant to this section.

(b) **When Deferral is Permitted.** A student is permitted to defer an examination only for good cause. Examples of good cause include serious personal injury or illness; serious illness, injury or death of a member of the student's immediate family; and any other similar event beyond the student's control which prevents the student from sitting for the examination when scheduled. Because students are given registration materials showing the time and date of final examinations, an examination will not be deferred because a student is enrolled in two courses having examinations on the same day.

(c) **Procedure for Deferral of Examination.** Students seeking to defer an examination must submit a Dean's Action Request Form and provide documentation supporting the request to the Director. Permission to defer an examination must be obtained prior to the scheduled examination day, unless the cause for deferral occurs on the examination day, and is due to circumstances beyond the student's control. The affected student shall notify the Director of such cause for deferral as soon as possible. If the Director grants permission to defer an examination, the Registrar shall notify the instructor whose examination will be deferred. The affected faculty member may prepare a new examination to be given at the make-up time for the student whose examination has been deferred.

(d) **Timing of Deferred Examinations.** Deferred examinations must be taken 1) on the scheduled examination make-up date for that semester 2) at a time approved by the Director or Dean of Students or 3) at the next time a regularly scheduled examination is given for that course. Students who fail to sit for a make-up examination within the time period prescribed by the previous sentence shall receive a failing grade in the course in question.

Section 409. Rules Concerning Examinations.

(a) **Faculty Present During Examinations.** Faculty members are required to be in the law school building during the time of any regularly scheduled mid-term or final examination for their course or seminar.

(b) **Proctors.** The Registrar will prepare a list of examination proctors prior to each final examination period. Proctors will pass out examinations, blue books and other materials, and will receive examinations at the end of every examination.

(c) **Typing.** Students may type any examination. Students who desire to type their examinations will use the typing room or rooms designated for that purpose for each examination period. Students who desire to type their examinations must inform the

Registrar=s Office of their intent to type their examinations at least two weeks prior to the first day of the examination period. Typists may not use programmable typewriters. Typists are responsible for providing an appropriate typewriter.

(d) **Reporting Grades.** Instructors shall report all course grades to the Registrar within the time period prescribed by the Dean's Office.

PART FIVE: ATTENDANCE

Section 501. Attendance Standards.

(a) **General Rule.** No student may miss more than twenty percent of the regularly scheduled classes in any course or seminar, nor more than twenty percent of the regularly scheduled clinical work periods in any course, seminar or special course.

REGULAR SEMESTERS				
CREDIT HOURS	MEETINGS PER WEEK			
	1	2	3	4
2	3 absences	6 absences	--	--
3	3 absences	6 absences	8 absences	--
4	--	6 absences	8 absences	11 absences

SUMMER SEMESTER				
CREDIT HOURS	MEETINGS PER WEEK			
	1	2	3	4
2	--	3 absences	--	--
3	--	--	4 absences	--
4	--	--	--	6 absences

(b) **Penalty for Violation of Attendance Rule.** Any student who misses more than twenty percent of the classes scheduled for any course or seminar will not be permitted to take the final examination or submit additional work. If the excessive absences occur in a required course, the instructor shall notify the Registrar in writing, and the Registrar shall enter a failing grade on the student's transcript. If the excessive absences occur in an elective course, the instructor shall notify the Registrar in writing, and the Registrar shall enter a withdrawal (W) on the student's transcript.

(c) **Standards for Administration.** Attendance will be taken at the beginning of each class. A student who is present but unprepared for class may be treated as absent if the instructor announces at the beginning of the semester that unprepared students will be treated as absent. The student found to be unprepared shall be promptly so advised by the instructor.

(d) **Appeal in Exceptional Cases.** In exceptional cases, a student who receives a failing

grade due to excessive absences may petition the Dean of Students for relief. Upon a showing of extraordinary circumstances beyond the student's control, the Dean of Students may withdraw the failing grade and grant a withdrawal (W) in the course. See Section 401(e) of the Dean's Office Regulations. Any petition for change of grade under this subsection shall be considered by the Dean of Students pursuant to rules set forth in '312(b) of the Code.

(e) **Class Cancellation.** If a class is cancelled, either through an individual class cancellation or when the University is closed due to weather or other emergencies, a student's failure to attend the scheduled make-up class should not be considered an absence under the attendance requirement.

PART SIX: VISITING STUDENTS

Section 601. Summer Visitation.

- (a) **General Rule, LL.M., S.J.D. and D.L. Students.** A student may visit another American Bar Association approved law school for a summer term with Director approval.
- (b) **General Rule, M.J. Students.** Students in the M.J. program are not permitted to visit other institutions without Director approval.
- (c) **Courses and Course Load During Visitation.** No student visiting during the summer term shall receive academic credit for successful completion of a course offered at another law school if such course is a required course in the student's Graduate Program. A student visiting during the summer term may not take a course load at another law school which exceeds the maximum course load authorized by '311 of the Code.

Section 602. Visitation During Academic Year.

- (a) **General Rule, LL.M., S.J.D. and D.L. Students.** A student in an LL.M., S.J.D. or D.L. program will be permitted to visit another American Bar Association approved law school during the academic year only with the approval of the Director. The decision to approve or deny a petition to visit during the academic year shall be based on the following factors:
 - (1) whether the student is in good academic standing;
 - (2) the extent to which the student has completed the required courses at the Law School; and
 - (3) the extent to which the requested visitation is necessitated by substantial personal hardship caused by conditions beyond the student's control.
- (b) **Courses and Course Load During Visitation.** No student visiting during the academic year shall receive academic credit for successful completion of a course offered at another law school if such course is required for the student's LL.M. degree. A student visiting during the academic year may not take a course load at another law school which exceeds the maximum course load authorized by '306 of the Code.
- (c) **M.J. Students.** Students in the M.J. program are not permitted to visit other institutions during the academic year.

Section 603. Other Rules.

(a) **Petition to Visit.** A student who wishes to visit during the summer term or the academic year must file a written petition to visit with the Director and Registrar. Except for emergency situations, the petition must be filed at least 60 days prior to the date of the first date of classes of an academic year or 14 days prior to the summer term in which the student wishes to visit. The decision of the Director to grant or to deny visitation is nonappealable.

(b) **Unapproved Visitation.** Credits earned by a student while visiting at another law school will not be included in the computation of academic and residency credits required for graduation unless the visitation was approved in advance by the Director pursuant to the Code.

(c) **Reporting of Grades for Visiting Students.** The Law School will accept transfer credits only if the grade earned by the student has a grade point average equivalent of 2.000 or higher. For purposes of this subsection, passing grades awarded on a pass/fail scale will be treated as satisfying the 2.000 grade point average equivalent requirement. All grades received from other law schools will be reported on a student's Law School transcript as a "Pass,@ and they will not count in computation of the student=s grade point average.

PART SEVEN: INTER-CAMPUS REGULATIONS

Section 701. Registration for Courses at Other Campus.

- (a) **Courses Offered During Summer Term.** A student may register for any course offered at the other campus of the Law School during the summer term only with the permission of the Director. Students who wish to register for a course pursuant to this subsection will be registered after all students at the other campus who wish to take that course have been accommodated.
- (b) **Elective Courses Offered During Academic Year.** A student may take an elective course at the other campus of the Law School during the academic year only with the permission of the Director. Students who receive permission to register for an elective course pursuant to this subsection will be registered only after all students at the other campus who wish to take that course have been accommodated.
- (c) **Required Courses Offered During Academic Year.** A student may not take a required course at the other campus of the Law School during the academic year without Director approval.

PART EIGHT: DISMISSAL AND REINSTATEMENT

Section 801. Academic Good Standing and Academic Dismissal.

- (a) **Average Required for Good Standing, LL.M. Students.** A cumulative grade point average of at least 2.500 is required for an LL.M. student to have good academic standing. For LL.M. students whose law degree was obtained outside the United States, a grade point average of at least 2.000 is required for good academic standing.
- (b) **Average Required for Good Standing, M.J. Students.** A cumulative grade point average of at least 2.000 is required for an M.J. student to have good academic standing.
- (c) **Dismissal.** A student who fails to attain the cumulative grade point average required by his or her graduate program at the end of any grading period shall be academically dismissed from the law school.

Section 802. Notice of Dismissal.

- (a) **Dismissal by Director.** Each student dismissed for poor scholarship pursuant to '801 of the Code shall be notified of the dismissal in writing by the Director. The notice of dismissal shall include an outline of the procedure for filing a petition for reinstatement.
- (b) **Definition of Notice.** Dismissal notices shall be sent by both regular and certified mail to the student's last known address. Each student is required to provide and keep current a mailing address with the Graduate Programs office and Registrar's office. Notice shall be deemed effective five days after date of mailing.

Section 803. Effect of Academic Dismissal.

- (a) **Dismissal Following Fall Semester.** If a student is dismissed following the release of grades for the Fall semester, the student shall withdraw from school and shall receive a full tuition refund for the semester in which the withdrawal occurs.
- (b) **Dismissal Following Spring Semester.** If a student is dismissed following the release of grades for the Spring semester, the student shall be dropped from all courses for the following academic year and shall receive a refund of any tuition paid with respect to the next academic year (see Section 101(a)). A student who enrolls in courses at the Law School (or at another accredited law school pursuant to '601 of the Code) during the summer term shall not receive academic credit for successful completion of such courses if the student is dismissed following the Spring semester. Students who are enrolled in summer term courses at the Law School shall receive a refund of any tuition paid for the summer term classes.

Section 804. Petition for Reinstatement.

- (a) **General Rule.** Any student dismissed for poor scholarship pursuant to '801 of the Code may petition the Dean's Office for reinstatement.
- (b) **Filing Petition for Reinstatement.** A petition for reinstatement must be filed during the fifteen day period beginning with the day on which notice of dismissal is deemed effective under '802(b) of the Code. The petition shall be delivered to the Office of the Dean.
- (c) **Form and Style of Petition.** The petition shall comply with the following guidelines:
- (1)**Specification of Reason for Academic Failure.** The student must allege and prove that the student possesses the requisite ability to perform satisfactorily in law school and that the student's current grade point average does not indicate a lack of capacity to satisfactorily complete legal studies at the Law School.
 - (2)**Extraordinary Circumstances Caused Failure.** The student must also allege and prove that academic failure was the result of extraordinary circumstances beyond the student's control, and thereby rebut the presumption raised by the student's record that the student's poor scholarship was due to lack of ability or failure to apply oneself diligently to the study of law.
 - (3)**Medical or Psychological Causes.** If extenuating circumstances raised by the student are related to a physical or psychological incapacity suffered during the course of a semester or before or during an examination, convincing medical proof of the existence of the condition must accompany the petition for reinstatement.

Section 805. Consideration of Petition for Reinstatement.

- (a) **Review of Petition by Dean.** In connection with the review of a petition for reinstatement, the Dean, at his or her sole discretion, may choose to meet with the petitioning student to consider evidence offered by the student in support of the petition. The Dean will grant a petition for reinstatement only upon a satisfactory showing that academic failure was the result of extraordinary nonrecurring circumstances beyond the student's control.
- (b) The Dean may delegate part or all of his or her responsibility under this Section to the Vice Dean for the campus attended by the student.

Section 806. Readmission after Dismissal.

- (a) **General Rule.** Any student dismissed for poor scholarship who was not reinstated immediately following dismissal pursuant to '1006 of the Code shall not be readmitted to

Widener University School of Law unless the Dean and the Admissions Committee determine that the requirements of ABA Standard 505 have been satisfied. This section shall also apply to those students who have been dismissed from another law school and are seeking admission to Widener University School of Law.

(b) **Application for Readmission.** A former student may apply for readmission to the Law School at any time after the end of the two year period beginning on the date notice of dismissal is deemed effective under '1003(b). An application for readmission must be submitted to the Graduate Programs Office of the Law School by the deadline established for admissions applications established by the Graduate Programs Office for the year in question. The form of the readmission application shall be the same as that prescribed for all students applying to the Law School.

(c) **Cause for Readmission.** An applicant for readmission must establish in the application for readmission that the nature of the applicant's work, activities or studies during the period following dismissal indicates a stronger potential for law study than that which existed upon dismissal.

Section 807. Modification of Rules Governing Academic Code.

(a) All rules governing academic performance and student conduct may be modified or amended under the authority of the Dean or where appropriate, under the authority of the faculty. Modifications or amendments to rules governing academic performance and student conduct shall be applicable to students currently enrolled when the Dean, or, where appropriate, the faculty determine that such modifications are necessary and appropriate and do not cause undue hardship to students currently enrolled.

(b) The Dean or the Director acting under the authority of sections 802 and 804 of the Academic Code, may set additional or different conditions for students who have been reinstated after an academic dismissal.

APPENDIX A

AMERICAN BAR ASSOCIATION STANDARD 505

STANDARD 505

A law school may admit or readmit a student who has been previously disqualified for academic reasons upon an affirmative showing that the student possesses the requisite ability and that the prior disqualification does not indicate a lack of capacity to complete the course of study at the admitting school. In the case of admission to a law school other than the disqualifying school, this showing shall be made either by a letter from the disqualifying school, or if two or more years have elapsed since that disqualification, by the nature of interim work, activity, or studies indicating a stronger potential for law study. In each case, the admitting officer shall sign and place in the admittee=s file a statement of the considerations that led to the decision to admit or readmit the applicant.

Interpretation 505-1

The two year period begins on the date of the decision to disqualify the student for academic reasons. A review, appeal, or request for reconsideration of that decision is in the nature of post-decision remedies. (August 1996)

Interpretation 505-2

A student who enrolled in a pre-admission program but was not granted admission is not a student who was disqualified for academic reasons under this Standard. (February 1978; June 1979; August 1996)

DEAN'S OFFICE REGULATIONS

OF

WIDENER UNIVERSITY SCHOOL OF LAW (GRADUATE PROGRAMS)

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WIDENER UNIVERSITY

SCHOOL OF LAW

DEAN'S OFFICE REGULATIONS FOR GRADUATE PROGRAMS

PART ONE: GENERAL.

Section 101. Purpose.

The Dean's Office Regulations for Graduate Programs are the official interpretations of the Academic Code, the Student Code of Conduct and the Faculty Policy Statement on the Curriculum prepared by the Registrar, the Dean, the Dean of Students, and the Director of Graduate Programs, to guide students and faculty in the application of these documents to common problems that arise in the administration of the Law School. These regulations are intended to be consistent with the Deans Office Regulations for the Law School=s Juris Doctor program, with alterations to account for the differences between the Juris Doctor and Graduate programs, and will be interpreted and applied accordingly.

Section 102. Definitions and Rules.

(a) **Definitions.** As used in these Regulations:

- (1) **Dean.** The Dean of the Law School.
- (2) **Vice Dean.** The Vice Dean for the Delaware Campus and the Vice Dean for the Harrisburg Campus.
- (3) **Dean of Students.** All references to the "Dean of Students" now refer to the Office of Student Affairs, which performs the functions previously performed by a Dean of Students.
- (4) **Director.** The Director of Graduate Programs.
- (5) **Registrar.** The Assistant Dean and Registrar for the Delaware Campus or the Assistant or Associate Registrar for the Harrisburg Campus.

(b) **Official Forms.** The following official forms must be used whenever a student applies for relief under these regulations:

- (1) **Official Form One:** Dean's Action Request
- (2) **Official Form Two:** Request to Defer Course Paper
- (3) **Official Form Three:** Standard Face Sheet for Final Exams
- (4) **Official Form Four:** Graduation Petition Form

(5) **Official Form Five:** Bar Certification Registration

Copies of these official forms are attached to these rules as an Appendix.

Section 103. Notice.

(a) **Binding Effect.** All students and faculty are bound by the Dean's Office Regulations. The catalogs of Widener University School of Law state that the School of Law reserves the right to modify the requirements for admission and graduation, to change the program of study, and to amend any regulation affecting the student body if it is deemed in the best interest of the School of Law or the students to do so. Consequently, the Dean's Office reserves the right to change these regulations to further the best interest of the School of Law.

(b) **Change in Regulations.** A change in the Dean's Office Regulations is effective on the day when the change is posted and deposited in the locations stated in subsection (c).

(c) **Location of Changes and Official Copies.** Two current copies of the Dean's Office Regulations will be deposited with the Library Reserve Room for each campus. The Registrar, the Vice Deans, the Deans of Students and the Dean will have current copies of the regulations. The Director and Deans of Students will be responsible for including all Dean's Office Regulations in effect on July 1 of each year in the Graduate Student Handbook for the next academic year.

PART TWO: EXAMINATION AND GRADING.

Section 201. Deferred Completion of Seminar Papers, Course Papers and Directed Research Papers.

- (a) **No Right to Defer.** The normal and expected sequence is that papers in seminars, courses and directed research projects will be completed and submitted in the semester in which the student has registered for the seminar, course or directed research project. No student has a right to defer the completion of a seminar paper, course paper or directed research paper beyond the last day of final examinations for the semester in which the student has registered for that seminar, course or directed research project.
- (b) **Exception.** A student may receive a one-semester extension of time to complete a paper for a seminar, course or directed research project, provided the student receives written approval of the deferral from the instructor and the Director prior to the last day of classes for that semester. The Director will grant a request made pursuant to this subsection only upon a showing of undue hardship resulting from circumstances beyond the student's control. If a request made under this subsection is granted, the Registrar shall record the grade for that semester as an incomplete.
- (c) **No Additional Extensions.** No additional extensions of time will be granted for any reason. Additional extensions will not be granted for students on leave of absence.
- (d) **Failure to Submit Paper.** If a student who has received an incomplete for a course, seminar or directed research project paper pursuant to subsection (b) of this section does not submit the paper by the end of the final examination period for the semester for which an extension is in effect, the Registrar shall enter a failing grade for the course, seminar or directed research project on the student's transcript.

Section 202. Deferred Examinations.

- (a) **Scope.** This section applies to all examinations, including mid-term and take home examinations, whether or not administered during the final examination period.
- (b) **No Right to Defer.** No student has a right to defer an examination. A student who fails to take an examination when scheduled will receive a failing grade on the examination unless the examination has been deferred according to the procedure outlined in this section.
- (c) **Policy on Deferral of Examinations.** Because examination schedules are

published for students at the time students register for courses, students are bound by the published examination schedule. Examinations will be deferred only for good cause. The decision of the Director is final. Examples of good cause include:

- ! Serious personal illness or injury;
- ! Serious injury, illness or death in the immediate family; or
- ! Other events beyond the student's control which prevent the student from taking the final examination when scheduled.

(d) **Procedure for Requesting Deferred Examination.** If a student desires to request deferral of an examination, the student should file a Dean=s Action Request Form with the Registrar=s Office requesting deferral of an examination in a timely fashion, but in no event later than 72 hours prior to the scheduled time for the examination for which the student seeks deferral. Every student requesting deferral of an examination must provide evidence of the event or situation which the student believes is justification for the request for deferral. Such evidence must be presented in a form which the Dean of Students deems appropriate under the circumstances. **Students shall not communicate their interest in or intention to defer an examination to any faculty member.**

(e) **Emergency Deferral of Examination.**

(1)**Request Made in Person or by Phone.** If a student is unable to take an examination for good cause as defined in (a) which arises within 24 hours immediately prior to the examination time, the student may appear in person or telephone the Registrar to obtain permission to defer the examination. The Director, Registrar, or Dean of Students will be on duty each day or night during examinations to deal with deferred examinations. The Director, Registrar or Dean of Students may defer an examination provisionally under '608 of the Academic Code for up to 48 hours based on an explanation showing reasonable cause to believe the student, acting in good faith, cannot take an examination because of some event which is beyond the student's control. During normal working hours, the Director must approve any graduate student request for a deferred examination.

(2)**Student Unable to Make Request in Person or by Phone.** If the student cannot appear in person or telephone the Registrar, the student may miss the examination and apply for a deferral after the examination date. **Such application for deferral must be made within 48 hours of the administration of the exam for which the student seeks deferral, and in no event later than the last day of regularly scheduled examinations for that semester. The burden is on the student to show (i) good cause and (ii) sufficient reason for**

not requesting a deferral in writing, in person or by telephone prior to the examination.

(3) Confirming Emergency Deferral. A provisional emergency examination deferral requested under this subsection must be confirmed by a written request, supported by persuasive evidence of some event beyond the student's control which led the student to miss the examination, or it will expire within 48 hours from the date of grant of deferral, unless extended by the Director.

(f) Timing of Makeup Examination. Deferred examinations must be taken 1) on the scheduled examination make up date for that semester 2) at a time approved by the Director or 3) at the next time a regularly scheduled examination is given for that course. Students who fail to sit for a makeup examination within the time period prescribed by the previous sentence shall receive a failing grade on the examination in question.

(g) Illness During Exam. If a student becomes ill during an examination and as a result is unable to continue the examination, the student shall notify the proctor and leave all examination materials with the proctor. The proctor shall take the student's name, year and division, and shall forward this information and the examination materials to the Registrar as soon as possible. The student shall seek medical attention immediately and shall obtain from the attending physician a letter in support of the illness which prevented the student from completing the examination. A student who fails to complete an examination due to illness shall sit for the make-up exam the next time a regularly scheduled examination is administered for that course.

Section 203. Conflict in Examination Schedules.

(a) Binding Effect of Final Examination Schedule. All students are bound by the final examination schedule published by the Registrar for preregistration for the semester. No student will be permitted to defer an examination due to a conflict in the examination schedule, because the student knowingly:

! Registered for two courses with overlapping examination times; or

! Registered for two courses having final examinations scheduled within twenty four (24) hours of each other.

(b) Definitions. For purposes of this section:

(1) Conflict in examination schedule: means that a final examination in one course for which a student is registered begins within 24 hours of the start time of another final examination in another course for which the student is registered.

(2) Knowingly: means that the final examinations were so scheduled at the time of preregistration, and have not been changed since preregistration, whether or not the student actually read and understood the published final

examination schedule at the time of preregistration.

Section 204. Code of Conduct Procedures During Examinations.

(a) **Proctors.** Students are required to follow all instructions given by proctors during examinations.

(b) **Student Identification.** Each student must produce his or her Widener student identification card in order to sit for an examination or pick up a take-home examination.

(c) **Required Disclosure.** Official Form Four (reproduced in Appendix A) is the standard face sheet used for all examinations. This face sheet must be signed by each student at the end of an examination. Official Form Four requires any student having information relating to any incident of academic dishonesty to report that information before leaving the examination room. Failure to report a known incident of academic dishonesty occurring during an examination is a violation of the Code of Conduct that may lead to the dismissal of the offending student from the Law School.

PART THREE: REGISTRATION PRACTICE & PROCEDURE.

Section 301. Course Load.

(a) **General Rule.** Academic year course load limitations for graduate students are established by '306 of the Academic Code. Course load limitations for the summer term are established by '311 of the Academic Code.

Section 302. Registration.

(a) **Master of Laws (LL.M.) Programs.** All LL.M. students must submit their proposed course schedules to the Director for approval prior to registration. This rule applies to required and elective courses.

(b) **Master of Jurisprudence (M.J.) Programs.** All M.J. students are automatically registered for M.J. Introduction to Law. Thereafter, all M.J. students must submit their proposed course schedules to the Director for approval prior to registration. This rule applies to required and elective courses.

(c) **Doctoral Programs in Health Law and Corporate/Business Law (S.J.D. and D.L.).** All doctoral students will be automatically registered for 2 credits unless the student contacts the administrator.

(d) **Prerequisite Courses.** No student may enroll in any course or clinical program without first successfully completing the prerequisite courses (if any) identified by the Academic Code or Faculty Policy Statement on the Curriculum (included in the Student Handbook) as prerequisite courses for the course in question.

Section 303. Limited Enrollment Courses.

(a) **Limited Enrollment for Course.** An instructor may limit enrollment in an elective course, a seminar or a special course by receiving permission from the Vice Dean before preregistration for the semester in which the course is offered. If preregistration for a course has begun, the instructor may not limit the class size. An instructor may not waive a limitation on enrollment after it has been established pursuant to this section.

(b) **Vice Dean=s Permission Required.** No instructor may limit enrollment without the prior written permission of the Vice Dean. Students should consult with the Registrar's Office for the current list of courses that have limited enrollment.

Section 304. Priority for Registration for Courses.

(a) **General Rule.** All students are subject to rules on sequencing of courses found in the Faculty Policy Statement on the Curriculum.

Section 305. Add/Drop Policy and Procedure.

(a) **General Rule.** All graduate students must receive Director approval to add or drop courses at any time, including during the Add/Drop period. Such approval will generally be granted when the student=s proposed addition or deletion will not interfere with his or her educational objectives or timely graduation, except as provided in subsections (b) through (d) below.

(b) **Special Rule for Introduction to United States Law and Legal Institutions.** Permission to drop the course entitled Introduction to United States Law and Legal Institutions, for those required to take it, will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control, such as illness requiring a reduced course load.

(c) **Special Rule for First Year Required M.J. Courses.** Permission to drop a first year required course in the M.J. programs will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control, such as illness requiring a reduced course load.

(d) **Special Rule for Clinical and Externship Programs.** A student may drop a clinical or externship program during or after Add/Drop only with the permission of the Director. Permission to drop a clinical or externship program will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control, such as illness requiring a reduced course load.

(e) **Add/Drop Fee.** A \$100.00 fee is assessed for any course added or dropped after the Add/Drop period.

(f) **Forfeiture of Tuition for Withdrawal From Class After Add/Drop.** Tuition for any class from which a student withdraws after Add/Drop shall be charged on a pro-rated basis according to the Withdrawal and Adjustment of Charges schedule in the Financial Information section of this Handbook. A student who adds a course as a replacement for the course from which the student withdraws shall be responsible for payment of tuition for the course added.

Section 306. Courses Conducted Between Semesters.

(a) **General Rule.** Credit earned for participation in the January session of the Intensive Trial Advocacy Program (AITAP®) will be treated as earned by the student in the immediately preceding fall semester. Credit earned for participation in the May session of ITAP will be treated as earned by the student in the immediately preceding spring semester.

(b) **Maximum Course Load Exception.** For purposes of sections 306(c)(1) and (2) of the Academic Code, credits earned for ITAP will not be considered for purposes of determining the number of credits in which a student is enrolled for a semester.

Section 307. Registration for Non-classroom Credit.

Students registering for non-classroom credit, Directed Research or for credit for work in clinical or externship programs must deliver a properly completed Non-classroom Credit Form to the Registrar's Office by the end of Add/Drop for the semester in which the credits will be earned. The Registrar shall delete all such credits not supported by a properly completed Non-classroom Credit Form from a student's current courseload on the last day of Add/Drop.

PART FOUR: ATTENDANCE POLICY & PROCEDURE.

Section 401. Absence Interpretations.

- (a) **Number of Permitted Absences.** Section 701(a) of the Academic Code provides that no student may miss more than twenty percent of the regularly scheduled classes in any course or seminar.
- (b) **Courses Meeting at Different Intervals During the Week.** In the case of a course that meets at least twice a week at different intervals (*e.g.* one 55-minute class and one 110-minute class each week), the maximum number of absences permitted shall be computed by treating each 55-minute block of classroom time as a class meeting.
- (c) **Courses Added During Add/Drop Week.** A student who adds a course during Add/Drop shall not be treated as "absent" for the day or days missed prior to adding the course.
- (d) **Clinical Work Sessions.** A student enrolled in an in-house clinic must comply with the regulations of that clinical program for attendance at work sessions and clinical meetings. Consult the clinical instructor for further details regarding absences.
- (e) **Hardship Relief.** Section 701 of the Academic Code requires that a student receive an "F" for excessive absences in a required course and a "W" for excessive absences in an elective course. See Section 701(d) of the Academic Code. The faculty's collective judgment is that a student who misses more than 20% of the scheduled meetings of a course has not taken the course, and though one's absence is for the best possible reasons such as sickness, death in the family, religious observance, job requirements, etc., the student should re-take the course rather than sit for the exam.
- (f) **Class Cancellation.** If a class is canceled, either through an individual class cancellation or when the University is closed due to weather or other emergencies, a student's failure to attend the scheduled make-up class should not be considered an absence under the attendance requirement.

Section 402. Cancellation of Classes.

- (a) **No Class Cancellation Without Prior Approval.** The Vice Dean for the Delaware Campus or the Harrisburg Campus must approve a class cancellation by any professor or instructor. Class cancellations should be kept to a minimum.
- (b) **Cancellation of Classes Before or After Holiday.** The Vice Dean will not approve cancellation of classes on the days immediately before or after a scheduled holiday, *e.g.*, Labor Day, Yom Kippur or Thanksgiving.

Section 403. Emergency School Closing.

(a) **Delaware Campus Procedure.** The campus usually will be closed only in the event of adverse weather conditions. The decision to close or not will be made by the President of the University by 6:30 a.m. for the regular division and by 2:00 p.m. for the extended division. Delaware residents should listen to Station WDEL (1150 AM) for announcements of the University by name ("Widener University - Delaware") for day, evening, and weekend closing. Pennsylvania residents should listen to KYW (1060 AM) radio station for the Day Closing Number-967 or the Evening Closing Number-2967. You may call the information hotline (dial 302-477-2149, wait for an answer and then press 5) to inquire about closing, if you have not heard the radio announcement.

(b) **Harrisburg Campus Procedure.** The campus usually will be closed only in the event of adverse weather conditions. The decision to close or not will be made by the Vice Dean for the Harrisburg Campus in consultation with the Dean of the Law School and the President of the University. The decision will be made by 6:30 a.m. for the regular division and by 2:00 p.m. for the extended division. Harrisburg residents should listen to Stations WINK (104.1 FM), WGAL (TV Ch. 8) and WHTM (TV Ch. 27) for announcements of the University by name (Widener University - Harrisburg) for day, evening, and weekend closing. You may call the Harrisburg Campus information line, 717-541-1939, to inquire about closing, if you have not heard the radio or TV announcement.

(c) **Closing During School Hours.** There may be times when an early closing is necessary due to weather conditions or mechanical breakdown. The decision to close will be made by the President of the University. He will notify the Director of Personnel, who will relay the decision to the Deans and Department heads. This is not to be a decision of individual Deans or Department Heads.

Section 404. Leave of Absence.

- (a) **Withdrawal Presumed.** A student who fails to apply for leave of absence under this section or '405 of the Dean's Office Regulations, and who fails to attend regularly scheduled classes for a period of more than the number of absences permitted by '401 of the Regulations, is presumed to have withdrawn from the Law School. A student who has withdrawn from the Law School is ineligible to return to the Law School.
- (b) **Leave of Absence.** A student who must drop all classes for good cause, such as death or illness of a family member, job change, active duty assignment in the armed forces or other good cause, may apply for leave of absence for personal reasons for a period of up to one year. A leave of absence will be granted freely, subject to the limitations for medical leave of absence set out in '405 of the regulations.
- (c) **Ineligible to Take Course While on Leave.** A student may not register for any course work while on leave of absence, but may make up any deferred final examinations and complete any incomplete seminar papers, course papers or directed research papers outstanding on the date the leave of absence was granted.
- (d) **Term.** Leave of absence will normally be granted for a period of one academic semester. If a student on leave of absence wishes to extend the leave of absence for an additional semester, the student must submit a written request for extension together with evidence to support the need for the extension.

Section 405. Medical Leave of Absence.

- (a) **General Rule.** Any student may apply for medical leave of absence from the Law School for good cause. "Good cause" includes treatment by a residential treatment center, a physician, a psychologist or a drug counselor for substance abuse. An application should be submitted on a Dean's Action Request form, together with a letter from a physician, psychologist or drug counselor, stating that medical leave of absence is in the best interest of the student's physical or psychological well-being.
- (b) **Term.** Medical leave of absence will normally be granted for a period of one academic semester. If a student on medical leave of absence wishes to extend the leave of absence for an additional semester, the student must submit a written request for extension, together with a physician's, psychologist's or drug counselor's letter stating that an extension would be in the best interest of the student.

(c) **Effect on Period Within Which Degree Must Be Obtained.** Medical leave of absence does not toll the five year or six year requirement for completion of legal studies set out in '202 of the Academic Code.

(d) **Not Available to Students Charged With Crimes.** A student who has been charged with a crime involving the possession of a controlled or uncontrolled substance with intent to distribute or sell, or a student charged with trafficking will not be allowed to take medical leave of absence due to substance abuse, unless charges are dismissed.

Section 406. Withdrawal from Law School.

(a) **Withdrawal.** To withdraw from the Law School, a student must submit a Dean=s Action Request form indicating the last date of class attendance. A student who has withdrawn from the Law School is ineligible to return to the Law School.

(b) **Withdrawal Presumed.** A student who fails to apply for leave of absence under this section or '405 of the Dean=s Office Regulations, and who fails to attend regularly scheduled classes for a period of more than the number of absences permitted by '401 of the Regulations is presumed to have withdrawn from the Law School.

PART FIVE: GRADUATION REQUIREMENTS

Section 501. Analysis of Graduation Requirements.

Graduation requirements for graduate programs are set forth in Sections 201-1 through 201-4 of the Graduate Programs Academic Code.

Section 502. Petition to Graduate.

Every student must apply for graduation by filing a petition to graduate not later than June 1 for December graduates, or October 1 for May graduates. When a petition to graduate is received, the Registrar will audit the student's academic records for compliance with the graduation requirements set forth in '201 of the Academic Code. If the student has satisfied these requirements, the student's name will be submitted to the Law School faculty for approval. The petition to graduate must substantially conform to Official Form Five (reproduced in Appendix A).

Section 503. Bar Certification Registration.

A student who is eligible to graduate at the end of any semester must submit to the Registrar a request for certification of eligibility in order to permit the release of information to the board of bar examiners of the jurisdictions in which the student plans to sit for the bar examination. A request for certification of eligibility shall be submitted using Official Form Five (reproduced in Appendix A).

PART SIX: MODIFICATION OF RULES

Section 601. Modification of Rules Governing Dean=s Office Regulations.

(a) All rules governing academic performance and student conduct may be modified or amended under the authority of the Dean or where appropriate, under the authority of the faculty. Modifications or amendments to rules governing academic performance and student conduct shall be applicable to students currently enrolled when the Dean, or where appropriate, the faculty, determine that such modifications are necessary and appropriate and do not cause undue hardship to students currently enrolled.

(b) The Dean or the Director acting under the authority of sections 1002 and 1004 of the Academic Code, may set additional or different conditions for students who have been reinstated after an academic dismissal.

**GRADUATE STUDENT CODE OF CONDUCT
OF
WIDENER UNIVERSITY SCHOOL OF LAW**

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WIDENER UNIVERSITY SCHOOL OF LAW

GRADUATE STUDENT CODE OF CONDUCT

PART ONE: GENERAL MATTERS

Section 101. Introduction and Definitions. The Graduate Student Code of Conduct applies to students in the Law School=s Master of Laws (LL.M.), Master of Jurisprudence (M.J.) and doctoral (S.J.D. and D.L.) programs. It is identical in all substantive respects to the Student Code of Conduct for the Law School=s J.D. students; the difference is that the function of the Dean of Students for J.D. students is served by the Director of Graduate Programs. The following definitions apply to this Student Code of Conduct:

- (a) **Code.** The Graduate Student Code of Conduct of Widener University School of Law.
- (b) **Committee.** An ad hoc or Standing Committee composed of three full-time members of the faculty, one of whom shall be designated Chair, appointed by the Dean, together with two student members to be selected by the Dean.
- (c) **Dean.** The Dean of Widener University School of Law or, in the absence of the Dean, the Vice Dean of Widener University School of Law.
- (d) **Dean of Students.** The Dean of Students for the Harrisburg Campus and the Dean of Students for the Delaware Campus.
- (e) **Director.** The Law School=s Director of Graduate Programs.
- (f) **Investigation Report.** The report prepared by the Director pursuant to '303 of the Code.
- (g) **Law School.** Widener University School of Law.
- (h) **Registrar.** The Registrar of the Law School or a person designated by the Dean to carry out the Registrar's duties under this Code.
- (i) **Respondent.** A student who is the subject of a hearing conducted by the Committee pursuant to '308 of the Code.
- (j) **Student.** Any person enrolled or matriculated as either a full or part-time student of the Law School at the time of an alleged violation of this Code.
- (k) **Transmission.** All documents and notices required to be transmitted pursuant to the Code shall be personally delivered or sent by certified mail to the recipient's last known address reflected in records maintained by the Registrar's Office. Service shall be deemed effective five business days after mailing.

Section 102. Jurisdiction.

Any alleged violation of this Code of Conduct committed by a student will be heard and determined as provided herein.

PART TWO: VIOLATIONS AND SANCTIONS

Section 201. General Ethical Considerations.

Students shall strive to become competent professional persons by acquiring and following a professional standard of conduct while enrolled in the Law School. Students are subject to the ethical requirements governing the legal profession as well as the specific provisions of this Code. The well-being and integrity of the legal profession and of the student body of the Law School depends upon the maintenance of the highest ethical standards.

Section 202. Prohibited Conduct for Students.

The following acts are prohibited and a student who engages in any such conduct is subject to the sanctions authorized by this Code:

- (a) **Cheating.** Cheating on any examination or other law school assignment, including but not limited to:
 - (1) the unauthorized giving or receiving of material aid or assistance;
 - (2) the unauthorized use of information;
 - (3) the unauthorized submission of work which has already been submitted in satisfaction of other course work; or
 - (4) the giving or obtaining of any unfair academic advantage.
- (b) **Plagiarism.** Plagiarism is defined as the unacknowledged appropriation or insufficient acknowledgment of the ideas or written work of another. Plagiarism on papers and other law school assignments includes but is not limited to the following:
 - (1) the knowing or reckless copying or paraphrasing without attribution of
 - (2) the knowing or reckless submission of work written in whole or in substantial part by someone other than the student submitting the work and submitted as the student's own work.
 - (3) the knowing or reckless use of the language of another without identification by quotation marks or otherwise, even though the source is cited in the student's work.
- (c) **Misuse of Library Materials.** The mutilation, destruction, concealment or wrongful appropriation of any law school library materials.
- (d) **Misrepresentation to Gain Admission.** The knowing or reckless

misrepresentation or nondisclosure of any material fact concerning qualification for admission to the Law School.

- (e) **Refusal to Appear.** The failure or refusal to appear and testify as a witness after service of notice of attendance in accordance with Section 308 of the Code.
- (f) **Unprofessional Conduct in Clinical Courses.** Any act or omission which violates the State rules of professional conduct of the state in which a student is enrolled in a clinical program conducted by the Law School.
- (g) **False Representation of Attendance in Class.** The knowing or reckless misrepresentation of attendance in class.
- (h) **Agreement to Violate Code.** Any agreement to violate any provision of this Code between two or more persons, one or more of whom is a student subject to this Code, is a violation of the Code. If any person who is a party to such an agreement commits a violation of '202(a), (b), (c), (d), (e), (f), (g), (j) or (k) in furtherance of the agreement, all other parties to the agreement shall be deemed to have participated in the commission of the act, and shall be subject to the same sanctions as if they had committed the act.
- (i) **Harassment.**
 - (i) Harassment, intimidation, or verbal abuse of faculty, staff, or students of the Law School.
 - (ii) Any act or statement (written or oral), made to any person and done with the intent to subject any student who has reported a violation of the Code to fear for his or her safety, or the safety of the person's family or friends, or with the intent to ridicule or embarrass any such person.
- (j) **Sexual Harassment.** Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when such conduct has the purpose or effect of unreasonably interfering with an individual's educational experience or creating an intimidating, hostile or offensive environment.
- (k) **Failure to Report Violation.** The willful failure to report a violation of this Code, provided that a student so charged had personal knowledge of the alleged violation. Anonymous notification of a violation does not qualify as a report of a violation. Anonymous notification will not be investigated.
- (k) **General Unfitness.** Any act which reflects adversely upon a student's fitness

to practice law, involving violence, dishonesty, breach of trust, or unprofessional conduct, or any act that interferes with the administration of justice or Law School policy.

Section 203. Permanent Record of Violation.

The Registrar shall enter a permanent notation on the official transcript of any student who is found to have violated this Code in accordance with '304 or '309. The entry shall include a summary of the nature of the violation as determined by the Dean pursuant to '304 or the Committee pursuant to '309(c), and a summary of the sanctions imposed by the Dean. The Dean shall report any such violation shown on a student's transcript to any jurisdiction responsible for review of the character and fitness of the student for admission to the bar. The Dean shall also report any violation to any other Law School or other institution of higher learning to which the student may have applied for admission. The transcript notation cannot be expunged or removed.

Section 204. Sanctions.

- (a) **Recommended Sanctions.** The following sanctions may be imposed, individually or in any combination, by the Dean for violation of the Code of Conduct:
- (1) Expulsion from the Law School;
 - (2) Suspension from the Law School for a specific term of one year or less;
 - (3) Assignment of a grade of "F" in any course, seminar or special course;
 - (4) Involuntary withdrawal with prejudice from any course, seminar or
 - (5) Written reprimand;
 - (6) Probation;
 - (7) An oral or written admonition.
 - (8) Any conditions deemed appropriate.
- (b) **Authority to Recommend Sanctions.** Following a finding made pursuant to '309 that a respondent has violated the Code, the Committee may recommend to the Dean any sanction permitted by this section.
- (c) **Limited Discretion to Recommend Sanctions.** The discretion of the Committee to recommend any sanction permitted by this section shall be limited in the following situations:

- (1) If a student violates '202(a) or (b), or was a party to an agreement to violate '202(a) or (b), the Committee shall recommend suspension or expulsion.
 - (2) If a student violates Section 202(d), or was a party to an agreement to violate '202(d), the Committee shall recommend expulsion.
 - (3) If a student commits a second violation of the Code, the Committee shall recommend expulsion.
- (d) **Other Rules.** An attempt shall be regarded as if it had succeeded for purposes of imposing sanctions.

PART THREE: PROCEDURE

Section 301. Commencement of Action Under Code.

- (a) **Violation of Section 202.** Any person having actual knowledge that one or more students may have violated Section 202, or the Dean of Students or Director upon information received, may commence an action for sanctions by filing a written complaint with the Registrar. (See Appendix, Suggested Form A.)
- (b) **Time for Filing Complaint.** A complaint shall be filed within sixty business days after the date of discovery of any alleged violation of the Code by the complainant. A complaint which is not filed within the sixty day period may be filed only with the written approval of the Dean of Students or Director, who shall consider the circumstances which caused the failure to file a timely complaint in connection with any decision to waive the sixty day limitation on filing. The Dean of Students or Director may file a complaint at any time without regard to the passage of time.

Section 302. Registrar's Duties, Forwarding of Complaint.

- (a) **Upon Receipt of Complaint.** The Registrar shall mark the complaint with the date and time of filing, and shall forward a copy of the complaint to the Dean of Students and/or Director for investigation pursuant to '303 of the Code. If the complaint implicates one or more J.D. students only, it shall be forwarded to the Dean of Students, who will investigate the matter and submit a report pursuant to Section 303. If the complaint implicates one or more graduate students only, it shall be forwarded to the Director, who will investigate the matter and submit a report pursuant to Section 303. If the complaint implicates both J.D. and graduate students, it shall be forwarded to the Dean of Students and Director, who will jointly decide their respective roles in the investigation and reporting process set forth in Section 303. The Registrar shall also transmit a copy of the complaint to the accused student, and inform the student that the matter described in the complaint will be investigated by the Director or Dean of Students as provided in '303.
- (b) **Registrar Shall Maintain File.** The Registrar shall place the complaint and all other materials related to it which are filed with Registrar in a special file marked with the name of the alleged violator and a docket number.
- (d) **Docket.** The Registrar shall maintain a docket stating the filing date and time of each complaint and all orders issued and actions taken by the Registrar and others regarding it. The docket, the case file and all reports and records maintained pursuant to this Code shall be maintained confidentially unless otherwise provided in this Code.

Section 303. Review of Complaint by Dean of Students or Director.

- (a) **Investigation by Dean of Students or Director.** Upon receipt of a complaint

as provided in '302(a), the Dean of Students or Director shall review the allegations set forth in the complaint and shall conduct an investigation designed to gather information relevant to the allegations. The investigation may include interviews with the accused student and with other students, faculty, staff and others who may have information relating to the allegations. The investigation shall also include a review of any documents or other materials related to the allegations. The Dean of Students or Director shall have absolute discretion with respect as to whether to permit the accused student or any other witness to have representation at an interview conducted pursuant to this section or whether to make a verbatim record of such interview.

(b) **Report by Dean of Students or Director.** The Dean of Students or Director shall prepare a report summarizing the results of the investigation conducted pursuant to '303(a). A copy of the complaint and all other relevant documents shall be attached to the report as exhibits. The report shall be forwarded to the Dean for action under '304. The Dean shall have absolute discretion with respect to whether the report is transmitted to the accused student or a representative designated by the student.

Section 304. Disposition or Referral of Complaint by the Dean.

(a) **Determination by Dean.** The Dean shall have the option of meeting with the accused student before making a determination under this section. After considering the complaint and the investigation report, the Dean shall either (i) dismiss the complaint; (ii) with the written consent of the student, dispose of the matter summarily by making whatever findings and imposing whatever sanctions (if any) the Dean deems appropriate; or (iii) if the matter is not disposed of under paragraphs (i) or (ii) herein, refer the matter to the Committee for a hearing by issuing an Order of Referral. The Dean shall have absolute discretion with respect to any determination made pursuant to this section.

(b) **Referral to Committee.** If the Dean elects to refer the matter to the Committee pursuant to '304(a), the Dean shall send a letter to the Chair of the Committee directing the Committee to proceed with a hearing as provided in '308.

(c) **Temporary Suspension.** Nothing in this Code shall limit the power of the Dean to suspend a student temporarily.

Section 305. Appointment of Trial Counsel.

After referral of a matter to the Committee for hearing pursuant to '304, the Dean shall appoint Trial Counsel from a panel of full-time faculty members selected by the

Dean at the beginning of the current academic year. The complaint, the investigation report and the Order of Referral shall be forwarded to Trial Counsel by the Dean at the time of appointment, together with any other information the Dean considers appropriate.

Section 306. Duties of Trial Counsel.

(a) **Notice to Respondent.** Upon receipt of the notice of appointment, Trial Counsel shall transmit to the Respondent notice of the Dean's decision to refer the matter to the Committee for a hearing, and of the Dean's appointment of Trial Counsel. If the respondent has not been provided with a copy of the investigation report by the time such notice is transmitted, Trial Counsel shall also inform the respondent that a copy of the report will be made available upon written request transmitted to Trial Counsel. (See Appendix, Suggested Form B).

(b) **Presentation of Case.** Trial Counsel shall be responsible for preparing and presenting the case to the Committee in support of the allegations set forth in the complaint. Trial Counsel may conduct interviews and gather information in connection with the preparation of the case for hearing before the Committee.

Section 307. Student Representation and Costs.

(a) **Student Representative.** When representation is permitted pursuant to the provisions of the Code, a student's representative may be any person other than an employee of Widener University.

(b) **Costs Incurred by Student.** Neither Widener University nor its School of Law is liable for any costs or expenses, including attorney fees and costs, incurred by any accused student or respondent in connection with any complaint filed pursuant to the Code.

Section 308. Hearing.

(a) **Referral of Complaint to Committee.** The Dean shall notify the Chair of the Committee of the Dean's decision to refer a matter to the Committee for hearing pursuant to '304 of the Code. Such notice shall be accompanied by a copy of the complaint.

(b) **Time and Place of Hearing.** Upon receipt of notice of referral under subsection (a) of this section, the Chair of the Committee shall fix the time and place of the hearing and shall transmit written notice thereof to the respondent and to Trial Counsel.

(c) **Pre-Hearing Conference.** The Chair of the Committee may require any counsel or representative who will appear at the hearing to attend a pre-hearing conference. At the conference, the Chair may require the disclosure of the general nature of the case by both parties, may order discovery if requested by a counsel or representative (if such discovery has already been refused by the opposing party), and may require disclosure of any issues of law which the parties should anticipate will require a ruling by the Chair at the hearing.

(d) **Record of Proceedings.** The Law School shall retain a stenographer for the purpose of maintaining a permanent record of the proceedings. The respondent shall be responsible for costs associated with obtaining respondent's copy of the transcript.

(e) **Opening Statements.** Both Trial Counsel and the respondent (or the respondent's representative) shall be permitted to make opening statements to the Committee.

(f) **Attendance of Witnesses.** Trial Counsel and the respondent (or the respondent's representative) have a right to have witnesses appear and testify before the Committee. A request for an order directing witnesses to appear and testify may be filed by either the respondent or Trial Counsel with the Chair of the Committee not later than seven business days prior to the scheduled hearing date. The Chair of the Committee shall transmit an order of attendance to each witness as requested by either party. Either party may arrange for the appearance and testimony of a witness without such an order. However, a list of those witnesses must be submitted to the Chair of the Committee no later than five business days prior to the scheduled hearing date. A witness whose name does not appear on the request for an order from the Chair or on the witness list submitted to the Chair will not be permitted to testify as a witness for a party at the hearing without the consent of the other party. The Chair of the Committee shall make available to each party the names of the other party's witnesses at the beginning of the hearing, or may do so earlier at the Chair's sole discretion. Members of the Committee shall have the independent right to request testimony before the Committee from any person not included as a witness by either party.

(g) **Testimony of Witnesses.** Testimony shall be taken under a statement by a witness acknowledging compliance with the duty to tell the truth, or the Chair may offer a witness the option of taking some other form of oath proposed by respondent. The rules of evidence shall be relaxed to aid in a fair resolution of the case. All relevant evidence may be admitted unless its probative value is outweighed by unfair prejudice, confusion of issues, undue delay, or undue presentation of cumulative proof.

(h) **Respondent's Rights.** The respondent has the right to be present during the hearing, to present evidence, to cross-examine witnesses, and to have witnesses attend and testify on respondent's behalf.

(i) **Rulings on Procedural Matters.** The Chair of the Committee may rule on any procedural matter raised prior to or during the hearing. The Chair's rulings on procedural and evidentiary matters are final.

Section 309. Committee Action After Hearing.

(a) **Deliberation.** After the close of the hearing, the Committee shall, without adjournment (except as otherwise agreed by respondent and Trial Counsel), sit in executive session to deliberate upon the evidence presented. All decisions of the Committee shall be reached by simple majority vote.

(b) **Burden of Proof.** The Committee may find that the respondent has violated the Code only if that finding is supported by clear and convincing evidence.

(c) **Findings of Fact and Conclusions.** The Committee shall prepare a written report of its findings of fact, its conclusions and its recommendation for sanctions which shall be submitted to the Dean not later than thirty business days after the close of the hearing. The Dean shall forward a copy of the Committee's findings of fact and conclusions to Trial Counsel, and shall transmit a copy of those findings and conclusions to the respondent and the respondent's representative, if any.

(d) **Transmission of Record.** The Chair of the Committee shall deliver the Committee's report to the Dean, together with the record of the hearing and any exhibits, documents, and transcripts of testimony.

Section 310. Review by the Dean.

The Dean shall review the Committee's report and all other materials provided by the Committee pursuant to '309(d). Upon completing that review, the Dean may adopt the sanction recommendations of the Committee or may take whatever other action the Dean deems appropriate under the circumstances, whether or not consistent with the findings of fact or conclusions reached by the Committee, except that the Dean may not change the Committee's findings of fact or conclusions, and may not expel or suspend a respondent if that sanction is more severe than the sanction recommended by the Committee in its report. The Dean's action is final.

Section 311. Retention of Record by Dean.

The Dean shall provide for permanent retention of:

- (a) The investigative report prepared by the Dean of Students pursuant to '303;
- (b) All reports, records, documents, exhibits, transcripts and other items delivered to the Dean by the Chair of the Committee pursuant to '309(d); and
- (c) Any findings or orders entered by the Dean pursuant to '304(a) with respect to any dismissed complaint, and any findings, orders and written student consents relating to a matter disposed of summarily by the Dean pursuant to '304(a).

Section 312. Code of Conduct Complaints Summary.

Prior to the end of the academic year, the Dean of Students shall publish a summary of all Code of Conduct Complaints which have reached a final disposition during the academic year. This summary shall not contain the names of any of the parties or witnesses involved in the complaint, but it shall describe the complaint and its outcome.

PART FOUR: MISCELLANEOUS

Section 401. Amendments.

This Code may be amended at any time in the same manner as it was ratified.

Section 402. Ratification.

This Code becomes effective when approved by the affirmative vote of a majority of the full-time members of the faculty of the Law School convened in a general or special meeting.

Section 403. Effective Date.

This Code will become effective on the twentieth day of August, 2001.

Appendix

SUGGESTED FORM A: COMPLAINT

IN THE MATTER OF No.. ..

COMPLAINT OF VIOLATION OF SECTION 202 OF CODE OF CONDUCT

1. who is makes the following complaint
(Name of complaining party) (status)

based upon first hand knowledge.

2. On,
(date) (name of each respondent)

violated Section 202 of the Code of Conduct in the following manner:

State with particularity the date, time and place of the violation, all persons known to have been present, and the nature of the violation.

3. Complaining party requests the Office of the Dean of Students to investigate this violation, and to take such other action as may be required.

(Signature)

(Date)

**SUGGESTED FORM B: NOTICE OF APPOINTMENT OF
TRIAL COUNSEL**

IN THE MATTER OF **No..**

To::
(name of respondent)

1. On, the Dean of the Law School referred this matter to a
Committee for hearing pursuant to '304(a) of the Student Code of Conduct.

2. By order of the Dean, has been appointed as Trial
(name of Trial Counsel)

Counsel in this matter.

3. You may contact Trial Counsel to obtain a copy of the investigation report prepared
by the Dean of Students pursuant to '303(b) of the Student Code of Conduct.

(Trial Counsel)

(Date)

WIDENER UNIVERSITY SCHOOL OF LAW

POLICY STATEMENT ON GRADING AND EXAMINATIONS

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**WIDENER UNIVERSITY
SCHOOL OF LAW**

**FACULTY POLICY STATEMENT
ON GRADING AND EXAMINATIONS**

Section 101. Grade Normalization Policy.

(a)The mean grade in each section of a first year required course for regular division students and the equivalent courses for extended division students, must fall within the 2.300 to 2.750 range.

(b)In each section of a first year required course for regular division students and the equivalent courses for extended division students, other than Legal Methods sections, at least 10% of the students must receive grades of B+ or above, and at least 10% of the students must receive grades of D+ or below. For first year Legal Methods sections, at least 10% of the students must receive grades of B+ or above, and at least 10% of the students must receive grades of C- or below.

(c)The mean grade in each section of upper level required courses must fall within the 2.500 to 2.850 range.

(d)The mean grade in each section of an upper level elective course with an enrollment of more than 20 students must fall within the 2.500 to 3.100 range.

(e)The mean grade in each section of an upper level elective course with an enrollment of more than five students but no more than 20 students, a seminar or a skills course must fall within the 2.500 to 3.400 range.

(f) In calculating the mean grades in sections of all courses, and in satisfying the grade distribution requirements of subsection (b), the grades received by students enrolled in the Law School's Master of Laws (LL.M.) programs shall be excluded.

(g)Students enrolled in the Law School's Master of Jurisprudence in Health Law (M.J.) program shall be graded separately from students in the Juris Doctor (J.D.) and Master of Laws (LL.M.) programs, and their grades shall not be subject to any grade distribution requirements.

(h) Departures from the grading standards specified in paragraphs

(a)-(g) above must be approved in writing by the Vice Dean on the campus where the professor wishing the grading standard departure is assigned. The Registrar must receive a copy of the Vice Dean=s written approval before entering any grades that depart from these standards.

Section 102. Faculty Recommendation.

In courses that cover subject matter which is regularly tested by essay questions on bar examinations in our region, essay questions should comprise some portion of the examination.

Section 103. Effective date.

The provisions of the Faculty Statement on Grading and Examinations are effective for all students matriculating on or after July 1, 2001.

Section 104. Grading System Prior to August 20, 1989.

(a) Grades Issued Prior to August 20, 1989. The Law School grade structure prior to August 29, 1989, for all registered course work through summer term, 1989, was as follows:

A = 4.000	C = 2.000	W = Withdrawal
B+ = 3.500	D+ = 1.500	AU = Audit Only
B = 3.000	D = 1.000	X = Incomplete
C+ = 2.500	F = 0.000	P = Pass

Cumulative grade point averages and quality points for grades assigned for courses in which students were registered through the summer term, 1989 will retain their original values.

WIDENER UNIVERSITY SCHOOL OF LAW

Policy For Persons With Disabilities

The School of Law is committed to making our services accessible to people with disabilities in compliance with the Americans with Disabilities Act and the Rehabilitation Act. The School of Law will provide persons with disabilities with such services as classroom and exam accommodations. LL.M. students requiring these or more extensive support services should consult the Office of Student Affairs and the Master of Jurisprudence (MJ) students should contact Dean Eileen Grena's Office.

The Legal Information Center is committed to making library services, collection and programs accessible to people with disabilities in compliance with the ADA by providing persons with disabilities with the following services: instruction in use of the on-line catalog; personnel to retrieve books from the shelves; instruction in computer assisted legal research; and use of an elevator key will be offered to disabled students enrolled at the Law School. Arrangements for these services should be made at the Reference Desk.

WIDENER UNIVERSITY POLICY PERTAINING TO CONFIDENTIALITY OF STUDENT RECORDS

Section One. Scope of Policy.

The Family Educational Rights and Privacy Act of 1974 (AAct@) applies, for purposes of this Policy, to students presently enrolled in Widener University and to alumni, but not to applicants who have not been admitted to Widener.

Section Two. Applicability of Act to Record.

- (a) The Act applies to Aeducation records@ defined as Athose records which are directly related to a student and are maintained by Widener or by a party acting for Widener.@
- (b) The term Aeducational records@ does not include:
 - (1) personal files of faculty and administrative personnel which are in the maker=s sole possession and not accessible or revealed to any other person except a temporary substitute;
 - (2) Widener University Campus Safety records which are kept separate from education records, are maintained for campus safety, student discipline and law enforcement purposes only, and are available only to the responsible University administrators and law enforcement officials;
 - (3) records relating to an individual who is employed by Widener which are made and maintained in the normal course of business, relate exclusively to the individual in that individual=s capacity as an employee, and are not available for use for any other purpose;
 - (4) medical, psychiatric or physiological records created and used only for the treatment of a student and available only to those providing the treatment (provided, however, that a physician of the student=s choice may review such records); or
 - (5) records of the University which contain only information relating to a person after that person was no longer a student at Widener.

Section Three. Disclosure to Persons Other than Students.

(a) Except for certain exceptions stated in the Act, no one shall have access to education records without the written consent of the student concerned. However, the student concerned may authorize in writing the disclosure of records to a class of organizations or persons for the purpose of employment, graduate study, or fellowships. The exceptions to the consent requirement include the following:

- (1) Widener University employees with legitimate educational interests in seeing the records in question. This includes those Widener officials, such as faculty and administration, as well as clerical employees managing student record information, who act in the student=s educational interest and have a demonstrated need to know the contents of such records. For purposes of this Policy, mere curiosity is not a legitimate educational interest;
- (2) certain authorized federal officials auditing federally-supported educational programs and state officials to whom information from student records is required by statute to be disclosed;
- (3) persons processing student financial aid applications when necessary for such purposes as determining eligibility for or amount of financial aid, determining conditions to be imposed for such aid, and enforcing such conditions;
- (4) organizations conducting studies for educational agencies in connection with predictive tests, student aid programs, and the improvement of instruction, provided that the identity of students must not be revealed to other than representatives of such organizations.
- (5) accrediting organizations carrying out their accrediting functions;
- (6) parents of a student who is a **Adependent@** for federal income tax purposes;
- (7) compliance with a judicial order or lawfully issued subpoena;
- (8) in an emergency, appropriate persons if the knowledge of information from a student=s records is necessary to protect the health or safety of the student or other persons.

(b) For purposes of Section 3(a)(6), undergraduate day students under the age of 23 will be considered as **Adependent@** unless the student specifically informs the

Registrar within two weeks of the beginning of the fall or spring semester that he/she considers himself/herself **Aindependent**.[@] All graduate students, including those of the School of Law and University College evening division or Weekend College students will be considered as **Aindependent**[@] students. A student claimed as a dependent on a parent=s federal income tax return will in all cases be considered a dependent student.

(c) Whenever a student=s records or information from such records is disclosed to any organization, agency or individual, a transmittal letter shall inform the recipient that such records or information are not to be disclosed to any other party without the prior written consent of the student.

(d) Each office which maintains education records shall keep with the records of each student a form which lists, with exceptions stated below, all individuals, agencies or organizations which have requested or obtained access to such student=s education records. This form shall also include the legitimate interest the request or had, if any, in making the request. This requirement does not apply to disclosures to University officials described in Section 3(a)(1) hereof, to the student or his or her parent, to parties to whom disclosure has been specifically approved by the student, or to disclosures of directory information, as defined and more fully described in Section 4(a)(4) hereof.

Section Four. Student=s Rights to Access.

(a) In General.

(1) Parents= financial records and related parental financial information shall not be released to students.

(2) Subject to certain conditions, confidential evaluations of students placed in education records prior to January 1, 1975, shall not be released to students. All other education records of a particular student shall be open for inspection by that student, unless access is restricted under paragraph (3) of this section.

(3) A student may waive his or her right of access to confidential evaluations submitted on or after January 1, 1975, relating to admission to any educational institution, application for employment, and receipt of honors; provided, however, that the student must, upon request, be notified of the name of each person who has submitted such a confidential evaluation; such evaluations may be used only for the purpose intended; and a waiver may not be required as a pre-condition to admission to Widener or receipt from Widener of financial aid or any other services or benefits.

(4) Widener may disclose without the prior written consent of the student

Adirectory information@ concerning such student, which term is hereby defined as including a student=s name, campus address, home address, campus telephone number, home telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent secondary school and previous educational agency or institution attended by the student provided; however, that any student may withhold disclosure of any or all of such information by notification in writing to the Registrar=s Office as the School of Law within two weeks after publication of the annual notice described below.

(5) The types of education records maintained by Widener include academic records (transcripts, advising records, and letters of evaluation) and other personal records, such as work-study and financial records. The offices which such records are maintained include the Provost=s Office, the Deans= offices of the various school/colleges of the University, offices of faculty advisors and department/division heads, the Registrars= Offices, Counseling Center, Placement Office, the Offices of the Deans of Students and their subordinate sections, Admissions, Financial Aid, Special Programs and the Business Offices.

(6) Subject to the limitations otherwise stated herein, a student may waive any of his or her rights granted pursuant to the Act and the regulations thereunder. Widener will not require such a waiver as a condition of admission or receipt of any other services or benefits. A waiver under this Section may be made with respect to specified classes of education records and persons or institutions. A waiver under this Section may be revoked, in writing, with respect to any actions occurring after the revocation.

(b) Procedures for Access to Records.

(1) A request by a student (or the parent of a dependent student) to inspect his or her education records shall be made to the office which maintains such records. Each office maintaining education records shall designate a person to receive and process student requests. Upon receipt of a dated, signed request form and proper identification, the designated person receiving the request shall give the student or parent a written confirmation or receipt of the request. Such person shall also inform the student when the requested records will be made available, as soon as is reasonably possible, but in no event more than forty-five (45) days after receipt of the request from the student.

(2) After the designated person has removed from the student=s file all information relating to the student and all evaluations which are confidential as to the student under Section 4 (a)(2) and (3) above, the records shall be made available to the student on the specified date, after the student again displays proper identification, for inspection and review under supervision of the designated person. If a student requests a copy of one or more of such

records, the requested copies, within limited exceptions, shall be transmitted to the student upon payment of a fee. Unless otherwise specifically stated, the fee for such copies shall be Twenty-five cents (\$.25) per page. Widener may deny the request for a copy of records for legitimate cause. In order to have this right, the circumstances surrounding the possible denial of a copy of records must be described. **In no event, will the records of another institution which a student attended be released to any person including a student or his/her parent.**

(3) After reviewing his or her records, a student has a right to challenge the contents of such records as being inaccurate, misleading or otherwise in violation of the privacy or other rights of the student. Unless otherwise established by the school/college in which a student has matriculated, a student may not challenge the correctness of a grade which has been assigned to the performance of the student in a course, but may challenge the accuracy of the recording of the grade.

(4) Upon deciding that some aspect of his or her record(s) is inaccurate, the student shall so inform the designated person in the office where his or her records are maintained and shall attempt to resolve the problem through informal discussion with such person and the person in charge of that office.

(5) If no agreement is reached through informal discussions, the student may submit in writing to the Dean of the School of Law, a rebuttal, a request for a hearing, specifying the record or records alleged to be inaccurate, misleading or otherwise inappropriate. If the Dean's review of the hearing request and file also does not result in an agreement, the Dean shall appoint as hearing officer a University official with no direct interest in the outcome of the hearing. Unless the student withdraws his request or requests a delay, the hearing shall be held within forty-five (45) days after receipt of the student's request. At the hearing, the student shall be given an opportunity to present evidence in support of the challenge. The impartial official conducting the hearing shall render his/her decision in writing within thirty (30) days after the hearing. If the decision denies the challenge, the student may have inserted in his or her records a written explanation concerning the allegedly inappropriate contents.

Section Five. Miscellaneous Policy Items.

(a) This Policy and a copy of the Act and regulations promulgated thereunder shall be made available at registration headquarters during regular registration period. In addition, copies of this policy may be found in the offices of the Deans of Students and the office of the Dean of the School of Law.

(b) An annual notification of rights under the Act shall be given to students in attendance at Widener. This notification shall consist of a notice in the student handbooks.

(c) If a student feels that Widener University has failed to comply in some way with the Act or the regulations promulgated hereunder, and has failed to answer his or her complaint satisfactorily, he or she has the right to file a complaint with the Family Policy & Regulations Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202.

ANNUAL NOTICE TO STUDENTS REGARDING EDUCATION RECORDS

The Family Educational Rights and Privacy Act of 1974 (FERPA) provides the following rights for students attending Widener University.

- A. The right of a student, with minor limitations, to inspect and review his or her educational records.
- B. The right, with certain exceptions, to prevent disclosure to third parties of information from his or her education records.
- C. The right to withhold public disclosure or any or all items of so-called directory information by written notification to the Registrar's Office within two (2) weeks after the beginning of the Fall and Spring semesters of each academic year. All such notifications by students shall remain in effect only for the remainder of the academic year during which notification is made. Under current University policy, the term directory information includes a student's name, campus address, home address, campus telephone number, home telephone number, date and place of birth, a major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of secondary school and previous educational agency or institution attended by the student.
- D. The right to file a complaint with the Department of Health, Education and Welfare (HEW) concerning the alleged failure of Widener University to comply with the requirements of the Act and the regulations promulgated thereunder. The procedures for exercise of the above rights are explained in the Widener University Policy regarding the confidentiality of student records, copies of which are available in the Office of the Registrar. Included within the Policy is a list of the types and locations of educational records maintained by Widener, with the title and address of the officials responsible for those records.