



WESTERN STATE COLLEGE OF LAW  
— AT ARGOSY UNIVERSITY —

# *Student Handbook*

*Effective August 2017*

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See [wsuprograms.info](http://wsuprograms.info) for program duration, tuition, fees, and other costs, median debt, salary data, alumni success, and other important info.

*The following policies and procedures govern only the programs offered by Western State College of Law at Argosy University. To the extent that these policies differ from those of Argosy University, they represent exemptions from those policies. These policies were approved by Argosy University in July 2015.*

## **ACADEMIC REGULATIONS AND REQUIREMENTS**

The following portion is your guide to the academic regulations and requirements of Western State College of Law at Argosy University ("the College of Law"). It includes the policies, rules and program requirements that you must satisfy to be eligible for the degree of Juris Doctor. The administration and faculty welcome the opportunity to work with you toward the completion of your legal education. Ultimately, however, you are responsible for meeting the College of Law's standards of scholarship and professional conduct as well as all graduation requirements.

The College of Law is obligated to certify the moral character and fitness of its students. The College of Law, therefore, expects that students will conduct themselves with honesty and integrity. A student must uphold the standards of moral conduct expected of members of institutions of higher learning and of the legal profession. Furthermore, the failure to conduct yourself in accordance with the school's standards of decorum, professionalism and civility may result in disciplinary action. The College of Law operates under an Honor Code, which is described in Section IX of this catalog.

Please review this handbook. If you have questions, contact the Student Services Office. In addition, review carefully the requirements of your program of study and establish a plan to satisfy those requirements. You should always feel at liberty to discuss any questions about the courses and programs with the Associate Dean for Academic Affairs, the Senior Assistant Dean of Student Affairs, the Registrar, a faculty mentor, or any other member of the faculty.

We wish you the best as you pursue your legal education.

### **I. PRINCIPLES OF COMMUNITY AND MISSION STATEMENT**

Like the society we serve, our community includes persons from a variety of social circumstances, and our mission commits us to the pursuit of diversity. We are individuals, each different from the other, gathered for a common purpose. Together we create an environment for the study of law and for training in lawyering skills. We strive to offer each person among us the opportunity to develop her or his powers to the fullest. Barriers to the development of any hold us all back.

Mutual understanding, reciprocal support, and tolerance are the enabling conditions for the full and equal participation of all. But bias and mistrust undermine these conditions, and misunderstanding among us has deep historical roots. To achieve an environment permeated by a sense of justice and inclusion we must actively encourage each person's contribution. Furthermore, because we prepare students for participation in a self-governing profession, we strive to rid the practice of law of prejudice.

Freedom of expression is essential not only to mutual understanding, but also to our common pursuit of learning and self-development. Within the limits imposed by time and place and respect for one another, we recognize the right of anyone to express any idea and to disagree with another's point of view.

We reject acts of discrimination and intimidation. The personal security of members of our community is inviolable. Freedom from insults, threats, assaults, or violence is a precondition of our association with one another. We will not tolerate such behaviors and especially resolve to confront acts of incivility that discriminate or degrade.

We cherish the diversity of our community and resolve to celebrate our differences for they are our most precious resource. Because we choose to be here to comprise the Western State College of Law community, we accept these

values as a condition of our working and learning at the College of Law.

The mission of Western State College of Law at Argosy University is to provide the highest quality legal education, based on an innovative program of studies designed to develop the tools of careful legal analysis and to foster a broad understanding of the law, law practice, and legal theory. The College of Law emphasizes the study and practice of lawyering skills required for the ethical, skillful, and professional practice of law and is particularly committed to meeting the education needs of those who seek to practice in small to medium law offices, corporate law departments and governmental and other public service settings. To further its mission, the College of Law will pursue student and faculty diversity, both to enhance the educational program of the school and to address important needs of the legal profession and of society as a whole.

## **II. DISCLAIMER STATEMENTS**

The material contained in this catalog is provided for information only and does not constitute a contract between the student and the College of Law.

The College of Law reserves the right to revise policies, amend rules, and alter or add regulations and requirements at any time in accordance with the best interest of the institution. Students will be notified of any changes by postings on the Official Bulletin Boards and through catalog addenda.

Unless otherwise specified, policies, procedures, academic standards, and academic requirements for students enrolled in the part-time division are the same as those for students enrolled in the full-time division.

The College of Law reserves the right to refuse admission to any applicant.

The College of Law reserves the right to disqualify, discontinue or exclude any student for non-academic reasons either by means of the appropriate campus-disciplinary committee or by action of the Dean. The Dean retains jurisdiction, which may be concurrent with other committees, over all matters in which the student must be certified to the Committee of Bar Examiners of the State Bar of California or to the governing body of the bar examiners of any other jurisdiction. Those matters include, but are not limited to, violations of trust, certain delinquencies in financial obligations, or any other matter pertaining to an applicant's reputation for honesty, trustworthiness, character, integrity and citizenship.

The College of Law reserves the right to disqualify or discontinue for academic reasons, any student who does not maintain the established cumulative grade point average and foundation law point requirements or who does not remain in good academic standing, and is unable to achieve that status following an appeal, under published reasons for appeal, to the Academic Standards Committee. The Academic Standards Committee is considered the "court of last resort" for a student in academic matters.

This catalog supersedes all previous catalogs, and the policies expressed in this catalog will be controlling, regardless of any policies stated in any previous catalog received by the student upon his or her admission.

### **Notice Concerning Transferability of Credits and Credentials Earned at Our Institution**

The transferability of credits you earn at Western State College of Law is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the degree you earn in Juris Doctor is also at the complete discretion of the institution to which you may seek to transfer. If the credits or degree that you earn at this institution are not



accepted at the institution to which you seek to transfer, you may be required to repeat some or all of your coursework at that institution. For this reason you should make certain that your attendance at this institution will meet your educational goals. This may include contacting an institution to which you may seek to transfer after attending Western State College of Law to determine if your credits or degree will transfer.

### III. REQUIREMENTS FOR THE DEGREE OF JURIS DOCTOR

#### A. Program of Study

1. To qualify for graduation, a student must complete a program of study of not fewer than 88 credit hours (also referred to as units) and meet the graduation requirements of Section III.F.
2. Definition of Credit Hour (Unit)  
A credit hour (unit) is an amount of work that reasonably approximates:
  - a. not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks (including one week for a final examination or additional instruction); or
  - b. at least an equivalent amount of work as required in subparagraph a. of this definition for other academic activities as established by the College of Law to lead to an award of academic credit.

#### B. Grade Point Average

To be a candidate for the Juris Doctor degree, a student must have a cumulative grade point average of 2.00 or better for all course work completed. Furthermore, students must earn a 2.5 or higher in at least eight (8) Foundation Law Point classes as provided for in Section III.D.

#### C. Required Courses

A student must successfully complete the following courses:

Advanced Professional Skills Electives* (6 Units)	LAW213 Evidence (4 Units)
LAW234 Business Associations (4 Units)	LAW101 Introduction to Legal Methods (1 Unit)
LAW141 Civil Procedure I (3 Units)	LAW125 Legal Writing and Research I (3 Units)
LAW142 Civil Procedure II (3 Units)	LAW126 Legal Writing and Research II (3 Units)
LAW308 Community Property (2 Units)	LAW118 Principles of Agency and Partnership (1 Unit)
LAW201 Constitutional Law I (3 Units)	LAW240 Professional Responsibility (3 Units)
LAW202 Constitutional Law II (3 Units)	LAW151 Property I (3 Units)
LAW111 Contracts I (2 Units)	LAW152 Property II (2 Units)
LAW112 Contracts II (3 Units)	LAW303 Remedies (3 Units)
LAW110 Criminal Law (3 Units)	LAW321 Sales (3 Units)
LAW311 Criminal Procedure (3 Units)	LAW131 Torts I (3 Units)
LAW497 Estates (3 Units)	LAW132 Torts II (2 Units)
	Upper Level Writing Requirement

**\*Advanced Professional Skills Electives include:** Externships (LAW467 Criminal Law Externship, LAW511 Judicial Appellate Externship, LAW514 Judicial Trial Externship, LAW517 Civil Practice Externship, LAW520 Externship Seminar: Criminal, LAW521 Externship Seminar: Civil), LAW413 Arbitration, LAW468 California Legal Research, LAW423 Contracts Drafting, LAW488 Interviewing and Counseling, LAW215 Factual Investigation, LAW499 Legal Clinic Seminar, LAW461 Mediation, LAW463 Negotiations, LAW518 Pre-Trial Civil Litigation, LAW519 Pre-Trial Criminal Litigation, LAW227 Solving Legal Problems, LAW489 Trial Practice: Criminal, LAW490 Trial Practice: Civil, LAW623 Wills and Trusts Drafting. The courses listed here are representative of those approved by the faculty for advanced professional skills credit. This list is not exhaustive. A student is advised to check each semester's class schedule for the most up-to-date list of approved courses.

**Program Outline**

LAW234 Business Associations	4 Units
LAW141 Civil Procedure I	3 Units
LAW142 Civil Procedure II	3 Units
LAW308 Community Property	2 Units
LAW201 Constitutional Law I	3 Units
LAW202 Constitutional Law II	3 Units
LAW111 Contracts I	2 Units
LAW112 Contracts II	3 Units
LAW110 Criminal Law	3 Units
LAW311 Criminal Procedure	3 Units
LAW213 Evidence	4 Units
LAW497 Estates	3 Units
LAW 101 Introduction to Legal Methods	1 Unit
LAW125 Legal Writing and Research I	3 Units
LAW126 Legal Writing and Research II	3 Units
LAW118 Principles of Agency and Partnership	1 Unit
LAW240 Professional Responsibility	3 Units
LAW151 Property I	3 Units
LAW152 Property II	2 Units
LAW303 Remedies	3 Units
LAW321 Sales	3 Units
LAW131 Torts I	3 Units
LAW132 Torts II	2 Units
Electives	25 Units
Total program	88 Units

**D. Foundation Law Points**

1. Requirements for Earning Foundation Law Points  
 One Foundation Law Point is earned for a grade of 2.5 or higher in the classes specified below. No Foundation Law Points are earned for a grade less than 2.5 in the specified classes.
  
2. Class Requirements for Earning Foundation Law Points  
 Foundation Law Points can be earned only in the following courses:

LAW401 Administrative Law (3 Units)	LAW497 Estates (3 Units)
LAW228 Basic Bar Studies (3 Units)	LAW213 Evidence (4 Units)
LAW234 Business Associations (4 Units)	LAW250 Federal Income Taxation (3 Units)
LAW416 California Civil Procedure (3 Units)	LAW240 Professional Responsibility (3 Units)
LAW141 Civil Procedure I* (3 Units)	LAW151 Property I * (3 Units)
LAW142 Civil Procedure II* (3 Units)	LAW152 Property II (2 Units)

LAW308 Community Property (2 Units)	LAW303 Remedies (3 Units)
LAW201 Constitutional Law I (3 Units)	LAW321 Sales (3 Units)
LAW202 Constitutional Law II (3 Units)	LAW160 Selected Topics in American Law (2 Units)
LAW111 Contracts I* (2 Units)	LAW227 Solving Legal Problems (3 Units)
LAW112 Contracts II* (3 Units)	LAW131 Torts I* (3 Units)
LAW110 Criminal Law* (3 Units)	LAW132 Torts II* (2 Units)
LAW311 Criminal Procedure (3 Units)	

Courses with an asterisk (\*) are designated as first year courses.

### 3. Requirements Applicable to All Students

#### a. General Requirements

- i. Except for transfer students with at least 30 units of transfer credit accepted at matriculation, a student must earn at least eight (8) Foundation Law Points in addition to meeting other graduation requirements.
- ii. Foundation Law Points graduation requirements for transfer students are set forth in Part III.D.3.d below.
- iii. A student may not earn more than four (4) Foundation Law Points in the following courses: LAW131 Torts I (3 Units), LAW132 Torts II (2 Units), LAW111 Contracts I (2 Units), LAW112 Contracts II (3 Units), LAW110 Criminal Law (3 Units), LAW141 Civil Procedure I (3 Units), LAW142 Civil Procedure II (3 Units), and LAW151 Property I (3 Units). Part-time students who started in Fall 2011 or earlier, and full-time students who started in Fall 2010 or earlier may not earn more than four (4) Foundation Law Points in the following courses: LAW131 Torts I (3 Units), LAW132 Torts II (2 Units), LAW111 Contracts I (2 Units), LAW112 Contracts II (3 Units), LAW110 Criminal Law (3 Units), LAW311 Criminal Procedure (3 Units), LAW141 Civil Procedure I (3 Units), and LAW142 Civil Procedure II (3 Units).
- iv. A student is not permitted to retake a course in which he or she did not earn a foundation law point if he or she received a passing grade in that course. However, a student who has completed all required foundation law point courses by his or her final semester but has failed to earn the requisite number of Foundation Law Points required for graduation, may retake a foundation law point course. (See the Financial Information section for information regarding tuition for a repeat Foundation Law Point course.)
- v. A student who repeats a foundation law point course shall not earn academic credit toward the Juris Doctor degree for the repeat taking of that course.
- vi. A student who has satisfied all graduation requirements except for the Foundation Law Points requirement may enroll in up to two additional semesters of law study for the purpose of retaking Foundation Law Points courses as needed to fulfill that student's Foundation Law Points requirement. (See the Financial Information section for information regarding tuition for repeat foundation law point courses.) A student's graduation requirement is determined as of the date the student would have graduated based upon the completion of all other graduation requirements. (See Section III.F.)
- vii. A student may not retake a foundation law point course more than once.
- viii. A student who fails to earn the number of Foundation Law Points required by Section III.D. will be academically dismissed from the College of Law, regardless of whether he or she has a cumulative grade point average of 2.0 or higher at the end of that semester.
- ix. Foundation Law Points earned during a summer session will be treated as earned in the semester that the student next attends. Summer sessions shall not count as a semester for calculating Foundation Law Points under Section III.D.

#### b. Students Who Enroll As Full-Time Students

- i. A full-time student must earn four (4) Foundation Law Points by the end of his or her first year (second semester) and have a cumulative grade point average of at least 2.0 to be in good standing. A student who fails to earn the required number of Foundation Law Points before the beginning of his or her third semester of full time law studies, but has a cumulative grade point average of 2.0 or higher will be placed on Foundation Law Points probation for one semester and must earn a cumulative total of at least four (4) Foundation Law Points by the end of that semester. (See Section VI. C.) A student who fails to earn four (4) Foundation Law Points by the end of his or her probation semester shall be dismissed from the College of Law regardless of his or her cumulative grade point average.
- ii. A full-time student who changes status to part-time during his or her first year of law school study must satisfy the same requirements as students who enroll in their first semester of law study as part-time students and continue in that status. (See Section III.D.3.c.).

c. Students Who Enroll As Part-Time Students

- i. A part-time student who enrolls in the fall semester and continues in that status must earn a total of at least four (4) Foundation Law Points by the end of his or her fourth semester of part-time law study, and have a cumulative grade point average of at least 2.0 to be in good standing.
- ii. A student who fails to earn four (4) Foundation Law Points by the end of his or her fourth semester of part-time law study will be academically dismissed from the College of Law, regardless of whether he or she has a cumulative grade point average of 2.0 or higher at the end of that semester.
- iii. A student who has not earned at least one (1) Foundation Law Point by the end of the student's third semester of part-time law study will be academically dismissed, regardless of whether he or she has a cumulative grade point average of 2.0 or higher at the end of that semester.
- iv. A student who has not earned at least one (1) Foundation Law Point by the end of the student's second semester of part-time law study will be placed on Foundation Law Points probation for his or her third semester. (See Section VI.C.)
- v. A student who has earned at least one (1) Foundation Law Point but less than four (4) Foundation Law Points by the end of his or her third semester of part-time study will be placed on Foundation Law Points probation for his or her fourth semester. (See Section VI.C.)
- vi. A student who enrolls in the fall semester and who changes his or her status to full-time after completion of his or her first two semesters of part-time law study must earn a minimum of four (4) Foundation Law Points by the time he or she has completed his or her first semester of law school studies as a full-time student and must have a cumulative grade point average of at least 2.0 to be in good standing. A student who fails to earn the required number of Foundation Law Points, but has a cumulative grade point average of 2.0 or higher, will be placed on Foundation Law Points probation for one semester and must earn a cumulative total of at least four (4) Foundation Law Points by the end of that semester or be academically dismissed from the College of Law. (See Section VI.C.)
- vii. A part-time student who enrolls in the spring semester and continues in that status must earn a cumulative total of at least four (4) Foundation Law Points by the end of his or her third semester of part-time studies and have a cumulative grade point average of at least 2.0 to be in good standing. A student who has earned at least one (1) Foundation Law Point but less than four (4) Foundation Law Points by the end of his or her third semester of part-time study, and who has a cumulative grade point average of 2.0 or higher, will be

placed on Foundation Law Points probation for one semester and must earn a cumulative total of at least four (4) Foundation Law Points by the end of that semester or be academically dismissed from the College of Law. (See Section VI.C.)

- viii. A part-time student who enrolls in the spring semester and who changes his or her status to full-time after completion of his or her first spring semester and one summer session must earn a minimum of four (4) Foundation Law Points by the time he or she has completed his or her second semester of law school studies as a full-time student and have a cumulative grade point average of at least 2.0 to be in good standing. (See Section III.D.3.b. for requirements as a full time student.)

d. Transfer Students

- i. A transfer student who enrolls in the College of Law with at least 28 units of transfer credit must earn at least four (4) Foundation Law Points after his or her transfer to the College of Law to satisfy the foundation law point requirement for graduation.
- ii. A transfer student who enrolls in the College of Law with less than 28 units of transfer credit must earn at least six (6) Foundation Law Points after his or her transfer to the College of Law to satisfy the Foundation Law Point requirement for graduation.

e. All Other Cases

- i. If a student is unable to determine when he or she must earn at least four (4) Foundation Law Points under these rules, he or she may file a petition with the Associate Dean for Academic Affairs to request that such a determination be made. The Associate Dean for Academic Affairs, acting with the consent of the Curriculum Committee, is authorized to prescribe the time by which the student must earn a cumulative total of at least four (4) Foundation Law Points.
- ii. This authority is granted by the faculty of the College of Law to the Associate Dean for Academic Affairs and the Curriculum Committee for the limited purpose of determining when a particular student is required to have earned the minimum four (4) Foundation Law Points. If for any reason the Associate Dean for Academic Affairs is unable to act on a student petition, the Dean of the College of Law or the dean's designee, acting with the consent of the Curriculum Committee, may make the necessary determination.

4. Foundation Law Points Program Petition Process

a. Student's Petition

A student may petition the faculty of the College of Law for a waiver or modification of the Foundation Law Points Program by filing a petition with the Academic Standards Committee. The faculty recommends that students' petitions contain the same information for petitions based upon academic dismissal in Section VI.G.

b. Authority to Consider Petition

The only body empowered to consider a petition by a student for a waiver or modification of any foundation law point requirement is the full-time faculty of the College of Law.

c. Action of Academic Standards Committee

The Academic Standards Committee shall act on any petition immediately, shall make findings of fact regarding the circumstances of such petition and shall transmit the petition and the Committee's findings and any recommendations regarding the student's petition to the faculty of the College of Law as expeditiously as possible.

d. Action by the Faculty

The faculty shall meet as soon as possible after receiving a petition to waive or modify a foundation law point requirement and shall consider the substance of the petition and the findings of the Academic Standards Committee and shall vote by majority vote to grant or deny the petition. Under extraordinary circumstances, the faculty by majority vote may allow the student to appear in person before the faculty when considering that student's petition. The faculty may, when circumstances require, consider the petition and findings of the Academic Standards Committee and vote by electronic means.

E. **Certificate Programs**

The following programs are available to students enrolled in the J.D. program at the College of Law.

1. Business Law Practice Certificate (BLPC)

a. BLPC Program of Study

The certificated business law program of study emphasizes transactional and client-centered skills for law students interested in representing small businesses and entrepreneurs. A student may earn a certificate and a corresponding transcript notation by completing 22 units of BLPC required courses and 5 units of approved elective courses, for a total of 27 units, with the following requirements: (1) a 2.3 cumulative grade point average, (2) a 2.5 cumulative grade point average in BLPC courses, and (3) no grade lower than 2.0 in any BLPC required course.

b. BLPC Honors

A student who graduates with a cumulative grade point average of 3.0 or above in BLPC courses shall receive a certificate with the notation "With Distinction."

c. BLPC Course Requirements

- i. 22 Units of Required Courses: The following courses are required for the BLPC: LAW401 Administrative Law or Other Approved Course (3 Units), LAW234 Business Associations (4 units), LAW618 Business Law Ethics (1 Unit), LAW111 Contracts I & LAW112 Contracts (5 Units), LAW423 Contracts Drafting (1 Unit), LAW250 Federal Income Taxation (3 Units), LAW460 Corporate Finance (2 Units), and LAW321 Sales (3 Units).
- ii. 5 Units of Electives: Students must earn a total of 5 units through a variety of electives, including: Civil Externship (Business Law-related) (5 Units), LAW422 Consumer Finance Law (2 Units), LAW448 Employment Law (3 Units), LAW442 Intellectual Property (3 Units), LAW429 Law Practice Management (3 Units), LAW461 Mediation (2 Units), LAW505 Moot Court (Business law-related) (1 Unit), LAW472 Real Estate Transactions (3 Units), LAW545 Corporate Criminal Liability (3 Units), and LAW623 Wills and Trusts Drafting (2 Units).
- iii. Students are directed to see the Faculty Director of the BLPC for the most current list of BLPC required courses and approved elective courses.

2. Criminal Law Practice Certificate (CLPC)

a. CLPC Program of Study

The Criminal Law Practice Certificate provides a course of study to students who are particularly interested in pursuing careers as prosecutors or criminal defense attorneys. A student may earn a certificate and a corresponding transcript notation by completing 19 units of required courses, and 3 additional elective units from a list of approved courses, for a total of 22 units, with the following requirements: (1) a 2.3 cumulative grade point average, (2) a 2.5 cumulative grade point average in CLPC courses, (3) no grade lower than 2.0 in any CLPC required course, and (4) at least 15 hours of director-approved pro bono or public service volunteer work.

b. CLPC Honors

A student who graduates with a cumulative grade point average of 3.0 or above in CLPC courses shall receive a certificate with the notation, "With Distinction."

c. CLPC Course Requirements

- i. 19 Units of Required Courses: The following courses are required for the CLPC: LAW110 Criminal Law (3 Units), LAW311 Criminal Procedure (3 Units), LAW467 Criminal Law Externship (5 Units), LAW213 Evidence (4 Units), LAW619 Criminal Justice Ethics (1 Unit), and LAW489 Trial Practice (Criminal) (3 Units).
- ii. 3 Units of Electives: Students must earn a total of 3 units through a variety of advanced or specialized courses focusing on areas in the criminal justice system, and include LAW545 Corporate Criminal Liability (3 Units), LAW615 Death Penalty (3 Units), LAW400 Domestic Violence (3 Units), LAW440 Immigration Law (3 units), LAW447 Juvenile Law (3 Units), LAW580 Law of Vice (3 Units), and LAW454 National Security (3 Units).
- iii. Students are directed to see the Faculty Director of the CLPC for the most current list of CLPC required courses and approved elective courses.

3. The Real Estate Law Practice Certificate (RELPC)

a. RELPC Program of Study

The Real Estate Law Practice Certificate [RELPC] offers a course of study to students who are particularly interested in pursuing careers in real estate and related fields. A student may earn a certificate and a corresponding transcript notation by completing 17 units of required courses and 7 additional elective units from a list of approved courses, for a total of 24 units, with the following requirements: (1) a 2.3 cumulative grade point average, (2) a 2.5 cumulative grade point average in RELPC courses, (3) no grade lower than 2.0 in any RELPC required course, and (4) at least 15 hours of director-approved pro bono or public service volunteer work.

b. RELPC Honors

A student who graduates with a cumulative grade point average of 3.0 or above in RELPC courses shall receive a certificate with the notation, "With Distinction."

c. RELPC Course Requirements

- i. 12 Units of Required Courses: The following courses are required for the RELPC: LAW111 Contracts I (2 Units), LAW112 Contracts II (3 Units), LAW151 Property I (3 Units), LAW152 Property II (2 Units), and LAW308 Community Property (2 Units).
- ii. 5 Units of Required Experiential Learning: Students will be required to earn 5 units in a civil externship with a real estate law-related placement.
- iii. 7 Units of Electives: The remaining 7 units could be satisfied by a number of courses from a list of approved courses available from the RELPC Director. Those courses may include: LAW250 Federal Income Taxation (3 Units), LAW623 Wills and Trusts Drafting (2 Units), LAW472 Real Estate Transactions (3 Units), and LAW429 Law Practice Management (3 Units). With the RELPC Director's approval, students may substitute other courses in which they complete a paper on a real estate law topic for the course's Upper Level Writing Requirement (ULWR).
- iv. Students are directed to see the Faculty Director of the RELPC for the most current list of RELPC required courses and approved elective courses.

4. Family Law Practice Certificate

a. FLPC Program of Study

The Family Law Practice Certificate [FLPC] offers a course of study to students who are particularly interested in pursuing careers in family law and related fields. A student may earn a certificate and a corresponding transcript notation by completing 18 units of required courses and 6 additional elective units from a list of approved courses, for a total of 24 units, with the following requirements: (1) a 2.3 cumulative grade point average, (2) a 2.5 cumulative grade point average in FLPC courses, (3) no grade lower than 2.0 in any FLPC required course, and (4) at least 15 hours of director-approved pro bono or public service volunteer work.

b. FLPC Honors

A student who graduates with a cumulative grade point average of 3.0 or above in FLPC courses shall receive a certificate with the notation, "With Distinction."

b. Course Requirements

- i. 13 Units of Required Courses: The following courses are required for the FLPC: LAW151 Property I (3 Units), LAW152 Property II (2 Units), LAW308 Community Property (2 Units) (all of which are already required for graduation), LAW250 Federal Income Taxation (3 Units), and LAW437 Family Law (3 Units).
- ii. 5 Units of Required Experiential Learning: Students must earn 5 units in LAW501 Immigration Legal Clinic (3 Units) and LAW499 Legal Clinic Seminar (2 Units) involving casework or advocacy with a family practice component, or in a civil externship with a family practice-related placement.
- iii. 6 Units of Electives: The remaining 6 units may be satisfied by a number of courses, from a list of approved courses available from the FLPC Director. These courses include LAW447 Juvenile Law (3 Units), or other courses, with the FLPC Director's approval, in which students complete a paper on a family law topic for the course's Upper Level Writing Requirement (ULWR).
- iv. Students are directed to see the Faculty Director of the FLPC for the most current list of FLPC required courses and approved elective courses.

5. Immigration Law Practice Certificate

a. ILPC Program of Study

The Immigration Law Practice Certificate [ILPC] offers a course of study to students who are particularly interested in pursuing careers in immigration law and related fields. A student may earn a certificate and a corresponding transcript notation by completing 17 units of required courses and 6 additional elective units from a list of approved courses, for a total of 24 units, with the following requirements: (1) a 2.3 cumulative grade point average, (2) a 2.5 cumulative grade point average in ILPC courses, (3) no grade lower than 2.0 in any ILPC required course, and (4) at least 25 hours of director-approved pro bono work.

b. ILPC Honors

A student who graduates with a cumulative grade point average of 3.0 or above in ILPC courses shall receive a certificate with the notation, "With Distinction."

b. Course Requirements



- i. 12 Units of Required Courses: The following courses are required for the ILPC: LAW110 Criminal Law (3 Units), LAW311 Criminal Procedure (3 Units), LAW201 Constitutional Law I (3 Units), and LAW440 Immigration Law (3 Units).
  - ii. 5 Units of Required Experiential Learning: Candidates for the ILPC are required to earn 5 units through enrollment in one semester of either of the two courses: LAW501 Immigration Legal Clinic (3 Units) and LAW499 Legal Clinic Seminar (2 Units), or a civil externship with an immigration law-related placement (5 Units).
  - iii. 6 Units of Electives: Students must earn a total of 6 units through a variety of electives, including LAW401 Administrative Law (3 Units), LAW502 Advanced Immigration Clinic (3 Units), Moot Court (immigration law-related) (1 Unit) or LAW619 Criminal Justice Ethics (1 Credit). With the ILPC Director's approval, students may substitute other courses in which they complete a paper on an immigration law topic for the course's Upper Level Writing Requirement (ULWR).
  - iv. Students are directed to see the Faculty Director of the RELPC for the most current list of RELPC required courses and approved elective courses.
- c. 25 Mandatory Pro Bono Hours: In addition to the coursework, ILPC candidates must complete at least 25 hours of pro bono work on behalf of low-income or modest means noncitizens or on behalf of a non-profit organization that engages in immigration advocacy issues. The pro bono work must be certified by a supervising attorney and approved by the faculty director of the ILPC. Note that non-legal work or legal work that is not performed under the supervision of an attorney, such as participating in food drives or tutoring, while encouraged generally by the College of Law, will not qualify for the 25 hour pro bono requirement of the ILPC.

## F. Graduation

### 1. Eligibility for Graduation

To be eligible to graduate a student must fulfill the following requirements:

- a. Satisfactorily complete eighty-eight (88) units
- b. Satisfactorily complete all required courses
- c. Satisfactorily complete all foundation law point program requirements
- d. Achieve a cumulative grade point average of 2.0 or above
- e. Satisfy all financial obligations to the College of Law
- f. Satisfy all obligations to the law library
- g. Complete a financial aid exit interview if the student received financial aid

### 2. Time Limits for Completion of the Juris Doctor Degree

The time period for a student to complete the requirements of the Juris Doctor degree is no earlier than 24 months and no later than 84 months after the student has commenced law study at the College of Law or at any law school from which transfer credit is accepted.

### 3. Required Petition

A candidate for graduation must file a petition to graduate with the Student Services Office in accordance with posted deadlines.

### 4. Curriculum Review

A student shall meet with the Registrar at the beginning of his or her final year of study for the purpose of reviewing the student's transcript to determine what courses must be completed to satisfy graduation

requirements.

5. Taking a Bar Exam before Completing Graduation Requirements

Some jurisdictions allow a student to take their bar exam before completing the school's requirements for graduation. A student who wishes to take a bar exam before completing the requirements for graduation must obtain the permission of the Dean to do so or that student will not be certified by the College of Law as eligible to take the bar exam.

6. Award of the Juris Doctor Degree and Attendance at Graduation Ceremony

Juris Doctor degrees are awarded in May, August and December. The faculty of the College of Law must vote to confer the Juris Doctor degree on each qualified student. All graduating students are expected to participate in graduation ceremonies.

7. Graduation Honors Requirements.

a. Graduation honors.

Graduation honors of the College of Law shall be awarded as follows:

- |      |                   |                                    |
|------|-------------------|------------------------------------|
| i.   | Summa Cum Laude:  | 3.40 grade point average and above |
| ii.  | Magna Cum Laude:  | 3.20 to 3.39 grade point average   |
| iii. | Cum Laude:        | 3.00 to 3.19 grade point average   |
| iv.  | Scholastic Merit: | 2.80 to 2.99 grade point average   |

b. Calculation of honors

Graduation honors shall be calculated based on all grades earned at the College of Law. Notation of graduation honors in the commencement programs shall be based on the cumulative grade point average for the latest full term for which grades are available.

c. Transfer students

A student who transfers from another law school shall earn graduation honors based on his or her grade point average earned at the College of Law.

d. Valedictorians

Two Valedictorians are chosen annually, one each from the December and May graduating classes. The May valedictorian is the student with the highest cumulative grade point average as of the preceding December. The December valedictorian is the student with the highest cumulative grade point average as of the fall semester. That another student may ultimately earn a higher cumulative grade point average shall not affect the selection of class valedictorian. For purposes of selecting class valedictorian, students who complete their studies in August are included with candidates for degrees awarded in May.

e. Graduation Speaker

The Registrar will notify the chair of the graduation committee of the two students who have the highest cumulative grade point average among those students who completed their studies in December and the two students who have the highest cumulative grade point average among those students who completed their studies in May/August. The chair of the committee shall notify each student that he or she is eligible to be the student graduation speaker and shall inform the students of the requirements for selection of the speaker. The committee shall select the speaker according to the criteria the committee establishes.

#### IV. COURSE LOAD, ATTENDANCE POLICY AND WORK LIMITATIONS

##### A. Program of Study

1. Designation of Program

When registering for classes, a student shall designate his or her program of study as either full-time or part-time.

2. Required Units per Semester for the Full-Time Program

A student enrolled in the full-time program must enroll in a minimum of twelve (12) units and a maximum of sixteen (16) units. Full time students should take the day time class offerings of their required courses.

3. Required Units per Semester for the Part-Time Program

A student enrolled in the part-time program must enroll in a minimum of eight (8) units and a maximum ten (10) units.

4. Required Units per Semester for the Summer Session

A student enrolled in the full-time program may not be enrolled in more than eight (8) units in the main summer session. A student enrolled in the part-time program may not be enrolled in more than six (6) units in the main summer session.

5. Exception to the Unit Requirement

An upper division student (second and third year of the full-time program and third and fourth year of the part-time program) in good academic standing may petition the Associate Dean for Academic Affairs for an exception to the required units per semester. The student must present extraordinary circumstances to justify such an exception. Such petitions are considered on a case-by-case basis and if granted do not establish a precedent for future petitions. If a petition is granted, per unit tuition charges apply.

6. Required Sequence of Courses

A student is required to follow the course sequence established for the year and semester in which he or she matriculated as set forth in that student's program of study.

7. Waiver of Course Prerequisite Requirement

Upon a showing of substantial need by a student or by the Registrar, the Associate Dean for Academic Affairs may waive, for a particular student, the prerequisites for a specific course section. Where practicable, the Associate Dean for Academic Affairs shall consult with the instructor of record of the section of the course in making such a decision.

8. Upper Level Writing Requirement (ULWR)

a. Designation of ULWR

The Associate Dean of Academic Affairs may designate an upper level course as satisfying the (ULWR) pursuant to these guidelines. To earn ULWR credit, each of the following requirements must be met:

- i. A substantial written product that demonstrates legal research, analysis, and contains ample citation to legal authority. Categories may include: a scholarly article, a legal memorandum, or trial or appellate brief. In some cases, a compilation of shorter submissions from a single semester-long course might satisfy the ULWR. If a compilation is submitted, then the underlying research completed must be fully documented for review and approval by the instructor. Journals, diaries, and other writings that do not

reflect such research and analysis do not meet this requirement.

- ii. At least one outline or draft of the written product that receives individualized feedback in writing from the instructor.
- iii. At least one student-instructor conference for the purpose of individualized assessment of the student's written product.
- iv. At least one of the following: a research log; a self-critique or peer-critique experience; feedback on further drafts at the option of the instructor.
- v. The final written product must be evaluated by the instructor and the student must earn a grade of at least 2.0 or its equivalent on the written product.
- vi. The instructor certifies in writing to the Associate Dean of Academic Affairs that the student has complied with requirements i through v.

b. ULWR Credit for Law Review

Completion of a written product for LAW510 Law Review will receive ULWR credit only where an instructor certifies in writing to the Associate Dean of Academic Affairs that the student has met all of the above requirements.

9. Requirement for Non-Classroom Units

a. Definition of "Non-Classroom Units."

The College of Law may grant credit toward the J.D. degree for courses or a program that permits or requires student participation in studies or activities away from or outside the law school or in a format that does not involve attendance at regularly scheduled class sessions.

Each non-classroom unit earned must represent an equivalent amount of work as required in III.A.2. Definition of Credit Hour (Unit). In order to meet this requirement, each non-classroom unit earned shall represent no less than 45 hours of work. Some programs may require a higher number of hours of work per unit than the 45 hour minimum.

b. Externships

A student may not earn more than nine (9) non-graded (pass/fail) units for enrollment in externships.

c. Other Courses

A student may not enroll for credit in any course or program that does not include a classroom component (such a LAW510 Law Review, LAW504 Special Project or LAW505 Moot Court) if the student would earn more than eight (8) units for all courses without a classroom component.

d. Total Non-Classroom Units

The combined total of units earned in both externship placements (see IV.A.9.a. above), and other non-classroom courses (see IV.A.9.b. above) may not exceed sixteen (16).

e. Legal Clinic

Units earned for enrollment in the course LAW499 Legal Clinic Seminar do not constitute "non-classroom units" and are not subject to the limits described in this section.

f. Special Project

- i. A special project is an opportunity for a student to do research in an area of particular interest to the student in which the College of Law offers no courses. A student may earn from one (1) to three (3) units for his or her work. (See Section V.J. for registration requirements)
- ii. Each project must result in the completion of a paper or other substantial writing (brief, journal, memorandum, etc.) of not less than fifteen (15) pages per unit.
- iii. Each unit of credit earned for a special project represents not less than forty-eight (48) hours of student work.
- iv. A special project may be used to satisfy the Upper Level Writing Requirement. (See Section IV.A.8.)

g. Honors Moot Court Team

- i. A student may become eligible for the Honors Moot Court Team based on his or her appellate brief and argument in the LAW402 Advanced Appellate Advocacy course and other criteria established by the Moot Court Board, as approved by the Director of Competitions.
- ii. A student must have and maintain a grade point average of 2.5 or higher and not be on academic or foundation law point probation to be eligible to participate on the Honors Moot Court Team.
- iii. A student must adhere to the rules and practices established by the by-laws for the Honors Moot Court Team and the Director of Competitions.
- iv. A student may earn one (1) unit in each semester that he or she competes in an external competition up to a total of four (4) units. (See Section V.J. for registration requirements).

h. Trial Team

- i. A student is eligible to participate on the Trial Team upon being selected by the Director of the Mock Trial Team. The Dean shall designate a professor to be Director of the Mock Trial Team.
- ii. A student must have and maintain a grade point average of 2.5 or higher and not be on academic or foundation law point probation to be eligible to participate on the Mock Trial Team.
- iii. A student must adhere to the rules and practices established for the Trial Team by the Director of Advocacy.
- iv. A student may earn one (1) unit in each semester that he or she competes in an external competition up to a total of four (4) units. (See Section V.J. for registration requirements).

i. Other Competition teams

- i. A student may participate in other competition teams that may be established by the College of Law. The Dean may designate a professor to direct teams for other competitions.
- ii. A student must have and maintain a grade point average of 2.5 or higher and not be on academic or foundation law point probation to be eligible to participate on other competition teams.
- iii. A student must adhere to the rules and practices established for such other competition teams by the faculty director of such teams.
- iv. A student may earn one (1) unit in each semester that he or she competes in an external competition up to a total of four (4) units. (See Section V.J. for registration requirements).

registration requirements).

j. Law Review

- i. A student may be invited to join Law Review if he or she has completed eighteen(18) units of academic credit and achieved a cumulative grade point average of 3.0 or higher (known as grading on) or by participating in the Law Review's write-on competition.
- ii. A student may participate in the write-on competition if he or she has completed eighteen (18) units of academic credit and achieved a cumulative grade point average of 3.0 or higher. The student must also have at least two semesters remaining at the College of Law at the time of the write-on competition.
- iii. Invitations are extended once a year at the beginning of the summer. If a student declines an invitation he or she will not be reconsidered for Law Review.
- iv. A student may earn one (1) unit of academic credit in each semester up to a total of six (6) units for enrollment in Law Review. To receive credit, each student must register for Law Review in the regular class registration process. (See Section V.J. for registration requirements).

10. Externships

- a. An externship is a limited enrollment course for which students are assigned to an approved placement arranged by the Director of the Externship Program. The student must also attend the externship seminar. A student may enroll in an externship only if the student has a cumulative grade point average of at least 2.0 upon the conclusion of the semester immediately preceding enrollment. (See Section V.J. for registration requirements)
- b. A student may not enroll in two externships concurrently. A student may enroll in more than one externship in different semesters only with the permission of the Director of the Externship Program. In approving the enrollment of a student in a second externship, the Externship Director shall determine that the externship is academically appropriate for the student, considering the total amount of non-classroom units completed by the student, the total number of advanced professional skills units completed by the student, the quality of the student's performance in the completed externship, the availability of the externship opportunity to other students and other factors the Externship Director identifies as helpful.
- c. A student who repeats an externship must repeat the externship seminar.

11. Legal Clinic

- a. The legal clinic is operated by the College of Law as an opportunity for students to practice law while enrolled in school. Students engage in law practice activities pursuant to the student practice rule of the California State Bar Association.
- b. Students must have completed or be concurrently enrolled in LAW141 Civil Procedure I, LAW142 Civil Procedure II, LAW213 Evidence, and LAW240 Professional Responsibility to enroll in the clinic. The Clinic Director selects students based on a competitive application process, with preference given to students enrolled in their last semester of study at the law school.
- c. A student enrolled in the Legal Clinic for the first time will earn five (5) units of graded credit for participation in the clinic seminar and for the completion of casework associated with the Legal Clinic. (See Section V.J. for registration requirements).

- d. A student who has successfully completed one semester of the Legal Clinic may apply to enroll in LAW502 Advanced Legal Clinic. The Clinic Director must approve student participation in LAW502 Advanced Legal Clinic. A student enrolled in LAW502 Advanced Legal Clinic may receive either two (2) or three (3) graded units for completion of casework associated with LAW502 Advanced Legal Clinic.
- e. Units earned for work in the Legal Clinic must comply with the requirements set out in III.A.2. Definition of Credit Hour (Unit).

## 12. Class Attendance Requirements

### a. Attendance Requirement

- i. The College of Law requires regular and punctual class attendance of students. Satisfactory attendance in a course means attending at least 85% of scheduled classes during the semester. The percentage of absences is intended to account for the occurrence of unplanned events. If the student has an extended illness or absence due to religious observance, special arrangements may be made with the instructor to enable student to satisfy the attendance requirement. Individual professors have discretion to require a higher percentage of attendance upon written notice to the students.
- ii. A student must attend the class for which he or she is registered.
- iii. If a student fails to satisfy the attendance requirement in a required course, a limited enrollment course or an externship, the student shall be excluded from the remainder of classes or course sessions and shall receive a failing grade designated as AF on his or her transcript. If the course exclusion results in fewer than twelve (12) units for a full time student or eight (8) units for a part time student, financial aid may be affected.

### b. Application of Policy

This requirement applies to all regularly scheduled classes including those conducted during the add/drop registration period.

### c. Exception to Policy

- i. When a student's activity in the Legal Clinic, an externship or a competition team causes a conflict with a regularly scheduled class, the absence from the regularly scheduled class will be excused and will not count as an absence toward the class attendance requirement. This exception to the class attendance requirement applies only under the following conditions:
  - a) For Legal Clinic and externships, when an appearance at a court hearing, deposition or an Administrative Law hearing on behalf of a client is necessary.
  - b) For competition teams, only for actual competition times, including travel time.
- ii. A student who expects to miss a regularly scheduled class due to an authorized absence must complete the Notification of Absence form and have it signed by his or her faculty advisor, clinic director or externship supervisor. The completed form must be submitted to the classroom professor at least one week before the absence, unless the clinic, externship or competition activity is scheduled less than one week before the class, in which case the form shall be submitted as soon as possible.
- iii. A student who misses a class must take all necessary steps to make up the material that was covered in the missed class, including meeting with the professor to obtain make-up work that may be assigned.

### d. Tardiness

A student is expected to arrive on time for each class and leave only when the instructor finishes the class. If a student realizes that unavoidable circumstances will require late arrival or early departure, the student should notify the instructor when possible and make arrangements to minimize disruption to the class.

**B. Maximum Work Hours for Full-Time Students**

A full-time student shall not work in excess of twenty (20) hours per week during any semester. A student enrolled in the full-time program shall certify each semester that he or she is complying with this requirement. A student who fails to certify his or her compliance with this work limitation will be deemed to be registered in the part-time program of study and will be subject to the provisions of Section IV.A.3.

**V. REGISTRATION, COURSE CHANGES AND RELATED MATTERS**

**A. General Registration Requirement**

A student shall not receive academic credit for any course or externship unless he or she is officially registered in classes with the Registrar. Each student is responsible to register for all courses in a timely manner. Inquiries regarding registration for classes should be directed to the Registrar.

**B. Registration Procedure**

A student shall register for classes according to the schedule and instructions distributed by the Registrar in advance of the commencement of the fall and spring semesters and the summer session.

**C. Late Registration**

A class registration submitted by a student after the date and hour established by the Registrar will not be accepted without the approval of the Registrar. A student will be assessed a late registration fee if that student's late registration is approved by the Associate Dean of Academic Affairs.

**D. Registration Priority**

Priority for registration for classes is based on the following criteria: the date of graduation projected by the student, whether the student is a full-time or part-time student and the total number of class hours the student has enrolled in before the commencement of the semester of registration.

**E. Registration for Required Courses**

A student must enroll in the required courses for the semester in which he or she is registered, according to the student's program of study provided that the student has met all stated course prerequisites.

**F. Registration for Repeat Foundation Law Point (FLP) Program Courses**

1. FLP Designation at Registration

A student who wishes to repeat a Foundation Law Points program course must complete the required Registration and Payment Form indicating "FLP" after the course title.

2. Meeting with Assistant Director of Student Finance

A student who registers for a repeat Foundation Law Points program course must meet with the Assistant Director of Student Finance for advisory services regarding federal financial aid implications.

**G. Procedure for Adding Courses**

1. Time to Add/Drop Courses

A student may add a course, other than an externship, legal clinic or special project, until the



end of the add/drop period established in the academic calendar. A student may not add a course during his or her first semester of law studies.

2. Meet Program of Study Requirements  
In adding a course, a student must meet the requirements of Section IV.A. 2. or IV.A.3. as applicable to the student's program of study.
3. Permission of Professor for Externship, Legal Clinic or Special Project  
If a student wishes to enroll in an externship, legal clinic or a special project, he or she must utilize the Add/Course form to do so and must have the written permission of the professor (and the Associate Dean for Academic Affairs in the case of a special project. See Section V.J.1.) before registration.
4. Applicability of Absence Policy  
If a student adds a course after that course commences instruction, he or she will nevertheless be subject to the course attendance requirement. (See Section IV.A.9.)
5. Add/Drop Form  
The add/drop form is available from the Student Services Office for this purpose.

#### H. Procedure for Dropping Courses

1. Permission to Drop Required Courses  
A student may drop a required course, a limited enrollment course, a special project, externship, or the legal clinic only with the permission of the Associate Dean for Academic Affairs. Such permission will be granted only in extraordinary circumstances.
2. Program of Study Requirement  
In dropping a course, a student must meet the requirements of Section IV.A. 2. or IV.A.3. as applicable to the student's program of study.
3. Financial Aid Consequences  
Before dropping a course, a student must meet with the Assistant Director, Student Finance to determine the consequences on eligibility for financial aid.
4. Add/Drop Form  
The add/drop form is available in the Student Services Office for this purpose.

#### I. Withdrawing From Courses after the Add/Drop Period

1. Program of Study Requirement  
A student may withdraw from an elective course at any time before the last class of the semester, provided that after the withdrawal, the student meets the minimum unit requirement provided for in Section IV.A.2 and IV.A.3 as applicable to that student's program of study.
2. Permission to Withdraw From Required Courses  
A student may withdraw from a required course, a limited enrollment course, externship, Legal Clinic or a special project only with the permission of the professor and the Associate Dean for Academic Affairs. Such permission shall be granted only in extraordinary circumstances.
3. Time Limit to Withdraw  
A student may not withdraw from a course after the last regularly scheduled class of the

semester or applicable summer session.

4. No Withdrawal during First Semester  
A student enrolled in his or her first semester may not withdraw from a course, unless the student changes from full-time student status to part-time student status. If a student changes status to part-time, he or she must adhere to the program of study for part-time students.
5. Transcript Notation  
The transcript of a student who withdraws from a class according to the requirements of this section shall have a notation of "W" entered for that class. This grade shall not be included in the computation of the student's semester or cumulative grade point average.
6. Applicability of Attendance Policies  
The College of Law attendance policies shall apply to all classes unless the student notifies the Registrar of his or her intent to withdraw from a class and is provided with official notification of withdrawal.

#### **J. Registration for Special Projects, Legal Clinic, Externships, and Law Review**

1. Special Projects  
A student must complete and submit to the Registrar the special project registration form, which includes an outline of the project, and the signatures of a supervising professor and the Associate Dean of Academic Affairs. Registration for a special project must be complete before the end of Add/Drop period.
2. Legal Clinic  
A student may enroll in the Legal Clinic by submitting a legal clinic application form to the Director of the Immigration Clinic. This form is available from the clinic staff and is included in registration materials. The Director of the Immigration Clinic selects eligible students who are then notified that they may enroll through the regular registration process.
3. Externships  
A student may enroll in an externship by submitting an application to the appropriate externship director. This form is available from the faculty secretaries. The externship directors shall select the students to participate in the externships and will notify each student that he or she may enroll through the regular registration process.
4. Other Courses/Programs  
A student who participates in Honors Moot Court, Trial Team or other Competitions or Law Review must register through the regular registration process.

#### **K. Transfer of Credit Earned Before Admission**

1. Review of Transcript  
The Registrar will review the academic record of a transfer student admitted by the College of Law to determine the acceptance of courses, and units. The student will be notified by the Registrar of the courses accepted in transfer and the College of Law courses satisfied by the acceptance of transfer units. The number of units a student may transfer from a school of law accredited by the American Bar Association may not exceed forty-three (43) units. The number of units a student may transfer from a school of law accredited by a state law school

accrediting agency may not exceed twenty-nine (29) units.

2. Conditions Of Course Transfer

A transfer student may apply unit(s) for such course(s) toward satisfaction of the College of Law's graduation requirements subject to the following conditions:

- a. All courses required for graduation must be successfully completed at the College of Law except for comparable courses successfully completed at the student's prior institution.
- b. The student will receive credit for courses taken only if the grade received is equal to or higher than the grade point average required for graduation at the student's prior institution.
- c. All grades for which credit is transferred will be reported as pass on the student's transcript for the purposes of computing academic averages of the student at the College of Law.
- d. The number of units transferred for each course will be equal to either the units awarded by the student's prior institution or the units awarded by the College of Law for the equivalent course, whichever is fewer.

3. Graduation Requirements for Transfer Students

A student who transfers to the College of Law from another institution is subject to the same graduation requirements as is any other matriculated student of the College of Law, except that a transfer student is not required to take the Introduction to Legal Methods course.

4. Foundation Law Points Requirement

A Student who transfers to the College of Law is subject to the foundation law points program. (See Section III.D.3.d.).

5. The College of Law does not have articulation agreements with any other colleges or universities.

**L. Transfer of Credit Earned After Admission to the College of Law**

1. Approval Requirement

A student, in good academic standing at the College of Law, who wishes to take a non-required course at another law school approved by the American Bar Association (ABA), must receive prior permission from the Registrar. A student may receive credit for such courses subject to the requirements described in Section V.K.

2. Required Courses

A student enrolled at the College of Law may not receive credit for any course designated as a required course or a foundation law point course by the College of Law if that course was taken at another law school after that student's matriculation at the College of Law. However, if the student has failed a required course and can demonstrate extraordinary circumstances, the Associate Dean of Academic Affairs may grant the student permission to take the required course at an ABA approved law school.

3. Summer Abroad Programs

- a. A student in good academic standing may receive credit for courses taken at other law schools that offer summer abroad programs. Acceptance of such units is subject to the requirements described in Section V.K.
- b. A student wishing to participate in another law school's summer abroad program and

have units accepted by the College of Law must complete and submit to the Registrar a petition provided in the Student Services Office. Approval for participation in such programs will be given if the student is in good academic standing, is eligible to participate in the program and the proposed course work does not duplicate coursework already undertaken by the student.

- c. A letter of good standing and permission to attend will be sent to the sponsoring institution upon approval of the student's petition by the Registrar.
- d. Credit will be given to the student upon receipt of an official transcript from the sponsoring institution and only for courses in which the student earned grade of C or above or its equivalent.
- e. Students may learn more about summer abroad programs from the Student Services Office.

4. Distance Education

A student enrolled at the College of Law may not receive credit for any Distance Education course if that course was taken at another law school after that student's matriculation at the College of Law. A Distance Education course is one in which students are separated from the faculty member and each other for more than one third of the instruction.

**M. Transfer between Programs of Study**

1. Permission to Transfer

A student may transfer between the full time and the part time program only with the permission of the Associate Dean for Academic Affairs. Approval of such transfer shall take into consideration the effect such transfer shall have on the student's course load and future course scheduling.

2. Financial Aid Consequences

A student must consult with the Associate Director of Student Finance before his or her transfer being approved to determine the impact such transfer will have on his or her financial aid.

**N. Loan Deferment Verification**

1. Verification by Registrar

The Registrar verifies a student's loan deferment status each semester after the add/drop registration period. Students should check with the Student Finance Office regarding the status of their prior student loans now in deferment status due to enrollment at the College of Law. Forms for requesting deferment are available in the Student Services Office. Information is transmitted to the National Student Loan Data System (NSLDS) on a scheduled basis indicating the student's enrollment status.

2. Eligibility for Deferment

A student is eligible for deferment on the following basis:

<u>Fall and Spring Semester</u>		<u>Summer Session</u>	
Full-time	12 or more units	Full-time	6 or more units
Half-time	5 – 11 units	Half-time	3-5 units
Less than half-time	4 or less units	Less than half-time	2 or less units

**O. Auditing Courses**

1. Permission to Audit Course

A student who wishes to audit a course must obtain the written permission of the professor

and the Registrar. A student may not audit a limited enrollment course, Legal Clinic, or an externship. Alumni, visiting students or members of the bar not enrolled at the College of Law may audit a course only with the permission of the professor and the Registrar.

2. Revocation of Permission to Audit Courses

Permission to audit a course may be revoked at any time during the course by the professor or the College of Law. The professor has no obligation to evaluate any work that an auditor may do, to call upon the auditor in class, or to answer questions raised by the auditor either in or out of class.

3. Transcript Notation

Courses attended by auditing will not be reflected on a student's transcript nor will any other indication of course attendance be provided by the College of Law.

**P. Leave of Absence from the College of Law**

1. Student in Good Academic Standing

a. A student who is in good academic standing may take a voluntary leave of absence after meeting with the Associate Dean of Academic Affairs for the purpose of determining the effect of the leave of absence on the student's program of study.

b. After meeting with the Associate Dean for Academic Affairs, the student must notify the Registrar in writing (on a form provided by the Student Services office) of his or her intent to take a leave of absence.

c. Before returning to the College of Law, the student must register for classes in the regular registration process.

d. A student who has not completed his or her first semester at the College of Law is not eligible to take a leave of absence unless the Associate Dean for Academic Affairs determines there is a demonstration of extraordinary circumstances.

2. Student not in Good Academic Standing

a. A student who is not in good academic standing may take a leave of absence from the College of Law only with the written permission of the Associate Dean for Academic Affairs.

b. A student who wishes to resume his or her studies must petition the Associate Dean for Academic Affairs for permission to resume studies. This petition must be filed with the Associate Dean for Academic Affairs at least thirty (30) days before the beginning of the semester in which the student wishes to resume his or her studies. The student must state the reasons why he or she is prepared to resume his or her program of study. The Associate Dean for Academic Affairs shall permit the student to resume studies only if the student demonstrates that he or she is likely to succeed in his or her program of study. If the student is permitted to resume studies, he or she must comply with all requirements for continuing his or her studies on probation and must notify the Director of the S.T.E.L.L.A.R./ Academic Probation Program of his or her resumption of studies within three (3) days of the beginning of classes.

3. Authority of the Associate Dean for Academic Affairs

The Associate Dean for Academic Affairs may permit a leave of absence of up to one year.

4. Extending a Leave of Absence

A student who has taken a one semester leave of absence may extend that leave of absence to one year with the written permission of the Associate Dean for Academic Affairs.

5. Academic Standing after Leave of Absence  
A student who resumes his or her studies after a leave of absence shall resume his or her former academic standing. All prior academic work earned shall be retained and the student's cumulative grade point average shall include all coursework and grades taken before and after the leave of absence.
6. Leave of Absence of More Than One Year  
A student, who wishes to extend his or her leave of absence for more than one year, must reapply for admission to the College of Law through the regular admission procedure then in effect (See Section VI.H.). This policy does not guarantee readmission to the College of Law.
7. Consultation with Student Finance Office  
A student granted permission to take a leave of absence must meet with the Associate Director of Student Finance to determine the effect the leave of absence shall have on the student's financial aid status.

**Q. Withdrawal from the College of Law**

A student may withdraw from the College of Law at any time. The student must inform the Registrar in writing of his or her decision to withdraw. A student who does not inform the Registrar of his or her withdrawal will receive a failing grade (AF) in each course in which the student is registered.

**VI. ACADEMIC STANDARDS**

**A. Good Academic Standing**

1. Generally:

A student is in good academic standing when the student's cumulative grade point average is 2.0 or better. A student who is in his or her first semester is considered to be in good academic standing.

2. GPA below 2.3 after first semester (for students in the Fall 2013 entering class and beyond):

A student whose cumulative GPA is below 2.3 at the end of his or her first semester is at risk of not being in good standing at the end of his or her second semester.

- a. Any student whose cumulative GPA is below 2.3 after completion of his or her first semester is required to enroll in and complete the course LAW160 Selected Topics in American Law during his or her second semester of law school.
- b. A student who falls under this provision should meet with the Associate Dean in order to determine the appropriate course load for the second semester.

**B. Academic Probation**

1. Academic Probation

A student will be placed on academic probation under the following circumstances:

- a. During the student's second semester of law study if the student earned a first semester average of 1.7 or above but below 2.0.
- b. During the student's fourth semester or beyond if the student has a cumulative grade point average below 2.0 at the end of the immediately preceding fall or spring semester.
- c. When the Academic Standards Committee grants a petition of a student who has been academically dismissed (see VI.D. and VI.G, below), during the fall or spring semester immediately following the semester in which the student's academic

performance caused the dismissal, or as otherwise set forth in the letter granting the petition.

2. Requirements for Continuing Studies on Probation

a. A student placed on probation must comply with the following obligations to be allowed to continue his or her studies:

- i. Meet with the director of the Strategies to Enhance Legal Learning and Achieve Results (S.T.E.L.L.A.R.) / Academic Probation Program or his or her designee for academic counseling. The director or designee will inform the student of the requirements of the S.T.E.L.L.A.R./ Academic Probation Program.
- ii. Comply with all requirements of his or her academic probation program as directed by the Program Director or designee.

b. A student who is placed on academic probation who fails to satisfy any of the foregoing obligations may be administratively dismissed from the College of Law and such failure can be considered by the Academic Standards Committee if the student petitions under the provisions of Section VI.G.

c. By the end of the academic probation semester, the student must achieve a cumulative grade point average of at least 2.0 or be academically dismissed from the College of Law.

3. Leave of Absence

If a student takes a leave of absence while on academic probation, he or she shall be placed on academic probation upon enrolling in a subsequent semester. The student is required to notify the Director of the S.T.E.L.L.A.R./ Academic Probation Program of his or her return within three (3) days of the beginning of classes in the semester that the student returns. A student, who fails to notify the Director of his or her return, will be academically dismissed from the College of Law.

4. Change of Status

Any student who is placed on academic probation may elect to change from full-time to part-time status of ten units or fewer. Any student making such a change shall have two semesters of part-time status to fulfill the terms of his or her probation.

**C. Foundation Law Points (FLP) Program Probation**

1. FLP Probation

A student will be placed on Foundation Law Points program (FLP) probation under the circumstances described in Section III.D. of this catalog.

2. Requirements for Continuing Studies on Probation

a. A student placed on FLP probation must comply with the following obligations to be allowed to continue his or her studies:

- i. Meet with the Director of the S.T.E.L.L.A.R./ Academic Probation Program or his or her designee for academic counseling. The director or designee will inform the student of the requirements of the S.T.E.L.L.A.R./ FLP probation program.
- ii. Comply with all requirements of his or her FLP Probation Program as directed by the Program Director or designee.

b. A student who is placed on FLP probation who fails to satisfy any of the foregoing obligations may be administratively dismissed from the College of Law and such

failure can be considered by the Academic Standards Committee if the student petitions under the provisions of Section III.D.4.

- c. By the end of the FLP probation semester, the student must have earned the Foundation Law Points required under Section III.D. as applicable or be dismissed from the College of Law.

3. Leave of Absence

If a student takes a leave of absence while on FLP probation, he or she shall be placed on FLP probation upon enrolling in a subsequent semester. The student is required to notify the Director of the S.T.E.L.L.A.R./ Academic Probation Program of his or her return within three (3) days of the beginning of classes in the semester that the student returns. A student who fails to notify the Program Director of his or her return will be academically dismissed from the College of Law.

4. Change of Status

Any student who is placed on Foundation Law Point Probation may elect to change from full-time to part-time status of ten units or fewer. Any student making such a change shall have two semesters of part-time status to fulfill the terms of his or her probation.

#### **D. Academic Dismissal**

1. Dismissal at End of First Year/First Semester

A student who fails to achieve a grade point average of 1.7 at the end of his or her first semester of law studies shall be dismissed from the College of Law. A student may petition the Academic Standards Committee for permission to continue studies on probation (See Section VI.G.).

2. Dismissal at End of First Year/Second Semester

A student who fails to achieve a grade point average of 2.0 at the end of his or her second semester of law studies shall be dismissed from the College of Law. A student may petition the Academic Standards Committee for permission to continue studies on probation (See Section VI.G.).

3. Effect of Summer Session

Summer session is not a semester for the timing of dismissal under this rule.

4. Dismissal at End of Probation Semester

A student who fails to satisfy the requirements of probation as described in Section VI. B., as applicable, will be dismissed from the College of Law at the end of the probationary semester. A student may petition the Academic Standards Committee for permission to continue studies on probation (See Section VI.G.).

5. Dismissal for Failure to Maintain 2.0 GPA after Academic Probation

A student who has been placed on academic probation must maintain a cumulative grade point average of at least 2.0 for the remainder of his or her law studies or he or she will be academically dismissed from the College of Law. A student may petition the Academic Standards Committee for permission to continue studies on probation after failing to maintain a 2.0 GPA, even though he or she has been on probation in a prior semester (See Section VI.G.).

#### **E. Foundation Law Points Program Dismissal**



See Section III. D.4. for provisions relating to dismissal for failure to meet the requirements of the Foundation Law Points program.

**F. Effect of Summer Session Grades**

1. Effect on Academic Standing

For purposes of calculating academic retention, probation and dismissal, the summer session is not treated as a consecutive semester. Therefore summer session grades do not result in academic probation or dismissal. A cumulative grade point average above 2.0 achieved upon the completion of a summer session does not remove a student from academic probation. Course grades from the summer session will be included in a student's cumulative grade point average and will be calculated as part of the student's grade point average in the fall or spring semester that the student next attends. Summer session grades will not prevent academic dismissal that took effect the preceding spring semester.

2. Effect on Foundation Law Points Program

Foundation Law Points earned during a summer session will be treated as having been earned in the semester that the student next attends. Summer sessions shall not count as a semester for calculating Foundation Law Points under Section III.D.

**G. Petition for Permission to Continue Studies on Probation**

1. Petition Process

A student who has received notice that he or she is academically dismissed from the College of Law pursuant to Section VI.D. may petition the Academic Standards Committee for permission to continue his or her studies on probation. The student shall submit his or her petition in a timely manner according to the instructions received from the Registrar. Any dismissed student submitting a petition to the Academic Standards Committee must be enrolled in and attending the S.T.E.L.L.A.R. program from the beginning of the semester in which the petition is submitted.

2. One Petition Only

A student may petition the Academic Standards Committee for permission to continue studies on probation once for academic dismissal and once for foundation law point dismissal during his or her matriculation at the College of Law.

3. Authority of the Academic Standards Committee

- a. The Academic Standards Committee may grant a petition if the student establishes all of the following:
  - i. Extraordinary circumstances contributed to his or her inability to meet the academic requirements of the College of Law;
  - ii. The student's failure to meet the standards for continuing his or her studies does not indicate a lack of capacity to complete the program of study; and
  - iii. The circumstances resulting in the student's academic dismissal have been remedied or no longer exist.
- b. The Academic Standards Committee may, in addition to allowing a student to continue his or her studies on probation, impose such conditions that the committee believes necessary to facilitate continued academic success of the student. This authority shall include making such adjustments to the student's prior academic record as the committee deems warranted by the circumstances to ensure the student's future academic success.
- c. The Academic Standards Committee has the authority to permit a first-semester or

- first year student to start over if the Academic Standards Committee believes that it is necessary to provide the student with a reasonable opportunity to succeed. In some circumstances, the Academic Standards Committee may, as part of its decision to permit a student to start over, require the student to retake courses upon such terms and conditions the Academic Standards Committee in its sole discretion deems appropriate. Where a student retakes a course as a result of the Academic Standards Committee's decision, the first grade for the course will remain on the student's transcript, but will not be used to calculate that student's cumulative GPA.
- d. The Academic Standards Committee has the authority to retain jurisdiction over a student whose petition for readmission is granted. If a student fails to meet the terms set out by the Academic Standards Committee, but makes significant progress toward completion of those terms, the Academic Standards Committee in its sole and absolute authority may grant the student one additional semester to comply with the terms set out by the Academic Standards Committee.
  - e. All decisions of the Academic Standards Committee on petitions to continue studies on probation are final and are not appealable to any other office of the College of Law.

## H. Application for Readmission

### 1. Application Process

A student who has been academically dismissed from the College of Law and who failed to petition the Academic Standards Committee, or whose petition under Section VI.G. was denied, may apply to the Admissions Committee for readmission to the College of Law. The student will be subject to the admission policies in effect at the time of his or her application.

### 2. Required showing of ability to complete program of study

The student must affirmatively demonstrate that he or she possesses the requisite ability to complete the Juris Doctor degree program of study successfully. Such a showing will ordinarily be made only when one (1) or more years have elapsed since dismissal and the student demonstrates through work, other activity or studies during the interim that he or she possesses the requisite ability.

### 3. Academic Status After Readmission

- a. If a student is readmitted, his or her transcript shall include all units and grades earned at the College of Law before and after readmission. Grades earned before dismissal will not be used to calculate that student's cumulative grade point average.
- b. If the Admission Committee admits the student under the condition that the student restart his or her legal studies, no credit will be assigned to courses taken prior to dismissal. The student will be subject to all the academic requirements that apply to new students.
- c. If the Admission Committee admits the student with advanced standing, the student will be granted credit for all required or elective courses completed prior to dismissal in which the student earned a grade of 2.0 or above. The grades in these courses will be treated as "pass" for purposes of calculating the grade point average.
- d. Students admitted with advanced standing will be subject to the same requirements as transfer students, based on the number of units of credit for which they are eligible (See III.D.3.d, above for Foundation Law Points requirements for Transfer Students).

### 4. Application for Readmission Based on Medical Information

- a. A student who bases his or her application for readmission on medical information

- must waive physician/patient confidentiality.
- b. The student must also submit a letter, or other report, from his or her physician explaining the nature of the student's medical problem, the opinion of the physician regarding the causal relationship between the medical problem and the student's academic performance and the likely effect of the student's medical problem on his or her future academic performance.
- c. The student must request that the physician cooperate with Admissions officials in verifying and discussing matters included in the student's application for readmission.
- d. Members of the Admissions Committee and all other College of Law officials who may become privy to the information in the student's application for readmission based on medical information shall hold all medical information in the strictest confidence and shall not reveal it except in the course of their official duties.
- e. A student who experiences difficulty in complying with the provisions of this section should consult with the Director of Admissions for resolution of the problems.

## VII. GRADING SYSTEM AND STUDENT HONORS

### A. Faculty Grading Guidelines

#### 1. Numerical Grades

A student's academic performance shall be measured using numerical grades, assigned on a four (4) point scale.

#### 2. Failing Grade

Any grade below a 1.0 is considered a failing grade. The Registrar shall record the grade given in the course even if it is below 1.0. Any student who earns below a 1.0 in a required course must retake that required course.

#### 3. Grading Scale

The following scale indicates a student's academic performance:

- 3.7 – 4.0 = Outstanding
- 3.3 – 3.6 = Excellent
- 2.7 – 3.2 = Good
- 2.0 – 2.6 = Satisfactory
- 1.0 – 1.9 = Poor
- < 1.0 = Failing

#### 4. Clerical Error in Grades

A grade can be corrected at any time to rectify a clerical error or other administrative error. (See Sections VII.I.4.e. & f.)

### B. Other Grading Symbols

#### 1. Non-numeric Grading Symbols

In addition to numerical grades, the following grading symbols may appear on a student's transcript:

A – Audit

AF – This symbol designates that a student failed to take or complete a final examination or failed to satisfy the attendance requirements for a course.

F – This symbol designates a failing grade in a pass/fail course.

I – This symbol designates a grade of incomplete and may be granted if a student has completed substantially all of the semester’s course work but was unable to take the examination or complete all required work. (See Section VII. F. for more information on incomplete grades).

M – This symbol designates a make-up grade. The grade of M is recorded when exceptional circumstances prevent a student from taking a final examination when scheduled and a make-up examination was not administered or graded by the time all other grades were distributed. It is a temporary grade and must be removed by satisfaction of course requirements before completion of the program of study for the Juris Doctor degree.

P – This symbol designates a passing grade in a pass/fail course.

Q – This symbol designates a temporary grade used when a reportable grade has not been received by the Registrar’s office at the time course grades were submitted. It is usually used when a student used an incorrect examination number. It is a temporary grade and must be removed by satisfaction of course requirements before completion of the program of study for the Juris Doctor degree.

W – This symbol designates that a student withdrew from a course following the add/drop registration period and complied with all provisions allowing withdrawal from a course.

XF – This symbol designates a failing grade received due to a violation of academic dishonesty. (See Section IX.F.1.a.)

## 2. Transcript Notations

The following symbols may appear beside a student’s grade:

A – This symbol designates the original grade in a repeated course. It indicates that the original grade has been averaged into the cumulative attempted units and grade point totals.

E – This symbol appears next to the original grade issued in a repeated course. It indicates that the effect of the initial attempt has been deleted from the cumulative credit and grade point totals.

I – This symbol appears next to a grade issued when a course is repeated. It indicates that both the original grade and the repeated grade are included in cumulative credit and grade point totals.

## C. **Grade Reports**

Grades are reported to students by the Registrar on-line in the order they are received from the professor to the Registrar’s office. No grade is reported to a student before the completion of the semester’s examination period for all courses. A written grade report will be made available to a student upon written request.

## D. **Calculation of Grade Point Average**

### 1. Semester Grade Point Average

A student’s semester grade point average is calculated by dividing the total grade points

earned that semester by the number of units attempted that semester. The total grade points earned in a semester is the product of the course units and the student's course grade totaled for all courses in which a numerical grade was earned that semester.

2. Example of Semester Grade Point Average

<u>Course</u>	<u>Units attempted</u>	<u>Units Earned</u>	<u>Course Grade</u>	<u>Grade Points</u>
LAW131 Torts I	3	3	3.0	9
LAW125 Legal Writing and Research I	3	3	2.0	6
LAW111 Contracts I	2	2	1.5	3

The semester GPA is 2.25 (18 grade points divided by 8 units attempted).

3. Cumulative Grade Point Average

A student's cumulative grade point average is calculated in the same manner as is the semester GPA, except that the total grade points and units attempted are totaled for all courses taken at the College of Law for which the student has received numerical grades.

**E. Honor Roll**

1. Distinguished Honor Roll

A student who achieves a grade point average of 3.5 or higher during a semester or summer session and who completes at least eight (8) graded units for the semester or at least four (4) graded units for a summer session earns the College of Law Distinguished Honor Roll for that semester or summer session.

2. Honor Roll

A student who achieves a grade point average of 3.0 to 3.49 during a semester or summer session and who completes at least eight (8) graded units for the semester or at least four (4) graded units for a summer session is placed on the College of Law Honor Roll for that semester or summer session.

**F. Courses Not Completed/ Grade of Incomplete (I)**

1. Student's Petition

a. A student may petition the Associate Dean for Academic Affairs for permission to receive an incomplete grade in a course. This petition must be submitted to the Associate Dean for Academic Affairs no later than the end of the semester in which the course was taken.

b. A grade of I (incomplete) may be granted if a student has completed substantially all of the semester's course work but was unable to take the examination or complete all required work.

2. Review of the Petition

The Associate Dean for Academic Affairs shall grant the petition only if the student has demonstrated extraordinary circumstances to justify his or her failure to complete the course work in that semester.

3. Requirements if Petition Granted

A student who has received a grade of "I" for a course must finish all course work, including projects and all examinations in the time and manner that the Associate Dean for Academic Affairs requires.

4. Failure to Complete Required Work

A student who fails to complete the work required of him or her by the Associate Dean for Academic Affairs as a condition of receiving a grade of I shall receive a grade of AF.

5. Grading Anonymity

A student who receives grade of I cannot be guaranteed anonymity in the grading of work required as a condition of his or her petition.

**G. Repeating Courses**

1. Required Courses

A student, who has not been academically dismissed, shall repeat a required course in which he or she received a grade of 0.0.

2. Other Courses

A student may not repeat a non-required course, except for non-classroom courses. (See Section IV.A.9.)

3. Repeating a Foundation Law Point Program Course

See Section III.D. for the policy on repeating courses for Foundation Law Points.

4. Calculation of Grade of a Repeated Course

The grade of the repeated course shall be recorded on the student's transcript as will the grade of the original course. The repeated course will be marked as such on the student's transcript. The grades of each course will be included in the calculation of the student's grade point average.

5. Calculation of Units for a Repeated Course

The units of a repeated course shall not be used in calculating the number of units earned toward the Juris Doctor degree.

**H. Student Review of Examinations and Answers**

1. Review of Examinations and Answers

A student may review an examination question, his or her answers to the examination question and the professor's feedback for each examination taken the immediately preceding semester. Subject to Section VII.H.2., the timing and procedure for such review are within each professor's discretion. A student is responsible for contacting his or her professor to determine the professor's preferred process for review.

2. Requests for Review

A student must initiate the examination review with his or her professor as follows:

- a. Fall semester review must be scheduled by the student within the first three weeks of the spring semester.
- b. Spring semester review must be scheduled by the student within the first three weeks of the fall semester.
- c. Summer session review must be scheduled by the student within the first three weeks of the fall semester.

3. Adjunct Professor Examination Review  
A student who wishes to review the examination of a class taught by an adjunct professor must contact the faculty secretary to make an appointment to review his or her examination. Appointments for personal consultation with the adjunct professor may be made through the faculty secretary. If an adjunct professor is not available, the student should consult with the Associate Dean for Academic Affairs for alternative arrangements for examination review.

## I. Challenging a Course Grade

1. Informal Review  
Before submitting a petition challenging a grade, a student must first consult with the course professor to review the bases for the grade unless the professor is no longer available or the student intends to allege personal bias as the basis for challenging the grade.
2. Petition Process
  - a. A student who wishes to challenge the grade received in a course may petition the Academic Standards Committee for review of the grade. The petition must be submitted to the Committee no later than four (4) weeks from the beginning of the next semester, summer sessions excluded. If a student cannot meet this time line, a separate petition for an extension of time to file the grade change petition must be filed as soon as possible after the time for filing expires. The petition for an extension of time will be granted by the committee only if the student explains what extraordinary circumstances prevented a timely filing of the grade change petition. Petitions for an extension of time must accompany the grade change petition.
  - b. A student's petition must be detailed and state all facts necessary to establish the basis for changing a course grade.
3. Grounds for Changing a Grade  
The exclusive grounds for changing a grade received in a course are:
  - a. That the course grade was a result of personal bias by the professor toward the student.
  - b. That there was substantial error in the grading of the examination that significantly affected the final course grade.
  - c. That there was a clerical error in calculating the final course grade.
4. Review of Petition by the Academic Standards Committee
  - a. The Academic Standards Committee shall review each petition challenging a course grade. The committee shall grant a petition only if it determines that the student has established at least one of the grounds for changing a grade.
  - b. The committee shall not approve increases in the numerical course grade of less than six-tenths (0.6), except where clerical error is demonstrated.
  - c. For an allegation of personal bias by the professor toward the student, the student must show at a minimum that a prejudicial relationship existed between the professor and the student, that there is good reason to believe the faculty member associated the student's identity with the work submitted, and that the grade given reflects bias. Student claims of personal bias are considered by the College of Law as serious charges of faculty misconduct. Such claims should not be made without factual support. The committee shall refer all such claims to the professor so charged for his or her response.
  - d. For allegations of substantial error significantly affecting the final course grade, a

student must show by clear and convincing evidence that the course grade did not reflect the quality of the work submitted by the student. The grade increase requested must be supported by a reasonable belief that the numerical course grade increase will not be less than six tenths (0.6). The student's petition alleging a substantial error in an examination answer must include a written analysis of the student's answer that explains the improperly graded portions of the student's answer and that details the justification of the requested grade increase.

- e. A petition alleging clerical error in the calculation of a course grade must include a specific explanation of the miscalculation of the grade based on the points or scores submitted by the professor.
- f. A professor need not submit a petition to the Academic Standards Committee for a change in a grade that he or she determines was caused by a clerical error.
- g. Decisions of the Academic Standards Committee on petitions challenging a grade are final. No request for reconsideration may be considered by the committee and decisions are not appealable to any other office of the College of Law.

## J. Examinations

### 1. Examination Schedule

A tentative examination schedule will be published in each semester's registration materials or thereafter. A student may not knowingly register for courses with conflicting examinations. The final examination schedule is disseminated to students before the examination period. If a conflict arises in a student's examination schedule after the student has completed registration for the semester, the student must notify the Registrar to take a make-up examination pursuant to the provisions of Section VII.J.5. regarding deferred examinations.

### 2. Adherence to Examination Schedule

A student must take his or her examination at the scheduled time, except as provided in Section VII.J.5. regarding deferred examinations.

### 3. Penalty for Late Arrival or Failure to Take Examination

- a. A student who arrives late for an examination will not be allowed extra time to finish the examination.
- b. A student who fails to take an examination, except as provided by Section VII.J.5. regarding deferred examinations, will receive a grade of AF. (See Section VII.B. for description of the grade AF.).

### 4. Examination Procedures

- a. The College of Law administers examinations in a manner that protects the student's identity when his or her answer is graded. The Registrar assigns an examination number to each student and notifies the student through his or her student email account. A student must use the assigned examination number on all examination answers.
- b. A student enrolled at the College of Law is subject to an Honor Code. (See Section IX). A student is expected to adhere to the highest standards of ethical conduct when taking examinations. A student may not discuss an examination with anyone else during the examination.
- c. Cellular telephones are not permitted in any room where an examination is being administered.
- d. A student who leaves an examination room during an examination must utilize the sign out sheet available at the front of the room.



- e. Students who violate the Honor Code provisions regarding examination, or these rules, may be immediately dismissed from the examination room, may have a zero recorded for the examination score and may be subject to further disciplinary action.
- f. The Associate Dean for Academic Affairs may, in his or her discretion, assign proctors to an examination room.
- g. A student intending to use ExamSoft must attend mandatory training at the beginning of each semester. The ExamSoft administrator provides training information to all students at the beginning of each semester and notifies all students of the dates and places of the training. A student using ExamSoft must download and register the software by the deadlines published by the ExamSoft Administrator.

5. Deferred Examination Procedure

- a. If a conflict in examination times, an illness or family emergency or other catastrophic events prevents a student from taking an examination at the scheduled time, the student must obtain conditional approval to take a deferred examination from the Associate Dean for Academic Affairs.
- b. The Associate Dean for Academic Affairs will grant final approval for a deferred examination only after the student submits satisfactory documentation of the medical conditions or extenuating circumstances that prevented the student from appearing at the scheduled examination.
- c. The student must provide documentation to the Associate Dean for Academic Affairs as soon as possible, generally before or within the examination period, if possible and no later than the student's arrival back at the College of Law. Failure to do so will result in the absence being treated as unexcused.
- d. If the Associate Dean for Academic Affairs excuses an absence, the Registrar shall administer a make-up examination within the examination period, if possible, or immediately upon the student's return to the College of Law. A student who fails to take a scheduled make-up will receive a grade of AF.
- e. Family events, work related travel or events, vacations, or other similar events are not considered extenuating circumstances and approval for a deferred examination will not be given.
- f. A student who anticipates being absent from an examination should not contact his or her professor regarding his or her absence. Contact must be made with the Associate Dean for Academic Affairs.

**VIII. PUBLIC SERVICE**

**A. Establishment of Program**

The College of Law encourages public service by students and considers such service a critical element in their educational and developmental process. Toward this ideal the faculty has established the Public Service Program. Participation in the Program is open to all College of Law students who are in good academic standing.

**B. Goals of Program**

The goals of the program are: (1) to educate students in the role of lawyer as a public citizen by reinforcing the professional obligation to engage in public service; (2) to make students more aware of the needs of society, particularly the critically unmet need for legal services of the poor and disadvantaged; (3) to assist public and private agencies, governmental organizations and the private bar in their efforts to make legal services available to the under-represented and to promote the administration of justice; (4) to enable students to enhance the professional skills they have learned at

the College of Law by encouraging them to assist real people resolve real problems; (5) to encourage students to develop a lifelong commitment to community service and charitable activities which will carry over into their legal careers; and (6) to build upon the tradition of public service reflected in the College of Law's history.

**C. Voluntary Participation**

Participating in the Public Service Program is voluntary. For the purposes of the program, public service includes unpaid law and non-law related work.

**D. Program Administration**

The Public Service Program is administered in the Student Services Office. A student is considered a participant in the program upon submission of a properly completed time sheet documenting at least one hour of public service to the Student Services Office. Program information is available in the Student Services Office.

**E. Public Service Requirements**

Students may accrue public service hours in one project or in a combination of several projects completed during their enrollment at Western State College of Law. All work, whether law or non-law related, must be unpaid, and a student shall not receive academic credit for his or her public service. Additionally, Clinic and Externship hours may not be counted towards the Public Service certificate hours.

**F. Certificate**

Public service will be noted on a student's transcripts and featured in the commencement program at the following levels:

Certificate of Public Service	40 hours
Certificate of Distinguished Public Service	100 hours
Certificate of Exemplary Public Service	200 hours

**IX. HONOR CODE**

**A. Establishment of Honor Code**

Ethics are important to Western State College of Law. This Honor Code is based on the assumption that a student who attends the College of Law aspires to enter an honored profession and will therefore conduct himself or herself at all times in ways that reflect favorably upon his or her future profession, community and self.

**B. Purpose of the Honor Code**

The purpose of this Honor Code is three-fold: (1) to promote among students high standards of honor, integrity and ethical conduct; (2) to serve notice to all students of those acts of academic misconduct and other ethical violations which will not be tolerated at the College of Law; and (3) to prescribe sanctions and procedures for the enforcement of academic discipline by the Honor Code Committee.

**C. Jurisdiction of the Honor Code and the Honor Code Committee**

1. Application of Honor Code

This Honor Code applies to all students of the College of Law. The College of Law will provide each student a copy of the Honor Code at the time of his or her initial enrollment. Every student is held to have notice of this Code and its provisions by virtue of enrolling at the College of Law. The failure of a student to receive a copy of this Honor Code is not a defense to any alleged violation of its provisions. The Honor Code is incorporated by reference into the

catalog. Copies are on file in the library and available to students at the Student Services Office.

2. Jurisdiction of Honor Code  
This Honor Code applies to all College of Law academic matters as defined in Section IX.D. and prohibited conduct set out in Section IX.E.
3. Residual Jurisdiction of Dean of the College of Law  
The Dean has jurisdiction over any matter not covered by this Honor Code.
4. Concurrent Jurisdiction of Committee and Associate Dean of Students  
The Associate Dean of Students and the Honor Code Committee have concurrent jurisdiction over student conduct involving academic matters as defined in Section IX.D. and prohibited conduct set out in Section IX.E.

#### D. Definitions

1. **Student** means a person who is enrolled at the College of Law. A person shall be deemed enrolled from the time of his or her initial registration at the College of Law until he or she receives a law degree, is dismissed, or formally withdraws from the College of Law.
2. **Academic matter** means any activity that may affect a grade or may contribute toward satisfaction of graduation requirements.
3. **Prize competition** means any competition for an extra-curricular award, honor or prize, including, but not limited to competition for scholarships, inter- or intra-school moot court and trial competitions, competition for scholarships or other financial assistance, and completion in relation to law review, regardless of whether or not any academic credit is awarded.
4. **Plagiarism** is defined as the submission or presentation of any work, in any form, that is not the individual's own without acknowledgment of the source. No student at the College of Law shall appropriate facts, ideas or language from the work of another person without the proper use of quotation marks, citation or other explanatory insert. Regardless of intent, the failure to provide proper acknowledgment of the use of another's work constitutes plagiarism.
5. **Honor Code Committee** is the body responsible for administering the Honor Code. It consists of students and faculty members as set forth in Section IX.H.

#### E. Prohibited conduct

1. Academic Misconduct  
Academic misconduct is any conduct prohibited by this section that is committed by a student while engaged in activities leading to the satisfaction of graduation requirements. The following acts or omissions, while not exhaustive, typify the prohibited conduct that falls under the jurisdiction of the Associate Dean of Students and the Honor Code Committee. Academic misconduct includes, but is not limited to, the following:
  - a. Obstructing the completion of an assignment by another student or the administration of an examination.
  - b. Using materials or consulting with any other person:
    - i. during an examination, unless expressly authorized by the instructor;
    - ii. during class research or assignments, unless expressly authorized by the instructor;
  - c. Writing or typing an examination beyond the allotted time;
  - d. Giving, securing or exchanging any information about the contents of, or answers to, an examination unless expressly authorized by the instructor. A student who learns that he or she has come in such contact with an examination or examination answers

- shall immediately inform the Dean, the Associate Dean of Students, or the instructor;
- e. Retaining a copy of any examination, examination answers or scratch paper unless expressly authorized by the instructor;
- f. Taking notes during an examination about the contents of an essay or objective examination, unless expressly authorized by the instructor;
- g. Taking an examination for another student or knowingly allowing another student to take an examination for him or her;
- h. Using a computer, memory typewriter, or other electronic or mechanical device not previously approved for examination use by the College of Law;
- i. Typing anything into the examination answer screens when taking an examination by ExamSoft before the proctor calling for the exam to begin;
- j. Intentionally or unnecessarily disturbing others who are taking an examination;
- k. Consulting books, notes, or other class materials, or soliciting or receiving assistance of any kind during a break from the examination or when the student is permitted to leave the examination room for any reason or taking an examination from the examination room;
- l. Identifying himself or herself by name or any other designation or symbol anywhere on the examination questions or answer booklet or disclosing his or her examination number to an instructor, either directly or indirectly, before the instructor having reported the grades to the Registrar;
- m. Invading the administrative security maintained for the preparation and storage of examinations. A student who learns that he or she has come in contact with an examination subject to administrative security shall immediately inform the Dean, the Associate Dean of Students, or the instructor;
- n. Submitting plagiarized work for class credit or for an academic pursuit or prize competition;
- o. Submitting for credit work that has been previously offered for credit unless authorized in advance by the instructor;
- p. Submitting for credit work prepared in collaboration with another, unless authorized by the instructor;
- q. Falsifying attendance sheets;
- r. Defacing, destroying, removing, concealing, causing to be unavailable, copying without authorization, or otherwise improperly using law library materials;
- s. Violating the College of Law's Computer Use Policy (see Section XII.);
- t. Violating any of the borrowing privileges or rules and regulations of the libraries of the College of Law or California State University at Fullerton; or
- u. Violating any provisions of the Code of Conduct of the libraries of California State University at Fullerton while using those libraries.

2. Nonacademic Misconduct

Nonacademic misconduct is any conduct engaged in by a student while participating in any activity sanctioned by the College of Law or that occurs on the campus of the College of Law except as specified in subparagraph IX.E.2.p. The following acts or omissions, while not exhaustive, typify the prohibited conduct that falls under the jurisdiction of the Associate Dean of Students and the Honor Code Committee. Nonacademic misconduct includes, but is not limited to, the following:

- a. Intentionally and falsely accusing another student of committing conduct that violates this Honor Code;
- b. Attempting or conspiring to commit conduct in violation of the Honor Code;
- c. Intentionally failing to report promptly to the Associate Dean of Students, or any other

- member of the administration all circumstances concerning violations of this Honor Code, or to identify the person or persons involved;
- d. Defacing, destroying, stealing, removing, concealing, causing to be unavailable, copying without authorization or otherwise improperly using materials belonging to the faculty, administration, staff or another student;
- e. Engaging in any conduct that evidences fraud, deceit, dishonesty or the intent to obtain unfair advantage as a College of Law student;
- f. Providing any untrue information in any application for admission to the College of Law or failing to provide true and complete information in a timely manner when requested by any office of the College of Law as part of the admissions process;
- g. Providing false grades or other untrue information in a résumé or otherwise misrepresenting academic or personal facts in efforts to obtain employment, scholarships, financial assistance or to gain any other benefit as a College of Law student;
- h. Forging, altering, or using documents, records, or instruments of identification with the intent to defraud;
- i. Harassing and/or hazing in all forms, which includes, but is not limited to, striking, laying hands upon, threatening with violence, or threatening to do bodily harm to another person, or conduct of demeaning, abusive, taunting, or alarming nature;
- j. Intentionally obstructing and disrupting teaching, research, administration, disciplinary proceedings, or other College of Law activities on or off the premises of the College of Law;
- k. Physically abusing any person or engaging in conduct that threatens or endangers the health or safety of any such person;
- l. Selling, distributing, manufacturing, using or possessing illegal drugs;
- m. Possessing or using firearms, fireworks, explosives, or weapons of any description, on campus, for any purpose;
- n. Violating federal, state, or municipal laws or ordinances on College of Law premises or in a way that adversely affects the functioning of the College of Law;
- o. Making false statement to, presenting false evidence to, or failing to comply with a subpoena issued the Honor Code Committee or otherwise obstructing the administration of this Honor Code;
- p. Conviction of any felony either before the student's matriculation in this College of Law, if not disclosed in the student's application, or following admittance into this College of Law until graduating from this College of Law shall be a per se violation of the College of Law's Honor Code as set forth in this section;
- q. Violation of U.S. Copyright Laws.

3. Prohibited conduct regarding the administration and/or enforcement of this Honor Code  
No student shall improperly obstruct the administration or the enforcement of this Honor Code. Prohibited conduct includes, but is not limited to, the following:
  - a. Intentionally failing to appear before the Honor Code Committee without just cause if requested by the accused student or the Honor Code Committee. The Honor Code Committee shall determine whether a student witness may be excused for just cause;
  - b. Knowingly misrepresenting material facts to the Associate Dean of Students or to the Honor Code Committee;
  - c. Disclosing information about a disciplinary investigation or proceedings unless authorized by this Honor Code, the Honor Code Committee, or as required by law or court order.

## F. Authorized Sanctions

### 1. Academic Misconduct

Any student found to have violated the provisions of Section IX.E.1 relating to academic misconduct may be sanctioned as follows:

- a. The grade of "XF" is the standard penalty for academic dishonesty at the College of Law. If imposed in accordance with procedures specified in this Code, it shall be recorded on the student's transcript with the notation "failure due to academic dishonesty." The grade of "XF" shall be treated in the same way as an "F" or "0.0" for the purposes of grade point average, course repeatability, and determination of academic standing.
- b. No student with an "XF" notation on his or her transcript shall be permitted to represent the College of Law in any extracurricular activities, or run or hold office in any Student Bar Association (SBA) office or receive any SBA honor or honor of the College of Law.
- c. A student may file a written petition to the Honor Code Committee to have the grade of "XF" removed and permanently replaced with the grade of "F" or "0.0". The decision to remove the grade of "XF" and replace it with a permanent grade of "F" or "0.0" shall rest with the discretion of the majority of the Honor Code Committee members provided that:
  - i. At the time the petition is received, the student shall have successfully completed a non-credit special project on academic integrity as administered by a faculty member; or, for a person no longer enrolled at the College of Law, an equivalent academic activity, as determined by the Committee, to be completed before the student is certified to sit for the bar exam; and
  - ii. The Associate Dean of Students and the Honor Code Committee have not received additional complaints of possible academic dishonesty by the student at the College of Law or another institution.
- d. The Honor Code Committee may deviate from the standard penalty of "XF" if it determines there are mitigating or aggravating circumstances that would justify a lesser or greater sanction. The Honor Code Committee may recommend any combination of the following sanctions:
  - i. Admonition or warning;
  - ii. Reprimand or censure;
  - iii. Counseling;
  - iv. Academic penalty, which may include additional class work, whole or partial withdrawal of credit for academic work completed or reduction of course grade. An academic penalty may be imposed only with respect to the course in which the violation occurred, and only with the consent of the instructor of the course;
  - v. Disciplinary probation, which may include the following:
    - a) Temporary or permanent suspension of rights or privileges as a College of Law student;
    - b) Temporary or permanent suspension of eligibility for College of Law sponsored extracurricular activities;
    - c) Temporary or permanent suspension or eligibility for any SBA office or honor;
  - vi. Pecuniary fine, including suspension or revocation of existing or future scholarship offers;
  - vii. Expulsion.

2. Non-academic misconduct

Any student found to have violated provisions of Section IX.E.2 relating to non-academic misconduct may be sanctioned as follows:

- a. Admonition or warning;
- b. Reprimand or censure;
- c. Counseling;
- d. Disciplinary probation, which may include the following:
  - i. Temporary or permanent suspension of rights or privileges as a College of Law student;
  - ii. Temporary or permanent suspension of eligibility for College of Law sponsored extracurricular activities;
  - iii. Temporary or permanent suspension or eligibility for any SBA office or honor;
  - iv. Pecuniary fine, including suspension or revocation of existing or future scholarship offers;
  - v. Restitution in the appropriate case;
  - vi. Expulsion.

**G. Duties of the Honor Code Committee**

The Honor Code Committee administers this Honor Code and has jurisdiction over all prohibited conduct involving academic matters as defined in Section IX.D. and prohibited conduct set out in Section IX.E. The duties of the Honor Code Committee include, but are not limited to, the following:

1. Reviewing complaints of Honor Code violations submitted by the Associate Dean of Students.
2. Investigating complaints that appear supported by probable cause or are otherwise sufficiently serious to warrant further consideration;
3. Determining whether or not the accused student violated the Honor Code;
4. Determining whether or not sanctions shall be imposed;
5. Determining the nature and extent of any sanctions.

**H. Membership on the Honor Code Committee**

1. The Honor Code Committee shall consist of two (2) faculty members and three (3) students. The faculty members shall be the Chair of the Academic Standards Committee (ASC) and one (1) faculty member of the ASC appointed by the Chair at the beginning of the year. The student members shall be appointed at the beginning of the academic year by the President of the SBA. The Chair of the ASC shall also serve as Chair of the Honor Code Committee.
2. The Chair of the Academic Standards Committee shall select a member of the committee to replace a faculty member who is unable to serve on the Honor Code Committee. The President of the SBA shall appoint a substitute for any student who is unable to serve on the Honor Code Committee.

**I. Reporting Honor Code Violations**

1. Students, faculty, staff, trustees or administrators shall report prohibited conduct set forth in Section IX.E. to the Associate Dean of Students or any student member or faculty member of the Honor Code Committee.
2. Any member of the Honor Code Committee who receives such a complaint shall report the matter to the Associate Dean of Students.
3. The Associate Dean of Students shall make an initial inquiry as he or she deems appropriate to render one of the following decisions:
  - a. No violation occurred.
  - b. No Honor Code violation occurred, however the complaint sufficiently alleged a non-

Honor Code violation that should be resolved administratively, including the imposition of appropriate sanctions necessary and within the jurisdiction of the Associate Dean of Students.

- c. The allegations in the complaint are supported by probable cause or are otherwise sufficiently serious to warrant further consideration by the Honor Code Committee.
4. If the Associate Dean of Students decides there is probable cause or the allegations are otherwise sufficiently serious, he or she may choose to refer the complaint to the Honor Code Committee for further proceedings under this Honor Code or, in accordance with Section IX.1.5. to allow the student to waive further proceedings before the Honor Code Committee and to have the Associate Dean of Students resolve the complaint administratively.
5. The Associate Dean of Students may allow the student to waive further proceedings before the Honor Code Committee and resolve the complaint administratively only if the student, at the outset, fully admits the allegations in writing. If the student instead chooses to argue factors in mitigation, contest part of the allegations or seek to negotiate sanctions, the Associate Dean of Students must refer the complaint to the Honor Code Committee for determination.
6. If the Associate Dean of Students is unable to allow the accused student to waive further proceedings pursuant to Section IX.1.5., or elects not to offer the student an administrative resolution or the student elects not to waive further proceedings before the Honor Code Committee, the Associate Dean of Students shall so inform the Chair of the Honor Code Committee in writing. The written notification shall provide reasons the allegations are supported by probable cause or are otherwise sufficiently serious to warrant further consideration. Along with the notification, the Associate Dean of Students shall submit to the Chair of the Honor Code Committee a copy of the complaint.
7. If the complaint is resolved administratively, the student may appeal to the Dean of the College of Law to have the sanction imposed by the Associate Dean of students overturned or to seek clemency.

#### **J. Investigation of the Complaint**

1. Upon receiving the notification and copy of the complaint, the Chair of the Honor Code Committee shall:
  - a. Promptly convene a meeting of the Honor Code Committee to assign pre-interview investigation tasks to committee members.
  - b. Call upon Honor Code Committee members to conduct an investigation of the complaint. The investigation shall include, but is not limited to, interview(s) with the complaining person, and witnesses, and the collection of documents and other relevant evidence.
  - c. The Chair of the Honor Code Committee shall then provide a copy of the notification, a copy of this Honor Code, and the complaint to the accused student, with a letter informing the student of the ongoing investigation, the name of the accuser, the description of the alleged violation, the Honor Code Committee Chair's name, telephone number and e-mail address, and an advisement that the student will be notified of a date to be interviewed by the Honor Code Committee as part of the investigation.
2. Within ten (10) days of receiving notification of an Honor Code Committee investigation, the accused student may submit a list of individuals whom the committee shall interview as part of the investigation, to the extent reasonably possible.
3. At the conclusion of its investigation, the Honor Code Committee shall meet and prepare a fact-finding report summarizing the results of its investigation.
4. Proceedings by the Honor Code Committee to resolve the complaint are informal and non-



adversarial. The Honor Code Committee will provide the accused student with the written notice of the date of the interview at least three (3) days in advance. The purpose of the meeting is to review and discuss the charges, and to allow the accused student to be heard before the Honor Code Committee reaches a decision.

5. Written statements and documentary and other relevant evidence, excluding interview notes taken by Honor Code Committee members or student witnesses during informal interviews, shall be made available to the accused student to allow the student to respond to them during the interview. Before the interview, the accused student shall be provided a copy of the Honor Code Committee's fact finding report.
6. The accused student may request that the Honor Code Committee require the presence at the interview of any person whose presence, in the Honor Code Committee's majority opinion, is requested in good faith and with a reasonable belief that information possessed by such person will have a material bearing on the issues before the Honor Code Committee. The person so requested must have already been interviewed as part of the Honor Code Committee's investigation or his or her name must have been submitted to the accused student in accordance with Section IX.J.2.
7. The Honor Code Committee may at its discretion summon or excuse from a summons any witness interviewed during its investigation or whose name was provided to the Honor Code Committee by the accused student pursuant to Section IX.J.2.
8. The accused student may also be permitted to bring relevant witnesses to the interview, or be accompanied by parents or other advisors, in the discretion of the Honor Code Committee Chair. Neither the Honor Code Committee nor the student shall be represented by legal counsel. However, the student may have counsel present if criminal charges are pending, to observe but not to participate, if the criminal charges arose from the same facts or alleged violation(s).
9. The investigation of an Honor Code violation is confidential. It requires a deliberative and candid atmosphere free from distraction. Accordingly, it is not open to the public or other "interested" persons, other than those who are permitted to be present during or as part of the accused student's interview in accordance with Section IX.J.6.
10. The nature and length of the Honor Code Committee's investigation is necessarily controlled by the type of incident to be investigated and the character of the information to be examined. It thus lies with the Chair of the Committee to fashion the most meaningful approach and effective time line for completing the investigation. The Committee shall ordinarily have sixty (60) days to complete its investigation. However, the Committee may pursue its investigation for a longer period of time, if necessary, in the interests of justice. The Committee shall inform the accused student in writing of the need to exceed the sixty (60) day deadline.

#### **K. Decision on the Merits of the Complaint**

1. Upon completing the investigation, the Honor Code Committee shall render one of the following decisions:
2. There is insufficient evidence to support a finding, based upon a preponderance of the evidence, that the accused student violated the Honor Code;
3. There is sufficient evidence to support a finding, based on a preponderance of the evidence, that the accused student violated the Honor code and a grade of "XF" and/or one or more other sanctions of Section IX.G shall be imposed.
4. The Committee's decision shall be based on a majority vote among the five (5) members. Minority opinions shall not be recorded or otherwise revealed.
5. The Committee's decision on the complaint shall be rendered within fourteen (14) days of the completion of the investigation. An extension of time may be permitted in the interest of justice.
6. The Committee shall provide the student with a written decision of its action which shall

include findings of fact, reasoning for finding that a violation occurred, and the imposition of sanctions.

**L. Appeal to the Dean**

1. The Honor Code Committee's decision on the merits of the complaint is final and not appealable.
2. The student may appeal to the Dean to have the sanctions overturned or for clemency.
3. The Dean shall notify the student of his or her decision on the appeal in writing.

**M. Annual Report to the Faculty and Student Bar Association**

1. At the beginning of the academic year, the Chair of the ASC shall report in writing to the SBA and the faculty all Code violations that were resolved by the Associate Dean of Students and the Honor Code Committee.
2. The report shall provide a brief description of the Code violation(s) and the resolution. Names of students and witnesses shall not be included in the report.

**N. Miscellaneous Provisions**

1. Academic regulations

Nothing in this Code shall be construed to restrict the powers and duties of the faculty and administration of the College of Law to adopt reasonable rules and regulations to protect the integrity and fairness of all examinations, academic programs, academic evaluations and competitions.

2. Amendments

This code may be amended by the following procedure: Members of the College of Law community may submit proposed amendments to the Academic Standards Committee. The Academic Standards Committee shall post proposed amendments for faculty and students to review for at least twenty (20) days. Amendments shall be effective when ratified by a majority of faculty members at a regularly scheduled faculty meeting, and approved by the Student Bar Association governing body.

3. Staying the investigation and determination

The Honor Code Committee shall ordinarily proceed with its investigation and determination of the complaint when criminal proceedings are pending against the accused student based on the same facts or alleged violation(s). However, in its discretion, the Committee may elect to stay its administration of the Code pending resolution of the criminal proceedings.

4. Retention of written decisions

The Chair of the Honor Code Committee shall maintain all decisions of the committee and shall make them available to committee members for their review.

**X. DISABILITY SERVICES**

Western State College of Law provides accommodations to qualified students with disabilities. The Disability Services office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs and activities at Western State College of Law.

Students who seek reasonable accommodations should notify the Disabilities Services Coordinator Donna Espinoza, Senior Assistance Dean of Student Affairs at [despinoza@wsulaw.edu](mailto:despinoza@wsulaw.edu) of their specific limitations and, if known, their specific requested accommodations. Students will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor. Therefore, students are encouraged to request accommodations as early as feasible with the Disability Services Coordinator to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please contact Dean Espinoza; or please notify Dean Allen Easley at [aeasley@wsulaw.edu](mailto:aeasley@wsulaw.edu) or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

## **XI. LIBRARY**

Students will likely spend much of their time using the library. Librarians are available to assist students in learning how to find information in the library. Access to the library is restricted to current students, alumni, practicing attorneys and a few other select groups. For more information on our access policy, please ask a Librarian. Those wishing to enter the library must show appropriate identification.

### **A. Reference Services**

Questions on finding information in the library are best handled by one of the reference librarians. The reference desk is located beside the reserve desk near the entrance to the library. If no one is there, ask the reserve desk attendant to page a librarian. In particular, reference librarians can:

1. help you become familiar with the library and teach you how to utilize the wealth of resources found there;
2. guide you to sources which may help your with your research;
3. assist you in using any library database including LexisAdvance and WestlawNext, the Internet and other electronic resources such as the Online Public Access Catalogue (OPAC);
4. refer you to outside sources of information and assistance.

### **B. Reserve Desk**

The reserve desk is located at the entrance/exit area of the library. The following services include:

1. Check out for library use only (with appropriate I.D.) of:
  - Hornbooks
  - Class reserve materials/assignments
  - Continuing Education of the Bar (CEB) and other practice-oriented materials
  - Study Aids
  - Midterm and final exams
2. Reserve group study rooms
3. Referral of reference questions to a Reference Librarian
4. Assistance with photocopiers

### **C. Library Rules**

Courtesy, commonsense and equity underlie a few simple rules, which govern library use and borrowing privileges. Failure to observe these rules may result in termination of library use privileges, and/or disciplinary action.

1. Upon entering the library, students must identify themselves with a current student I.D.;
2. All library users must reshelv their books to allow other students access to the same books;
3. Writing, marking or underlining in library materials is NOT allowed. Anyone caught damaging, hiding, or removing books from the library without permission will be subject to disciplinary action and may be prosecuted according to California Education Code Section §19910;
4. Food is allowed in the library, but it must be quiet, non-odiferous and non-messy. Drinks in covered containers are allowed.
5. Smoking, including traditional smoking materials and electronic versions, is prohibited in all campus buildings;
6. Loud talking is prohibited in the library. Students may reserve rooms for conferences or group work;
7. When exiting the library, all briefcases, bags, etc. large enough to hold books may be inspected. Please help by presenting these items for a visual inspection if requested. Pursuant to California Penal Code Section §490.5, library employees may reasonably detain patrons when there is probable cause to believe the patron is unlawfully removing library materials.

**D. Proper Use of LexisAdvance, WestlawNext, and BloombergLaw**

Use of these systems is restricted to currently enrolled students who have completed computer assisted training and who are using the computers for educational research purposes or other patrons who have their own individual passwords.

**E. Library Materials**

1. Reserve Desk Materials

Reserve materials are heavily used materials and those designated by faculty for placement on reserve. Items on reserve may generally be checked out for use in the library only, unless specified by the professor who placed them on reserve or affected by other borrowing rules.

2. Organization of Library Materials

All materials in the library are organized according to the Library of Congress classification system. Please ask a librarian for help if necessary.

3. Check out of General Collection Materials

General collection materials may not be checked out of the library except, in limited circumstances, and must be approved by a librarian.

**F. Computer Lab**

The library has a set of designated free-standing computers for use by current students and other library users. Using these computers, students may utilize word processing software, tutorials, internet resources, and library databases. To print from a library computer, a print/photocopy card must be purchased.

**G. Suggestions**

Librarians actively seek your ideas on how your library can be improved to meet your academic needs. Please feel free to suggest new titles, procedures, and facility improvements. The suggestions box is located at the reserve desk. You may also email suggestions to [AUWSULibrary@wsulaw.edu](mailto:AUWSULibrary@wsulaw.edu).

**XII. COMPUTER USE POLICY**

**A. Introduction**

The College of Law supports electronic informational resources to further its academic mission. The

College of Law is committed to intellectual and academic freedom and to the application of those freedoms to computer media and for all library materials. The College of Law is also committed to protecting the privacy and integrity of computer data and records belonging to the institution and individual users.

#### **B. Scope of Policy**

This acceptable use policy governs the use of computers and networks at the College of Law. This policy protects the consumers of computing resources, computing hardware and networks and system administrators.

#### **C. Rights and Responsibilities**

Computers and networks can provide access to resources on and off campus, as well as the ability to communicate with other users worldwide. Such open access is a privilege and requires that individual users act responsibly. Users must respect the rights of other users, respect the integrity of the systems and related physical resources, and observe all relevant law, regulations, and contractual obligations. Since electronic information is easily reproduced, users must exercise care in acknowledging and respecting the work of others through strict adherence to software licensing agreements and copyright laws.

#### **D. Existing Legal Context**

##### **1. Application of Existing Law**

All existing laws (federal and state) and College of Law regulations and policies apply to the use of computer resources owned and operated by the College of Law. Other organizations operating computing and network facilities that are reachable via the College of Law network may have their own policies governing the use of those facilities. When accessing remote resources from the College of Law computer facilities, users are responsible for obeying both the policies set forth in this document as well as the policies of the other organizations.

##### **2. Use of Computer Resources is a Privilege**

Users do not own accounts on College of Law computers, but are granted the privilege of use. Under the Electronic Communications Privacy Act of 1986 (Title 18 U.S.C. section 2510 et. seq.) users are entitled to privacy regarding information contained on these accounts. This act, however, allows system administrators and other College of Law employees to access user files in the normal course of their employment when necessary to protect the integrity of computer systems or the rights or property of the College of Law. System administrators may examine or make copies of files that are suspected of misuse or that have become corrupted or damaged. User files may be subject to search by law enforcement agencies under court order if such files contain information which may be used as evidence in a court of law. In addition, student files on College of Law computer facilities are considered "educational records" under the Family Educational Rights and Privacy Act of 1974 (Title 20 U.S.C. section 1232(g)).

##### **3. Sanctions for Misuse**

Misuse of computing, networking or information resources may result in the loss of computing and/or network access. Additionally, misuse can be prosecuted under applicable statutes. Users may be held accountable for their conduct under any applicable College of Law policy. Illegal reproduction of software or other intellectual property protected by U.S. copyright law is subject to civil damages and criminal punishment including fines and imprisonment.

#### **E. Enforcement**

1. Minor Infractions  
Minor infractions of this policy, when accidental, such as consuming excess resources or overloading computer systems, are generally resolved informally by the College of Law staff administering the system. Such resolution is usually accomplished through email or in-person discussions with the affected individual.
2. Serious Infractions  
Repeated minor infractions, or misconduct that is more serious, may result in temporary or permanent loss of computer access privileges or the modification of those privileges. More serious infractions include, but are not limited to, unauthorized use of computer resources, attempts to steal passwords or data, unauthorized use or copying of licensed software, repeated harassment or threatening behavior. In addition, student misconduct may be referred for disciplinary action. Such disciplinary action may include administrative review or referral to the Honor Code Committee of the College of Law.
3. Criminal Infractions  
Any offense that violates any local, state or federal law may result in the immediate loss of all College of Law computing privileges and referral to appropriate College of Law officials and/or law enforcement authorities.

#### **F. Conduct That Violates This Policy**

Conduct that violates this policy includes, but is not limited to, the following:

1. Unauthorized use of a computer account.
2. Using the network to gain unauthorized access to any computer system.
3. Connecting unauthorized equipment to the campus network.
4. Unauthorized attempts to circumvent data protection schemes or uncover security loopholes. This includes creating and /or running programs that are designed to identify security loopholes and/or decrypt intentionally secure data.
5. Knowingly or carelessly performing an act that will interfere with the normal operation of computers, terminals, peripherals or networks.
6. Knowingly or carelessly running or installing on any computer system or network, or giving another user, a program to damage, or to place excessive load on, any computer system or network. This includes, but is not limited to, computer viruses, Trojan Horse programs and worms.
7. Deliberately wasting /overloading computing resources, such as printing too many copies of a document.
8. Violating the terms of applicable software licensing agreements or copyright laws.
9. Violating copyright laws through inappropriate reproduction or dissemination of copyrighted materials or images, etc.
10. Use of College of Law computer facilities for commercial activity such as creating products for sale or offering products for sale over the network.
11. Using electronic mail to harass or threaten others, including sending repeated, unwanted email to another user.
12. Initiating or propagating electronic chain letters.
13. Inappropriate mass mailing, including multiple mailings to newsgroups, mailing lists, or individuals, e.g., spamming, flooding, bombing or phishing.
14. Forging the identity of a user or machine in an electronic communication.
15. Transmitting or reproducing materials that are slanderous or defamatory in nature or materials that otherwise violate existing laws or College of Law regulations.
16. Displaying obscene, lewd, or sexually harassing images or text on a public computer facility or

location that can be viewed by others.

17. Attempting to monitor or tamper with another user's electronic communication, or reading or copying or changing or deleting another user's files or software without the explicit permission of the other user.

### XIII. STUDENT ORGANIZATIONS

#### A. Introduction

The College of Law recognizes certain student organizations and provides support for them. A space on the lower level of the Library is dedicated to all student organizations. A student organization bulletin board is available on the second floor. An office for the Student Bar Association (SBA) is provided on the fourth floor. The Senior Assistant Dean of Student Affairs or his/her designee is assigned as liaison between the College of Law administration and each student organization.

#### B. Student Organizations

The following student organizations are recognized by the College of Law:

Asian Pacific American Law Student Association	Latino Law Students Association
Black Law Student Association	Muslim Law Students Association
Business Law Association	OUTLAW
Christian Legal Society	Phi Alpha Delta Fraternity
Criminal Law Association	Public Interest Law Foundation
Entertainment and Sports Law Society	Family Law Society
Student Bar Association (SBA)	Tort Law Society
Western State University Law Review	

**Note:** Some student organizations may be inactive from time to time. Please check with the Senior Assistant Dean of Student Affairs or the SBA for more information.

#### C. Policies and Procedures Governing Student Organizations

##### 1. Governing Documents

The By-laws and other governing documents shall be consistent with the policies of the College of Law and shall not violate the anti-discrimination policy of the College of Law. (See Section XIV). To the extent that the policies of any student organization are inconsistent with the policies of the College of Law, the policies of the College of Law shall be controlling on that student organization.

##### 2. Membership and Academic Standing and Certification of Eligibility

- a. Members of student organizations must be students of the College of Law. (Some student organizations may have other requirements for membership.)
- b. Officers of any student organization must have and maintain a minimum grade point average of 2.3 during the time they hold office and otherwise be in good standing (academic and FLP) as a student at the College of Law. If a student does not meet these criteria, the student may petition the Associate Dean for Academic Affairs, who may, in consultation with the faculty advisor of the organization, grant a waiver of these requirements if the student adequately demonstrates that the organization has a need for that student to hold a leadership position, and that holding such a position would be in the best interest of the petitioning student and the student organization.

- c. Before the election of any officer to a student organization, the current president of the organization shall provide the names of each candidate for officer position to the Senior Assistant Dean of Student Affairs. The Senior Assistant Dean of Student Affairs shall verify that each candidate for office in a student organization is academically eligible to hold office. If a student is elected as a result of a floor nomination at the time of the election, the president of the student organization shall notify the Senior Assistant Dean of Student Affairs within five (5) days of the election of the name of the student so elected. The Senior Assistant Dean of Student Affairs shall verify that the student is eligible to hold office in the organization.
  - d. Within five (5) days following the election of officers of a student organization, each new officer shall sign the Student Confirmation of Academic Eligibility form available in the Student Services Office and shall submit the signed form to the Senior Assistant Dean of Student Affairs, who shall retain the form for the duration of the student's term in office.
  - e. Failure to comply with the requirements of this section shall cause the student to forfeit his or her office in the student organization.
3. Honor Code Violation  
A student adjudged to be guilty of a violation of the Honor Code or who has been disciplined by the Dean for his or her conduct as a student at the College of Law is subject to sanctions which may include excluding the student from office in any student organization, including participation in the student government.
4. Approval of By-Laws of All Student Organizations  
The College of Law reserves the right to approve and disapprove the by-laws and other governing documents of each student organization.
5. Alcohol Policy
- a. The College of Law has a comprehensive substance abuse policy which is described in greater detail in Section XVII.
  - b. No student organization shall serve, or offer to serve, alcohol or an alcoholic beverage at any event held on campus without first obtaining the written permission and approval of the Dean of the College of Law or his or her designate.
  - c. No student organization shall subsidize the purchase of alcoholic beverages served at an off-campus event without the prior written permission of the Dean of the College of Law or his or her designate.
  - d. Abuse of alcohol at any event sponsored by a student organization is prohibited and the organization is responsible for ensuring that no such abuse takes place.
  - e. Student organizations seeking to hold an off-campus event should consult with the Senior Assistant Dean of Student Affairs.
6. Events  
In order to ensure awareness of relevant resources and policies, student organization leaders shall work with the Senior Assistant Dean of Student Affairs when planning an event. Student organizations must register all on- and off-campus meetings and events by submitting the Student Bar Association (SBA) / Student Organization Event Request Form to the Senior Assistant Dean of Student Affairs a minimum of 7 days prior to the event or meeting.
7. Student Organization Sponsorship of Bar Review Providers  
No student organization may sponsor a bar review provider at any student organization



function without the prior written permission of the Senior Assistant Dean of Student Affairs. Any student organization that violates this policy shall be barred from using College of Law facilities for six months.

8. Student Organization Bulletin Boards

Each student organization is provided space on bulletin boards owned by the College of Law. Student organizations may only use bulletin boards assigned to the organization and may post only information relating to meetings, sponsored events and other organization related materials. Use of other space on the campus for posting materials may be arranged through the Senior Assistant Dean of Student Affairs.

9. Governing Documents and Reports

a. Each organization shall file following documents annually with the Senior Assistant Dean of Student Affairs:

- i. Current Constitution and By-laws
- ii. Current organization sheet, including
  - a. Name and telephone numbers of officers
  - b. Membership list
  - c. Name of faculty advisor
  - d. Meeting day
  - e. Date of election of officers and installation date
  - f. Bank Account information including name of bank and authorized signatories
  - g. Summary of organization's purpose, goals, and membership requirements
- iii. Balance sheet and operating statement detailing revenues and expenses dated and signed by the president and treasurer of the organization to be submitted to the Senior Assistant Dean of Student Affairs ten (10) days after the beginning of each semester. These documents must be made available to all members of the organization.
- iv. Calendar of Events for current semester's events.
- v. Copies of minutes of all meetings submitted to the Senior Assistant Dean of Student Affairs and posted on the organization's bulletin board.

b. Revenue Statements of Organizations Funded by the College of Law

All student organizations funded by the College of Law shall submit revenue statements to the Finance Director of the College of Law or Senior Assistant Dean of Student Affairs and to the Student Bar Association (SBA) finance committee for approval before any funds can be allocated.

c. Revenue Statements of Law Review and SBA.

Law Review and SBA must submit a closing revenue statement from the previous semester and a proposed budget for the current semester to the Finance Director of the College of Law for approval before the disbursement of any funds.

d. Funding of Recognized Student Organizations.

Recognized student organizations are funded by all students of the College of Law through student fees.

#### XIV. POLICY AGAINST DISCRIMINATION AND HARASSMENT

##### A. No Harassment Policy

Western State College of Law at Argosy University is committed to providing workplaces and learning environments that are free from harassment on the basis of any protected classification including, but not limited to race, sex, gender, color, religion, sexual orientation, gender identity or expression, age, national origin, disability, medical condition, marital status, veteran status, genetic marker or on any other basis protected by law. Such conduct is unprofessional, unproductive, illegal, and generally considered bad for business. Consequently, all conduct of this nature is expressly prohibited, regardless of whether it violates any law. (Please note that sexual harassment is more thoroughly addressed in the Sexual Misconduct & Relationship Violence policy.)

#### **XV. Student Grievance Procedure for Internal Complaints of Discrimination and Harassment**

Students who believe they have been subjected to discrimination or harassment (other than sexual harassment) in violation of the Non-Discrimination Policy should follow the procedure outlined below. (Please note that students who believe they have been subjected to sexual harassment should follow the reporting process in the Sexual Misconduct and Relationship Violence Policy below.) This complaint procedure is intended to provide a fair, prompt and reliable determination about whether the Western State College of Law at Argosy University Non-Discrimination Policy has been violated.

1. Complainants are encouraged to file a complaint as soon as possible after an alleged incident of discrimination has occurred. Any student who chooses to file a discrimination complaint should do so with the Senior Assistant Dean of Student Affairs, Western State College of Law at Argosy University, 1 Banting, Irvine, CA 92618-3601, (714) 459-1117. The complaint should be presented in writing and it should describe the alleged incident(s) and any corrective action sought. The complaint should be signed by the complainant.
2. Western State College of Law at Argosy University will investigate the allegations. Both the accuser and the accused are entitled to have others present during a disciplinary proceeding. Both will be informed of the outcome of any campus disciplinary proceeding. For this purpose, the outcome of a disciplinary proceeding means only Western State College of Law at Argosy University's final determination with respect to the alleged offense and any sanction that is imposed against the accused. Both the complainant and the accused will have the opportunity to meet and discuss the allegations with the investigator and may offer any witnesses in support of their position to the investigator during the course of the investigation. A student may be accompanied during investigation meetings and discussions by one person (family member, friend, etc.) who can act as an observer, provide emotional support, and/or assist the student in understanding and cooperating in the investigation. The observer may not be an attorney, unless otherwise required by local law. The investigator may prohibit from attending or remove any person who disrupts the investigation in the investigator's sole discretion.
3. The student who made the complaint and the accused shall be informed promptly in writing when the investigation is completed, no later than 45 calendar days from the date the complaint was filed. The student who made the complaint shall be informed if there were findings made that the policy was or was not violated and of actions taken to resolve the complaint, if any, that are directly related to him/her, such as an order that the accused not contact the student who made the complaint. In accordance with institutional policies protecting individuals' privacy, the student who made the complaint may generally be notified that the matter has been referred for disciplinary action, but shall not be informed of the details of the recommended disciplinary action without the consent of the accused.

4. The decision of the Investigator may be appealed by petitioning the Dean and Vice Chancellor's Office of Western State College of Law at Argosy University. The written appeal must be made within 20 calendar days of receipt of the determination letter. The Dean and Vice Chancellor, or his or her designee, will render a written decision on the appeal within 30 calendar days from receipt of the appeal. The Dean and Vice Chancellor's decision shall be final.
5. Western State College of Law at Argosy University will not retaliate against persons bringing forward allegations of harassment or discrimination.
6. Matters involving general student complaints will be addressed according to the Student Complaint Procedures, a copy of which can be found in the Student Handbook or Academic Catalog.
7. For more information about your rights under the federal laws prohibiting discrimination, please contact the **Office for Civil Rights at the U.S. Department of Education**.

### **Sexual Misconduct & Relationship Violence Policy; Procedures for Handling Sexual Misconduct and Relationship Violence Complaints**

Western State College of Law values civility, dignity, diversity, education, honesty, and safety and is firmly committed to maintaining a campus environment free from all forms of sex discrimination, sexual harassment, and sexual assault. Sexual Misconduct and Relationship Violence, defined more specifically below, are inconsistent with these values, violate institutional policy, and will not be tolerated at Western State College of Law and are expressly prohibited. Similarly, retaliation for having brought forward a concern or allegation or for participating in an investigation of a report of Sexual Misconduct or Relationship Violence is also expressly prohibited and is grounds for disciplinary action.

This Policy provides information regarding how an individual – whether a student, faculty member, or staff member – can make a report of Sexual Misconduct or Relationship Violence impacting a student and how Western State College of Law will proceed once it is made aware of any such report.

For faculty and staff members who believe they are the victim of sexual misconduct, please follow our No Harassment policy in the Employee Handbook.

#### **I. Preliminary Issues & Important Definitions**

This Policy prohibits “Sexual Misconduct” and “Relationship Violence,” broad categories encompassing the conduct defined below. Sexual Misconduct and Relationship Violence can be committed by anyone, including third parties, and can occur between people of the same sex or different sexes and regardless of one’s biological sex or transgendered sex. This policy applies to Sexual Misconduct and Relationship Violence that is committed against a student when that Sexual Misconduct or Relationship Violence occurs: (i) on campus; (ii) off-campus if in connection with a School-sponsored program or activity or in student housing; or (iii) off-campus if allegedly perpetrated by a fellow student, faculty member, staff member, or third party when the victim/reporting student reasonably believes that the off-campus conduct has created a hostile educational environment.

##### **A. What is “Sexual Misconduct”?**

Sexual Misconduct includes:

- **Sexual Assault:** Having or attempting to have sexual intercourse, cunnilingus, or fellatio without Consent (as defined below). Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger, or inanimate object.
- **Non-Consensual Sexual Contact:** Any intentional sexual touching with any body part or object by any person upon any person without Consent.

- **Sexual Exploitation:** An act attempted or committed through the abuse or exploitation of another person's sexuality. Examples include, but are not limited to, prostituting another student; inducing a student into sexual intercourse, sexual contact, or other sexual activity by implicit or explicit threat of exposure of personal information or academic consequences; non-consensual video or audio-taping of sexual activity; allowing others to observe a personal consensual sexual act without the knowledge or Consent of all involved parties; and knowingly transmitting or exposing another person to a sexually transmitted infection without the person's knowledge.
- **Indecent Exposure:** the exposure of the private or intimate parts of the body in a lewd manner in public or in private premises when the accused may be readily observed.
- **Sexual Harassment:** unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following: (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic status; or (b) Submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting such individual; or (c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment for working, learning, or living on campus.

#### **B. What is "Relationship Violence"?**

Relationship Violence includes:

- **Domestic Violence:** Violence, including but not limited to sexual or physical abuse or the threat of such abuse, committed by a current or former spouse or intimate partner or any other person from whom the student is protected under federal or applicable state law.
- **Dating Violence:** Violence, including but not limited to sexual or physical abuse or the threat of such abuse, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such a relationship is generally determined based on a consideration of the length and type of relationship and the frequency of interaction.
- **Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts in which a person directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

The following also constitute violations of this Policy:

- **Complicity:** Assisting, facilitating, or encouraging the commission of a violation of this Policy.
- **Retaliation:** Acts or attempted acts for the purpose of interfering with any report, investigation, or proceeding under this Policy, or as retribution or revenge against anyone who has reported Sexual Misconduct or Relationship Violence or who has participated (or is expected to participate) in any manner in an investigation, or proceeding under this Policy. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, or discrimination. To be clear, retaliation against a Complainant for reporting an incident or against any witness who participates in an investigation is strictly prohibited.

#### **C. Who are "Complainants" and "Respondents"?**

Western State College of Law is not a court of law. We also do not engage in victim-blaming or rushes to judgment. Therefore, without judgment, we refer to anyone who reports that s/he has experienced Sexual Misconduct as a "Complainant" and to anyone who reportedly has engaged in Sexual Misconduct as a "Respondent."

#### **D. Defining Consent**

In many cases of Sexual Misconduct, the central issue is consent or the ability to give consent. Consent is a voluntary agreement to engage in sexual activity. Consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Past Consent does not imply future Consent, and Consent to engage in one form of sexual activity does not imply Consent to engage in a different form of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in a specific sexual activity. Consent must be knowing and voluntary. To give Consent, a person must be awake, of legal age, and have the capacity to reasonably understand the nature of her/his actions. Individuals who are physically or mentally incapacitated cannot give Consent.

Silence, without actions evidencing permission, does not demonstrate Consent. Where force, threats, or coercion is alleged, the absence of resistance does not demonstrate Consent. Force, threats, or coercion invalidates Consent. The responsibility of obtaining Consent rests with the person initiating sexual activity. Use of alcohol or drugs does not diminish one's responsibility to obtain Consent or negate one's intent.

Consent to engage in sexual activity may be withdrawn by either person at any time. Once withdrawal of Consent has been clearly expressed, the sexual activity must cease.

Incapacitation is the inability, temporarily or permanently, to give Consent, because the individual is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, due to an intellectual or other disability that prevents the student from having the capacity to give Consent, or the individual is unconscious, asleep or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if he or she demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators that an individual is incapacitated may include, but are not limited to, vomiting, unresponsiveness, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, lack of awareness of circumstances or surroundings, or inability to perform other physical or cognitive tasks without assistance.

#### **E. Title IX Coordinator & Deputy Coordinators**

The Title IX Coordinator for Western State College of Law is: Donna Espinoza, Senior Assistant Dean of Student Affairs. The Title IX Coordinator is responsible for, among other things, coordinating the campus's efforts to comply with and carry out the campus's responsibilities under Title IX of the Education Amendments of 1972, including compliance with this policy. The Title IX Coordinator will help to coordinate any investigations under this Policy. In addition, the School has other individuals who serve as Deputy Title IX Coordinators to help oversee investigations and determination proceedings under this Policy.

#### **II. Reporting & Confidentiality**

We encourage victims of Sexual Misconduct & Relationship Violence to talk to somebody about what happened – so they can get the support they need, and so the School can respond appropriately.

Different employees on campus have different abilities to maintain confidentiality:

- **CONFIDENTIAL REPORTING:** Some individuals are required to maintain near complete confidentiality. These include professional counselors such as those provided by Talk One2One counselling services. These individuals can provide resources and generally talk to a victim without revealing any personally identifying information about an incident to the School. A victim can seek assistance and support from these individuals without triggering a School investigation.
- **NON-CONFIDENTIAL REPORTING.** Other than professional counsellors defined above, most other employees and contractors are required to report all the details of an incident to the Title IX coordinator. A report to these employees (called "responsible employees") constitutes a report to the School and generally obligates the School to investigate the incident and take appropriate steps to address the situation. The following campus employees (or categories of employees) are examples of responsible

employees: the Title IX Coordinator, all Deputy Title IX Coordinators, President, Director of Student Services, other Student Services staff, Academic Advisors, the Security Team (including contract security personnel), all full-time and adjunct Faculty, Human Resources, and Employee Relations.

The School will seek to protect the privacy and confidentiality of the individuals involved in any report of alleged Sexual Misconduct or Relationship Violence to the extent possible and allowed by law. The Title IX Coordinator will evaluate any request for confidentiality in the context of the School's responsibility to provide a safe and nondiscriminatory environment to all members of its community.

The School will complete any publicly available record-keeping, including Clery Act reporting and disclosure, without the inclusion of identifying information about the alleged victim. It will also maintain as confidential any interim measures or remedies provided to the alleged victim to the extent that maintaining confidentiality will not impair its ability to provide the interim measures or remedies.

In addition to internal reporting, the School strongly encourages anyone who believes they have experienced a sexual assault (or any other crime) to make a report to local law enforcement. Collection and preservation of evidence relating to the reported sexual assault is essential for law enforcement investigations, so prompt reporting of the incident to law enforcement is especially critical. Designated staff will, upon request, assist an individual in making a report to law enforcement as necessary and appropriate.

Although we strongly encourage complainants to report to local law enforcement, such a report is not a prerequisite to the School's review and investigation of any complaint covered by this Policy. The School will honor a Complainant's request not to report the matter to local law enforcement UNLESS we have a reasonable basis to believe that the safety and security of the campus community is at risk. In this event, the School will endeavor to notify a Complainant or Reporter of the institution's intent to report the matter to law enforcement in advance of any such report.

The School does not limit the time frame for reporting under this Policy, although a delay in reporting may impact the School's ability to take certain actions.

Other Code of Conduct Violations: The School encourages students who have been the victim of Sexual Misconduct or Relationship Violence to come forward. Students should not be discouraged from reporting such incidents because they fear discipline for their own violations of the Student Code of Conduct, such as use of alcohol in School housing. Therefore, the School has discretion not to pursue other violations of the Student Code of Conduct that occurred in the context of the reported incident of Sexual Misconduct or Relationship Violence.

### **III. Response Procedure**

Students are encouraged to report any incident of Sexual Misconduct or Relationship Violence to the Title IX Coordinator, Deputy Title IX Coordinator, the Director of Student Services, or the Campus President. If a report is made verbally, the School will request a written statement by the student.

Upon receipt of a report, the School will generally proceed as described below.

#### **A. Investigation Commencement**

The School will provide a timely and thorough investigation. Barring exigent circumstances, cases of Sexual Misconduct and Relationship Violence will generally be resolved within a 60 day period once the incident has been reported. An extension of time may be necessary if witnesses are unavailable or uncooperative or due to other extenuating circumstances beyond the control of the investigator.

#### **B. Initial Response**

Once the School is put on notice of possible Sexual Misconduct and Relationship Violence, the Complainant will be offered appropriate confidential support, accommodations, and other resources and will be notified of applicable policies and procedures. Accommodations include the ability to move to different housing, to change work schedules, to alter academic schedules, to withdraw from/retake a class without penalty, and to access academic support. The Respondent also will be offered appropriate resources and notified of applicable policies and procedures.

#### **C. Interim Intervention**

Pending a final determination, the Title IX Coordinator and/or Student Services staff will take appropriate interim measures. These measures may include, but are not limited to, the imposition of a no-contact order and/or employment, transportation, residence, and academic modifications. Student Services staff may limit a student or organization's access to certain School facilities or activities pending resolution of the matter. The School may impose an Interim Suspension on the Respondent pending the resolution of an alleged violation when the School determines, in its sole discretion, that it is necessary in order to protect the safety and well-being of members of the campus community.

#### **D. Decision to Proceed to Investigation**

If the Complainant is willing to participate in the review and investigation process, the School will proceed as described below in Section III (E).

If the Complainant requests a confidential investigation, the School will seek to protect the privacy and confidentiality of the Complainant to the extent possible and allowed by law. The Title IX Coordinator will evaluate any request for confidentiality in the context of the School's responsibility to provide a safe and nondiscriminatory environment to all members of its community.

If a confidential investigation is requested and agreed to, the School will investigate without revealing the name of the Complainant in any interview or email and will not ask questions that inadvertently or reasonably could reveal the identity of the Complainant.

If the Complainant asks that the report of sexual misconduct not be pursued, the School will consider the interests of the Complainant, the campus community, law enforcement, and/or other appropriate interests under the circumstances. The School, in consultation with the Title IX Coordinator, will make a final decision on whether and to what extent it will conduct an investigation, and notify the Complainant promptly.

#### **E. Investigation Procedure**

Investigators do not function as advocates for either Complainants or Respondents. Investigators can, however, identify advocacy and support resources for either Complainants or Respondents.

The Respondent will receive written notice of the report and the nature of the alleged misconduct. He/She will be advised in writing of the investigation process and opportunity to provide any relevant evidence.

The Investigation will generally be conducted by the Director of Student Services for the campus (or any other individual appointed by the Title IX Coordinator) if the Respondent is a student. If the Respondent is a faculty or staff member, Employee Relations will also participate in the investigation.

The investigator will separately interview both Complainant and Respondent. Both parties will be able to provide evidence and suggest other witnesses to be interviewed. The investigator will interview other relevant witnesses and review any other available relevant evidence. Both the Complainant and Respondent can have another individual present during their own respective interviews. If the Complainant or Respondent elects, they may have an attorney present during their own interview, but said attorney may not advocate during the interview.

#### **F. Determinations**

##### **1. For cases where the Respondent is a student.**

The investigator will present all evidence to the Title IX Coordinator (or his/her designated Deputy Title IX Coordinator). In all cases, the Title IX Coordinator or the designated Deputy Title IX Coordinator will be appropriately trained regarding handling and considering sexual misconduct and relationship violence cases.

The Title IX Coordinator will weigh the evidence presented and decide whether additional evidence is necessary for consideration. Ultimately, the Title IX Coordinator will make a determination of whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred.

The School reserves the right to convene a Determination Panel to review the evidence and make the determination in appropriate circumstances.

##### **2. For cases where the Respondent is a Faculty or Staff Member.**

The investigator will present all evidence to the Ethics Committee of EDMC. The Ethics Committee will be appropriately trained regarding handling and adjudicating sexual misconduct and relationship violence cases. The Ethics Committee will weigh the evidence presented and make a determination whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred.

#### **G. Standard of Proof**

In all cases under the Sexual Misconduct policy, the Title IX Coordinator (or designee) or the Ethics Committee will determine if a violation of policy has occurred by the preponderance of evidence standard. Thus, they will determine whether it is more likely than not that a violation has occurred.

#### **H. Potential Sanctions**

If a violation of policy has been found, the Title IX Coordinator or the Ethics Committee will impose appropriate sanctions, including but not limited to coaching, training, probation, suspension, or expulsion in the case of students or coaching, training, written warning, demotion, or termination in the case of employees.

#### **I. Outcome Notifications**

Both the Complainant and Respondent will be notified in writing of the outcome of the investigation and of the sanctions imposed, if any.

#### **J. Appeals**

If the Complainant or Respondent is a student, he or she may appeal the outcome determination by written appeal to the Campus President within 15 days of notification of the outcome. An appeal may be made based only on one or more of the following reasons:

1. New and significant evidence appeared that could not have been discovered by a properly diligent charged student or complainant before or during the original investigation and that could have changed the outcome.
2. The Finding is Arbitrary and Capricious: Reading all evidence in the favor of the non-appealing party, the finding was not supported by reasonable grounds or adequate consideration of the circumstances. In deciding appeals, the Campus President is allowed to make all logical inferences in benefit of the non-appealing party.
3. Disproportionate Sanctions: The sanctions were disproportionate to the findings.

The appeal shall consist of a written statement requesting review of the conduct decision or sanction and explaining in detail the basis for the appeal. The Campus President, or designated representative, will notify the non-appealing party of the request for an appeal. Within five working days of receipt of the notice, the non-appealing party may submit a written statement to be included in the case file. The appeal may proceed without the non-appealing party's written statement if it is not submitted within the designated time limit.

The Campus President will endeavor to make a determination of the appeal within 15 business days of receipt. The President's decision is final.

### **XVI. Anti-Hazing Policy**

Hazing involving Western State College of Law at Argosy University students or student groups is strictly prohibited. Hazing is defined as any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any club or organization operating under the sanction of an institution of higher education.

For purposes of this definition, any activity as described in this definition that the initiation or admission into or affiliation with a club or organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding. This policy is applicable to all students and members of a student club or organization at the College of Law. Every student and member of a student club or organization is responsible for complying with this policy. Individual and/or student clubs that force, require, and/or endorse violations will be held directly responsible through the College of Law's student conduct process and if appropriate, through local authorities, which may pursue criminal action. Students who wish to make a complaint under this policy should contact the Associate Dean of Students located in the academic suite on the third floor of the main building (714-459-1152). The negligence or consent of a student or any assumption of risk by the student is not a defense to an action brought pursuant to this policy. Student club activities or programs must not interfere with the rights and activities of others and should always reflect the best interests of the members



of the organization it represents and the College of Law community as a whole. In all cases of alleged violations of this policy, faculty and staff advisors and the national/international headquarters, if applicable, or any organization will be notified.

## **XVII. Drug and Alcohol Prevention Program and the Drug-Free Workplace and Campus Program**

### **Drug and Alcohol Policies**

In keeping with section 120(a) through (d) of The Higher Education Act of 1965, as amended, including the Drug-Free Schools and Communities Amendments of 1989 (Public Law 101-226), a "Drug Free Schools and Campuses" publication, the 'Drug and Alcohol Prevention Program and the Drug-Free Workplace and Campus Program', is provided to all students and employees annually.

Pursuant to federal and state drug laws, employees and students are prohibited from the unlawful manufacture, distribution, possession, sale or use of illicit/illegal drugs. The college also enforces state laws regarding underage drinking. This prohibition applies while on the property of the college or when participating in any institutional activity. Students or employees who violate this policy will be subject to disciplinary action up to, and including, expulsion from the college or termination of employment.

For more information please refer to the Drug and Alcohol Prevention Program and the Drug-Free Workplace and Campus Program. <http://www.wsulaw.edu/assets/pdf/wsu-drug.pdf>

## **XVIII. ADMISSION TO THE BAR**

### **A. Student Responsibility**

1. Each student is responsible to obtain information regarding the requirements for admission to the bar in the state in which the student intends to practice. A student who sits for a bar examination before completing all graduation requirements without the written approval of the Dean will not be permitted to graduate.
2. Each student who plans to seek admission to the California Bar is responsible for complying with all requirements for such admission. Sections 5050 through 5058 of the California Business and Professions Code govern admission to the California State Bar. Applications for the California bar examination and the MPRE are available on-line at [www.calbar.ca.gov](http://www.calbar.ca.gov).

### **B. Information Regarding the Bar Examination**

Questions concerning admission to the California State Bar should be directed to the Committee of Bar Examiners, 1149 So. Hill Street (4<sup>th</sup> Floor), Los Angeles, CA 90017; telephone (213) 765-1550.

### **C. First Year Student Registration with State Bar**

A student commencing law study who plans to take the California bar examination must, within ninety (90) days after beginning the study of law, register with the Committee of Bar Examiners. Registration forms for students commencing the study of law is available online at [www.calbar.org](http://www.calbar.org).

### **D. The Bar Examination**

The California bar examination is administered over a three-day period each July and February. One-third of the examination is devoted to testing practical skills. A separate Multi-State Professional Responsibility Examination (MPRE) must also be completed.

## **XIX. CAREER RESOURCES DEPARTMENT**

### **A. Career Resources Department (CRD)**

The Career Resources Department at Western State College of Law works with current students, recent graduates, and alumni to identify and acquire employment opportunities. To meet the goals of preparedness and professionalism, the CRD implements a wide variety of events and programs.

- B. Symplicity**  
Symplicity is the College of Law's career management database platform. Employers can post job openings on the College of Law's Symplicity site for students to review and submit application materials. The site also includes internship and fellowship opportunities and an events calendar. Symplicity is available to all students for their lifetime.
- C. Student Advising**  
In its most important role, the CRD offers individual counseling for all currently enrolled students. Each counseling session is student-driven and covers a range of topics such as internships and externships, summer legal positions, long-term career goals, and general job search support and advice. National Association for Law Placement guidelines relating to onboarding first year students (1L) are strictly adhered to.
- D. Alumni Services**  
The CRD also assists our alumni during career transitions. Alumni have access to Symplicity to peruse job opportunities and other resources. The CRD provides one-on-one counseling upon request on a wide variety issues such as salary negotiation, launching a confidential job search, proper steps to take in resigning from a current position, and starting a solo practice to name just a few.
- E. Workshops**  
The CRD presents a series of workshop topics throughout each semester that accommodate schedules of both full-time and part-time students. These workshops help students understand the job search process and provide practical tips on topics such as resume development, cover letters, job search strategies, creating LinkedIn profiles, and more.
- F. Events**  
A variety of events is planned each semester to encourage students to start thinking about job and career options early on in their law school tenure. These events include networking opportunities with alumni, speakers on various legal topics and practice areas, panel discussions, and opportunities to explore and practice professional etiquette. The CRD also promotes off-campus events such as local Bar Association section meetings, mixers, and MCLE events.
- G. Resources**  
The Career Resources Library is housed in the library. The library staff has carefully curated a collection of books pertaining to all aspects of career and employment including job searching, networking, international opportunities, non-traditional legal careers, professionalism, and advice for new attorneys.
- H. Reciprocity**  
Western State College of Law graduates who live outside of the Southern California area are eligible for reciprocity with law schools throughout the United States. Reciprocity allows them to access the career services offices of a law school near their out-of-state residence. Upon request, the CRD forwards the reciprocity request to the chosen law school on behalf of the graduate. Each law school has their own reciprocity guidelines including some that allow access to their Symplicity site.
- I. Professionalism Skills Program**  
The CRD partners with faculty from the 1L LAW101 Introduction to Legal Methods course to actively promote events and programs targeting professionalism skills. These skills are critical to job search and career success in any area of law. Because of the universal importance of professional presentation and conduct, the CRD and faculty strive to prepare our students from the very initiation of their law school experience through graduation.
- J. Policy Regarding Discrimination and Harassment**  
The College of Law's policies on substance abuse, harassment, anti-discrimination and ethical conduct applies to all activities of the College of Law including employers using the Career Resources Department or participating in College of Law externship programs. The policies are fully stated elsewhere in this catalog.

**K. Reservation of Rights for Students and Employers Using the Career Resources Department**

The College of Law reserves the right to evaluate the appropriateness of each employment or listing. The College of Law reserves the right in its sole and absolute discretion to elect not to provide placement services. The Career Resources Department maintains a policy regarding appropriate use of the office. Students or graduates who wish to file a grievance should submit the grievance to the Assistant Dean of Career Resources.

**XX. ALUMNI**

The Office of Alumni Relations and the Development Office are located on the Second Floor of the main building, and have a number of interrelated functions. They are under the auspices of the Office of Institutional Advancement.

**A. The Office of Alumni Relations**

The Office of Alumni Relations creates and administers programs that benefit the school's alumni and create modes of interaction with the student and law school community, such as:

- Collecting data and information on alumni;
- Accepting and advising on gifts to the College of Law's foundation, and administering alumni named scholarships;
- Coordinating legal education programs, including MCLE certification;
- Recruiting of alumni speakers for recruitment and community outreach;
- Coordinating student/alumni mentorships;
- Providing alumni professional referrals and assisting with alumni employment;
- Partnering with Development on communications and publications;
- Liaising with bar associations and community organizations

**B. The Development Office**

The Development Office creates and conducts programs and activities for the alumni and community that broaden the awareness of the school, and support fundraising and the building of scholarship programs and endowments. Among its functions are:

- Originating and shepherding of major gifts;
- Creating social events, dinners and galas that support the department's and the school's mission;
- Producing printing and graphic work that sustains the department's activities;
- Maintaining electronic mailing lists and social media platforms;
- Conducting surveys

**XXI. MISCELLANEOUS INFORMATION**

**A. Student Complaint Procedure**

As an ABA-approved law school, the College of Law is subject to the ABA Standards for Approval of Law Schools. The ABA Standards may be found at [http://www.americanbar.org/groups/legal\\_education/resources/standards.html](http://www.americanbar.org/groups/legal_education/resources/standards.html). Any student at the College of Law who wishes to bring a formal complaint to the administration regarding a significant problem that directly implicates the school's program of legal education and its compliance with the ABA Standards shall take the following steps:

Submit the complaint in writing to the Dean, Associate Dean for Academic Affairs, the Associate Dean of Students, or the Senior Assistant Dean of Student Affairs. The writing may be submitted directly, by U.S. mail, by fax, or by email.

The writing submitted should describe in detail the behavior, program, process, or other matter that is the subject of the complaint, and should explain how the matter implicates the law school's program of legal education and its compliance with a specific, identified ABA Standard(s).

The writing must provide the name, e-mail address, and a street address of the complaining student, for further communication about the complaint.

Within three weeks of receipt of the complaint, the Dean, Associate Dean for Academic Affairs, the Associate Dean of Students, or the Senior Assistant Dean of Student Affairs shall inform the student in writing of any action taken or investigation begun regarding the information contained within the complaint, or the reasons why no action or investigation has been undertaken.

The College of Law will not in any way retaliate against a student who makes a complaint under this provision, nor permit any faculty member, administrator, employee, or student to do so. The prohibition on retaliation does not, however, protect a student from sanctions for violating the honor code by knowingly making false accusations.

A copy of the complaint and a summary of the process and resolution of the complaint shall be kept in the office of the Dean for a period of seven years from the date of final resolution of the complaint.

**B. Family Educational Rights and Privacy Act**

The Family Educational Rights and Privacy Act of 1974, as amended ("FERPA") sets out requirements designed to afford students certain rights with respect to their education records. In addition, it puts limits on what information the College of Law may disclose to third parties without receiving prior written consent from the student.

**I. Procedure to Inspect Education Records**

Students have the right under FERPA to inspect and review their education records. A student who wishes to inspect and review his/her records should submit a written request to the Registrar. The request should identify as precisely as possible the records the student wishes to inspect. If the requested records are subject to inspection and review by the student, arrangements for access will be made within a reasonable period of time but in no case more than 45 days after the request was made, and the student will be notified of the time and place where the records may be inspected. The school may require the presence of a school official during the inspection and review of a student's records.

Certain limitations exist on a student's right to inspect and review their own education records. Those limitations include, for example, the following: (i) financial information submitted by parents; (ii) confidential letters and recommendations placed in their files prior to January 1, 1975; (iii) confidential letters and recommendations placed in their files after January 1, 1975 to which the student has waived his or her right to inspect and review and that are related to the student's admission, application for employment or job placement, or receipt of honors. In addition, the term "education record" does not include certain types of records such as, by way of example, records of instructional, supervisory, administrative, and certain educational personnel that are in the sole possession of the maker thereof, and are not accessible or revealed to any other individual except a substitute.

When a record contains personally identifiable information about more than one student, the student may inspect and review only the information that relates to him/her personally.

II. Disclosure of Educational Records

The College of Law generally will not permit disclosure of personally identifiable information from the records of a student without prior written consent of the student. Personally identifiable information is disclosed (some items are mandatory, some discretionary) from the records of a student without that student's prior written consent to the following individuals or institutions or in the following circumstances:

1. To the College of Law officials who have been determined by the school to have legitimate educational interests in the records. A school official is
  - a) a person employed by the school or its corporate parent in an administrative, supervisory, academic or research, or support staff position. This includes, but is not limited to human resources and accounting staff for purposes of the tuition reimbursement plan; or
  - b) a person employed by or under contract to the school to perform specific tasks, such as an auditor, consultant, or attorney, a person on the Board of Trustees, or a student serving on an official committee or assisting another school official.

Any school official who needs information about a student in the course of performing instructional, supervisory, advisory, or administrative duties for the College of Law has a legitimate educational interest.

2. To certain officials of the United States Department of Education, the Comptroller General of the United States, the Attorney General of the United States, and state and local educational authorities in connection with state or federally supported educational programs.
3. In connection with the student's request for, or receipt of, financial aid necessary to determine the eligibility, amounts or conditions of financial aid, or to enforce the terms and conditions of the aid.
4. To organizations conducting certain studies for or on behalf of the school.
5. To accrediting commissions or state licensing or regulatory bodies to carry out their functions.
6. To parents of a dependent student, as defined in Section 152 of the Internal Revenue Code.
7. To comply with a judicial order or lawfully issued subpoena.
8. To appropriate parties in health or safety emergencies.
9. To officials of another school in which a student seeks or intends to enroll.
10. To an alleged victim of a crime of violence or a nonforcible sexual offense, the final results of the disciplinary proceedings conducted by the school against the alleged perpetrator of that crime or offense with respect to that crime or offense.
11. To persons in addition to the victim of a crime of violence or nonforcible sexual offense, the final results of the disciplinary proceedings described in paragraph 10 above but only if the school has determined that a student is the perpetrator of a crime of violence or non-forcible sexual offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies. (The school, in such instances, may only disclose the name of the perpetrator -- not the name of any other student, including a victim or witness -- without the prior written consent of the other student(s)).
  - a) Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
12. To a parent regarding the student's violation of any federal, state, or local law or of any rules or policy of the school governing the use or possession of alcohol or a controlled substance if the school determines that the student has committed a disciplinary violation with respect to that use or possession, and the student is under 21 at the time of the disclosure to the parent.

13. Directory information (see Section IV below).
14. Student Recruiting Information as requested by the U.S. Military. Student recruiting information includes ONLY: name, address, telephone listing, age or date of birth, class level, academic major, place of birth, degrees received and most recent educational institution attended. It does not include and the College of Law will not provide: social security numbers, race, ethnicity, nationality, GPA, grades, low performing student lists, religious affiliation, students with loans in default, veteran's status, students no longer enrolled. Students who opt out of the directory also opt out of student recruiting information.

III. Record of Requests for Disclosure

Except with respect to those requests made by the student themselves, those disclosures made with the written consent of the student, or to requests by or disclosures to the College of Law officials with legitimate educational interests and disclosures of directory information (or other exceptions described in the applicable regulations), the College of Law will maintain a record indicating the parties who have requested or obtained personally identifiable information from a student's education records and the legitimate interests those parties had in requesting or obtaining the information. This record may be inspected by the student.

IV. Directory Information

The College of Law designates the following information as directory information. (Directory information is personally identifiable information which may be disclosed without the student's consent):

1. Student's name
2. Address: Local, email and website
3. Telephone number (local)
4. Date and place of birth
5. Program of study
6. Participation in officially recognized activities
7. Dates of attendance
8. Degrees and certificates awarded
9. Most recent previously attended school
10. Photograph of the student, if available
11. Enrollment status (*i.e.*, enrolled, continuing, future enrolled student, reentry, leave of absence, etc.)
12. Student honors and awards received.
13. The height and weight of athletic team members

Notice of these categories and of the right of an individual in attendance at the College of Law to request that his/her directory information be kept confidential will be given to the student annually. Students may request nondisclosure of student directory information by specifying nondisclosure, in writing, to Student Services Office, Attention: Registrar, Western State College of Law at Argosy University, 1 Banting, Irvine, CA 92618-3601. Failure to request nondisclosure of directory information will result in routine disclosure of one or more of the above-designated categories of personally identifiable directory information.

V. Correction of Educational Records

Students have the right under FERPA to ask to have records corrected which they believe are inaccurate, misleading, or in violation of their privacy rights. The following are the procedures for the correction of records:

1. A student must ask the Registrar to amend a record. As part of the request, the student should identify the part of the record they want to have changed and specify why they believe it to be inaccurate, misleading, or in violation of his/her privacy rights.
2. The College of Law may either amend the record or decide not to amend the record. If it decides not to amend the record, it will notify the student of its decision and advise the student of the right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's privacy rights.
3. Upon request, the College of Law will arrange for a hearing and notify the student reasonably in advance of the date, place, and time of the hearing. The hearing will be conducted by an individual who does not have a direct interest in the outcome of the hearing. That individual may be an official of the College of Law. The student shall be afforded a forum for the opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by other people, including an attorney.
4. The College of Law will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence, and the reasons for the decision.
5. If, as a result of the hearing, the College of Law decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it will (a) amend the record accordingly; and (b) inform the student of the amendment in writing.
6. If, as a result of the hearing, the College of Law decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school.
7. If a statement is placed in the education records of a student under paragraph 6 above, the College of Law will:
  - a) maintain the statement with the contested part of the record for as long as the record is maintained; and
  - b) disclose the statement whenever it discloses the portion of the record to which the statement relates.

VI. Student Right to File Complaint

A student has the right to file a complaint with the United States Department of Education concerning alleged failures by the College of Law to comply with the requirements of FERPA. The name and address of the governmental office that administers FERPA is:

Family Policy Compliance Office  
 United States Department of Education  
 400 Maryland Avenue, S.W.  
 Washington, DC 20202-4605

C. **Record Retention Policy**

Student record retention complies with federal, state or local law or other legal requirements. Western State College of Law retains student records to satisfy its obligations to students, employees and legal authorities for six years. Transcripts are maintained permanently.

D. **Transcript Requests**

A student may request an official transcript by completing a Transcript Request Form provided by the Registrar. Transcript requests are processed within 3-5 business days and there is a \$5.00 fee for each transcript requested. The fee for an expedited transcript is \$15.00. The College of Law does not provide

“unofficial” transcripts to students. Transcript requests may not be honored for any students or alumni placed on hold by any College of Law department or the Dean.

#### **E. Enrollment Verification**

##### **1. Requests**

A student may require verification of enrollment at the College of Law for insurance, employment, student loan deferment, or other purposes. Such requests must be made in writing and be signed by the student. Current and prior students may request an enrollment verification letter by submitting a signed form from the agency (lender, insurance company, etc.) or by submitting a Student Request and Petition Form requesting an enrollment verification letter. The request must include the semester(s) to be certified, other information being requested, and the address to where the letter should be sent. Only current and past semesters can be verified.

##### **2. Cost and Processing of Requests**

The Student Services Office provides enrollment verification services to students at no cost. Requested verifications and deferment forms are completed and mailed after the add/drop period for each semester. Students are certified as full-time when they are enrolled in 12 or more units, half-time when they are enrolled for 5–11 units, and less than half-time if they are enrolled in less than 5 units in the fall and/or spring semester. Summer enrollment is certified as full-time for enrollment in 6 or more units, half-time for enrollment in 3 -5 units, and less than half-time for enrollment in less than 3 units.

##### **3. Electronic Submission to National Student Loan Data System (NSLDS)**

Please note that in addition to completing forms and letters for students on an individual basis, enrollment information is electronically transferred to the NSLDS several times a year.

#### **F. Official Bulletin Boards**

Important information, including new or revised rules and regulations, is posted on the official bulletin board located on the second floor. All students are held responsible for noting information and following instructions posted. Exceptions will not be made for students who fail to observe important notices posted by the academic or administrative staff. Students should check the board on a regular basis. Video monitors are also located throughout the campus with current events.

#### **G. Voter Registration**

Voter registration information is available in the Student Services Office and the Library.

#### **H. Student ID/Access Cards**

Student ID/Access cards can be obtained from Student Services. Students are advised to keep their ID/Access cards with them while on campus. ID/Access cards are required for access to the College of Law and must be presented to staff if requested. When the exterior doors are locked, the building may be accessed via the card readers ONLY, using your Student ID/Access card. Students are granted access to the building during student hours. The front door of the main building will be unlocked Monday through Friday from 8:30 a.m. to 7:00 p.m., holidays excluded. Lost or damaged Student ID/Access Card may be replaced upon payment of a \$20 fee. See Student Services for standard building hours.

#### **I. Student E-Mail Address**

The College of Law administration sends registration materials, important notices and information to each student's College of Law e-mail address. Student Services may also send certain announcements of general interest on behalf of students. Each student is responsible for reading his or her College of Law e-mail, as it is one of the primary means by which the College of Law communicates with students. If a



student misplaces his or her College of Law e-mail address, the student should contact Student Services. Messages sent by the College of Law administration are considered an official notification.

#### **J. Housing Information**

While the College of Law has no dormitory facilities, local rental opportunities with approximate cost may be available from the Admissions Office at 714-459-1101.

Western State College of Law is not responsible in assisting students in finding housing. Local housing near the campus is listed below. Argosy University does not endorse any apartment listed below and costs are estimates. Western State College of Law is not made aware of any pricing changes regarding the housing costs represented below.

Woodbury Village, Irvine  
100 Simplicity  
Irvine, CA 92620  
844-848-1727  
1-Bedroom \$1,770 - \$2,422

Siena Terrace Apartments  
20041 Osterman Rd.  
Lake Forest, CA 92630  
844-588-8605  
1-Bedroom \$1,660 - \$1,720

Wetchester Park Apartents  
1602 Nisson Rd.  
Tustin, CA 92780  
714-832-8400  
1-Bedroom from \$1,071

#### **K. Lost and Found Articles**

Lost and found is located in the Student Services Office. Inquiries regarding lost items should be directed to the Student Services Office. Found items should be turned in to Student Services.

#### **L. Campus Safety**

##### **1. Reporting Crimes**

All crimes that occur on the law school property should immediately be reported to any security officer, facilities personnel, or the Senior Assistant Dean of Student Affairs.

##### **2. Crime Statistics Report**

The campus publishes an annual security report that contains information concerning policies and programs relating to campus security, crimes and emergencies, the prevention of crimes and sexual offenses, drug and alcohol use, campus law enforcement and access to campus facilities. The annual security report also includes statistics concerning the occurrence of specified types of crimes on campus, at certain off-campus locations, and on the public property surrounding the campus. The annual security report is published each year by October 1 and contains statistics for the three most recent calendar years. The annual security report is provided to all current students and employees. A copy of the most recent annual security report may be obtained from the Student Affairs office during regular business hours. Copies of the Crime Report are available on the campus website at <http://www.wsulaw.edu/assets/pdf/crime-report-westernstateuniversity.pdf>

The campus report to the campus community concerning the occurrence of any crime includable in the annual security report that is reported to campus security or local police and that is considered to be a threat to students or employees.

The campus reminds all students that they are ultimately responsible for their own actions regarding their safety and welfare.

**M. Student Lounge and Vending**

Lounges are located on the first and second floor. In addition, vending machines are provided in the first floor lounge for convenience. Any complaints regarding the quality of product, service or the operation of the vending machines or vending machine refund requests should be addressed to the Senior Assistant Dean of Student Affairs.

**N. Psychological Counseling**

Personal and confidential psychological counseling is available to all students at no additional charge. To inquire or make an appointment with an on campus therapist email [dryeilding@gmail.com](mailto:dryeilding@gmail.com) or call call (714) 459-1160 to leave a private message. The therapist providing counseling is an independent contractor, and not an employee of the College of Law. The College of Law provides space for the therapist and contracts for a block of hours that it makes available to students. The College of Law does not supervise the therapist.

**O. Parking Regulations**

A valid College of Law parking permit is required to use the College of Law parking spaces reserved for student parking. Parking permits are available in Student Services. The permit entitles a student to park at the College of Law facility should space be available. Before receiving the permit, each student will be required to sign a document that includes a statement of the rules and regulations regarding parking at the College of Law. It is each student's responsibility to know and follow all parking rules. Violators of the parking rules may be subject to citation and to having his or her vehicle being towed at the owner's expense. Western State College of Law parking is patrolled by California State University, Fullerton parking enforcement. Contact the Student Services Office for more information.

**P. Joint-Use Agreements**

A cooperative, professional and congenial relationship exists among the College of Law and its neighbors in the Fullerton post-secondary academic community. Listed below are some features of these agreements that provide benefits for College of Law students:

1. California State University, Fullerton (CSUF)

Recreational Programs: College of Law students may participate, for a fee, in the use of gym facilities. Additional information is available at the CSUF reception desk or in the College of Law Student Services Office.

Students must present a valid College of Law Student ID card.

Library: A College of Law ID card is the only requirement for use of the CSUF library that has a growing collection of law related materials. Students have full borrowing privileges and may use all on-line services (except LEXIS) and may not use study rooms. Students of the College of Law using the library at CSUF are subject to the CSUF library code of conduct. Please see a CSUF librarian for this code of conduct).

2. Marshall B. Ketchum University

An eye exam for students as well as their families is offered at a 20% discount. Appointments are necessary. The College of Law student ID card is needed.

## Q. Administrative Rules and Practices

### 1. Smoking, Eating and Drinking

Smoking is NOT permitted at any time inside College of Law buildings and is only permitted in designated areas outside. Food is allowed in the library, but it must be quiet, non-odiferous and non-messy. Please consume any food in a manner that maintains a clean and safe library environment. Drinks in covered containers are allowed. Food is not allowed in any classroom unless otherwise permitted. Beverages may be consumed in closed-top sipper bottles, water bottles, and thermal containers with spill-proof lids in classrooms.

### 2. Dress

While the College of Law has no particular dress code, each student is strongly urged to remember that many members of the bar and other potential employers often visit the campus. For safety reasons, shoes must be worn at all times.

### 3. Firearms Policy

It is the responsibility of all employees, students, alumni and all others to adhere to the provisions set forth in this policy and to report any known violations of this policy to the Associate Dean of Students or a member of management.

It is the responsibility of management and the Associate Dean of Students to enforce compliance with this policy and to take corrective action when necessary.

Conditions/Guidelines:

a. This Policy applies to anyone on the College of Law premises, unless otherwise prohibited by law.

b. Firearms, including concealed weapons, are not permitted on the College of Law premises and/or at the College of Law events, except that sworn members of a law enforcement agency acting in performance of their duties and/or employees of a licensed armored car service providing contracted services to the College of Law or to the College of Law's vendors and contractors (where approved by the College of Law) may carry weapons.

c. Firearms are not permitted in any vehicle while the vehicle is parked on the College of Law property, whether said property is owned or leased by the College of Law or provided to the College of Law for its use, except where otherwise required by law.

d. Any employee or student who becomes aware of a violation of this policy should immediately notify the Associate Dean of Students, the Dean and Vice Chancellor or a member of management or a member of school staff.

Violation of this policy is considered a serious offense that endangers the safety of anyone on the College of Law premises. Any person violating this policy may be required to leave the College of Law premises. Employees violating this policy are subject to discipline, up to and including termination. Students violating this policy are subject to suspension or dismissal from school.

NOTE: The mere possession of a weapon on the College of Law premises may subject the student to disciplinary action including suspension or dismissal.

4. Alcoholic Beverages  
No alcoholic beverage shall be served on campus except with the permission of the Dean's office (see Sections XIII.C.5 and XVII)
5. Children on Campus  
The College of Law considers the following to be "adult-only" areas of the College of Law: (1) the law library and (2) classrooms while classes are in session. Children must be accompanied by an adult at all times while on campus.
6. Use of the College of Law as Address Prohibited  
Students must not use the address or phone number of the College of Law for personal business and communication. Mail received at the College of Law intended for a student will be returned to the sender.
7. Use of the College of Law Facilities for Personal Use  
No student may utilize, for his or her personal use, any College of Law facility not specifically designated for student use including telephones, typewriters, photocopiers, facsimile machines, etc. Any student found using College of Law facilities for personal use is subject to disciplinary action. (See Section IX.E.2.)
8. Staff/Faculty Lounge  
The use of the staff/faculty lounges are restricted to members of the faculty, staff and their non-College of Law student guests. Salaried staff members who are also College of Law students are allowed to use the lounge.
9. Change of Address  
Change of address and/or telephone number, for both home and office, should be immediately reported in writing to the Student Services Office.
10. The College of Law Student Request and Petition Form  
The Student Request and Petition Form have been devised as a convenient medium of communication between the student and the administration. This form is available in the Student Services Office. It should be filled out completely and forwarded to the appropriate office.
11. Safety and Emergency Procedures  
The College of Law has published a set of emergency procedures in the event of fire or earthquake occurs on campus. All students are expected to familiarize themselves with these procedures. Copies of these procedures are available from the Student Services Office or the Human Resources Office.
12. Conviction of a Crime  
If a student is convicted of a crime while a student at the College of Law, the conviction must be immediately reported to the Senior Assistant Dean of Student Affairs.

**R. Student Consumer Information** (can be found on the school's website)

1. Institutional Information  
Information regarding costs, refund policies, programs of study, transfer of credits, accrediting, approvals, and licensing, special facilities and services for students with disabilities, and other

information is available through the Student Services Office and in the catalog. Costs and refund policies are also available in the Registration Bulletin each semester.

2. Family Education Rights and Privacy Act (FERPA)

See Section XXI.B. or the Student Services Office.

3. Financial Assistance Information

A description of all the financial assistance programs available to students is available in the Student Services Office. The information available includes eligibility requirements, application procedures, forms and deadlines, criteria for receiving and continuing to receive financial assistance, student rights and responsibilities, criteria for satisfactory academic progress, terms of loans, terms of employment, frequency of any method by which aid is disbursed, entrance and exit counseling, terms of any loan repayment deferments for service.

4. Institutional security policies and crime statistics

A crime report is available through the Student Services Office, Human Resources Office or Facilities Office. This includes a breakdown of crimes occurring on campus reported to local police agencies or to campus security. It also includes school policies and programs for reporting crimes, law enforcement and security on campus, drug and alcohol offences, prevention of sex crimes, and other information related to campus crime and security. This information is also posted on the Official and Student Services bulletin boards.

5. Student-Right-To-Know Act

The College of Law is not required to disseminate graduation/completion rates due to the fact that no first-time, full-time undergraduate students attend our institution.

6. Drug and alcohol abuse prevention

See Section XVII or the Student Services Office.

**S. Advising Point of Contact for Military and Veteran Students**

Military and veteran students are encouraged to ask about academic support, financial aid advising, disability services or career counseling that is made available on campus. Students should contact the Student Services on campus for further guidance and information.

**XXII. Notice of Western State College of Law at Argosy University Policies to Comply with the Higher Education Opportunity Act of 2008**

The unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students and individuals to civil and criminal liabilities. Almost all of the music, movies, television shows, software, games and images found on the Internet are protected by federal copyright law. The owner of the copyright in these works has the right to control their distribution, modification, reproduction, public display and public performance. It is generally illegal therefore to use file sharing networks to download and share copyrighted works without the copyright owner's permission unless "fair use" or another exemption under copyright law applies.

Fair use under the federal Copyright Act allows the use without permission of copyrighted material for the purpose of criticism, comment, news reporting or teaching under certain limited circumstances. There is no blanket exception from liability for students or employees of educational institutions, however, and whether the use of copyrighted material without permission falls within "fair use" or one of the other exceptions in the Act depends on a very detailed, case-by-case analysis of various factors. Students

should be aware that sharing music, videos, software and other copyrighted materials is very likely not to be considered a "fair use" and therefore may be a violation of the law.

A violation of the institution's policy for use of its information technology system can result in termination of network access for the student and/or other disciplinary action including removal of the student from the institution. Moreover, there are severe civil and criminal penalties for copyright infringement under federal law. A copyright owner is entitled to recover actual damages and profits resulting from an infringement, but also may recover statutory damages ranging from \$750 to \$30,000 per work for a non-willful infringement and up to \$150,000 for a willful infringement, even if there is no proof of actual damages, in addition to court costs and reasonable attorneys' fees. The government also can file criminal charges that can result in fines and imprisonment.

The College of Law's policies in regard to copyright infringement via the Internet prohibit the illegal downloading or unauthorized distribution of copyrighted materials using the institution's information technology system. The College of Law's policies prohibit use of the College of Law computer network to engage in illegal copying or distribution of copyrighted works such as by unauthorized per-to-peer file sharing (i.e., the sharing of copyrighted works, typically in digital or electronic files) without permission.

## **XXIII. FINANCIAL INFORMATION**

### **TUITION, FEES, REFUND POLICIES AND SCHOLARSHIPS**

#### **Tuition Policies and Payment Programs**

Tuition and fees are determined by the College of Law administration and are subject to change, with notice. Current student tuition and fee rates are included in the registration bulletin each semester. Tuition for students enrolling full-time (12 - 16 units) in the fall and/or spring semester, will be the flat rate in effect, per semester. Full-time students enrolling in an overload and taking more than 16 units per semester will be charged the full-time flat tuition rate per semester and an additional per unit rate for each unit above 16 taken during the semester. Tuition for students enrolling part-time (1 - 10 units) in the fall and/or spring semester, will be the flat rate in effect, per semester. Part-time students enrolling in an overload and taking an 11<sup>th</sup> unit during the semester will be charged the part-time tuition rate per semester plus the per unit rate for the 11<sup>th</sup> unit taken during the semester. Summer tuition is charged per unit at the rate in effect. Students in their final fall or spring semester may petition to pay only the "per unit" rate if enrolled in less than 8 units in order to complete their unit requirements.

A student repeating a course, in which he or she previously received a passing grade, solely to obtain a foundation law point will not be charged tuition for that repeated course. A student repeating a course for any other reason is charged the full rate for the course.

A visiting student from another law school pays the full student rate; College of Law alumni receive a 50% discount off the current per unit rate and visiting bar members receive a 25% discount off the current per unit rate.

**TUITION AND FEES** – Tuition and fees are subject to change, and such changes generally occur at the beginning of an academic year.

- Tuition for students enrolling full-time (12-16 units) will be \$21,430 per semester. Full-time

students enrolling in an overload and taking more than 16 units per semester will be charged the full-time tuition of \$21,430 per semester and an additional \$1,433 for each unit above 16 taken during the semester.

- Tuition for students enrolling part-time (1-10 units) will be \$14,330 per semester. Part-time students enrolling in an overload and taking 11<sup>th</sup> unit during the semester will be charged the part-time tuition of \$14,330 per semester plus \$1,433 for the additional unit taken during the semester, Students in their final fall or spring semester may petition to pay only the “per-unit” rate of \$1,433 per unit taken if enrolled in less than 8 units in order to complete their unit requirements.

TUITION AND FEES for 2017-18		Other Fees and Charges (non-refundable)	
Tuition, full-time (12 – 16 units)	\$21,430 per semester	Parking permit / gate card replacement fee, or regular Western State parking fine	\$115
Tuition, part-time (1 – 10 units)	\$14,330 per semester	Parking fine for handicapped space	police rate
Tuition, summer session	\$1,433 per unit	Check or credit card returned by bank	\$25
Tuition, per unit rate (for semester overload or any other situation requiring per unit billing.)	\$1,433 per overload unit	Late registration fee	\$100
Registration Fee, each semester (non-refundable)	\$50	Diploma fee	\$20
Student Activity Fee, each fall and spring semester (non-refundable)	\$80	Graduation fee	\$50
Parking, each fall and spring semester Parking, summer session (non-refundable)	\$115 \$50	Late payment fee	\$25
STRF Fee (non-refundable, one-time fee)	50¢ per \$1,000 of institutional charges, rounded to nearest dollar <sup>1</sup>	Application fee	\$60

- The cost of Student Health Insurance, is added to the account for the fall semester and for the spring semester (to cover the spring/summer) semester. See Student Services for information on the period costs and the waiver process. This is a pass-through fee that is paid to the provider on the student's behalf. Student Health Insurance costs are determined by the carrier and are communicated to students each year. A copy of the plan can be found online at [studentinsurance.wellsfargo.com](http://studentinsurance.wellsfargo.com).
- Students in their final fall or spring semester may petition to pay only the “per unit” rate of \$1,433 per unit taken if enrolled in less than 8 units in order to complete their unit requirements.

**Tuition and Fees for the program:**

Tuition	\$128,580
Registration Fee	\$300
Student Activity Fee	\$480
Parking	\$690
STRF fee	\$70
Total	\$130,120

The amounts shown above include costs for the entire program, assuming normal time to completion of a three year full-time program. Note that this information is subject to change.

1Student Tuition Recovery Fund (STRF fee) –

The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed assessment for the (STRF), or it must be paid on your behalf, if you are a student in an educational program, who is a California resident, or are enrolled in a residency program, and prepay all or part of your tuition.

You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program. It is important that you keep copies of your enrollment agreement, financial aid documents, receipts, or any other information that documents the amount paid to the school. Questions regarding the STRF may be directed to the Bureau for Private Postsecondary Education, 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, (916) 431-6959 or (888) 370-7589.

To be eligible for STRF, you must be a California resident or enrolled in a residency program, prepaid tuition, paid or deemed to have paid the STRF assessment, and suffered an economic loss as a result of any of the following:

1. The institution, a location of the institution, or an educational program offered by the institution was closed or discontinued, and you did not choose to participate in a teach-out plan approved by the Bureau or did not complete a chosen teach-out plan approved by the Bureau.
2. You were enrolled at an institution or a location of the institution within the 120 day period before the closure of the institution or location of the institution, or were enrolled in an educational program within the 120 day period before the program was discontinued.
3. You were enrolled at an institution or a location of the institution more than 120 days before the closure of the institution or location of the institution, in an educational program offered by the institution as to which the Bureau determined there was a significant decline in the quality or value of the program more than 120 days before the closure.
4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.
5. The institution has failed to pay or reimburse loan proceeds under a federal student loan program as required by law, or has failed to pay or reimburse proceeds received by the institution in excess of tuition and other costs.
6. You have been awarded restitution, a refund, or other monetary award by an arbitrator or court, based on a violation of this chapter by an institution or representative of an institution, but have been unable to collect the award from the institution.



7. You sought legal counsel that resulted in the cancellation of one or more of your student loans and have an invoice for services rendered and evidence of the cancellation of the student loan or loans.

To qualify for STRF reimbursement, the application must be received within four (4) years from the date of the action or event that made the student eligible for recovery from STRF.

A student whose loan is revived by a loan holder or debt collector after a period of noncollection may, at any time, file a written application for recovery from STRF for the debt that would have otherwise been eligible for recovery. If it has been more than four (4) years since the action or event that made the student eligible, the student must have filed a written application for recovery within the original four (4) year period, unless the period has been extended by another act of law.

However, no claim can be paid to any student without a social security number or a taxpayer identification number.

### **Tuition Payment Programs**

The College of Law offers short-term payment programs to help students meet their financial responsibilities as conveniently as possible. Payment programs are determined by the College of Law administration and are subject to change. Tuition payment programs give students the opportunity to make tuition and fee payments throughout the semester. Each student must execute an agreement between the student and the College of Law governing the payment obligation and plans by selecting their payment option choice on their semester Registration and Payment Form.

For a student who does not make payment in full before the start of each semester, the College of Law at its sole discretion may approve a payment plan. Payment options may be selected before every semester of attendance as long as the student's tuition account remains in good standing. "Good standing" means that the student's account is current and payments are made in a timely manner. Returned items (including returned checks and dishonored credit card charges) incur a returned item fee per occurrence and can jeopardize the good standing of a student's account, and may be an Honor Code violation reportable to the Honor Code Committee and/or to the Committee of Bar Examiners.

A student will be required to make an initial payment by the semester payment deadline (or with late registration) and will have the option of paying the balance in monthly payments (a maximum of three (3) payments).

Payment dates are set by the College of Law and are indicated on the student's Registration and Payment Form. Current and subsequent schedule of payment shall be attached to and made part of the student's Payment Agreement.

Each tuition payment received shall be first applied to the oldest tuition obligation. Payments are due on or before the scheduled due dates or in full upon receipt of financial assistance, whichever comes first. Scholarships are deemed to reduce the total cost rather than to apply to any specific payment. Therefore, the cost of tuition and fees remaining after a scholarship is awarded is the basis to be divided into equal installments.

### **Federal Financial Aid**

Western State College of Law participates in the Federal Direct Student Loan Program. Please see Student Services for more information.

## Western State College of Law at Argosy University Refund Policy

### Western State College of Law at Argosy University Refund Policy

#### California State Refund Policy

The California State Refund Policy applies to students who drop all courses in a semester from Western State College of Law at Argosy University whether by providing notification to the school or ceasing attendance without notification, whichever is later. Students dropping all courses in a semester are considered withdrawn for refund purposes. All students will be subject to the institutional refund policy. Students who receive Federal student aid are subject to the Return of Title IV Funds Policy.

A California student may cancel his or her enrollment agreement without any penalty or obligation at any time and is entitled to a full refund of all monies paid, less a one-time, non-refundable application fee of sixty dollars (\$60) and one hundred ninety dollars (\$190) of the tuition deposit, if the student withdraws from his or her program of study under any of the following circumstances:

- o before starting classes;
- o after attending only one day in his or her program of study; or
- o within seven calendar days after enrolling in his or her program of study, whichever is later.

The student may also cancel enrollment if the services cease to be offered. If the student cancels enrollment for this reason, Western State College of Law at Argosy University will refund the appropriate portion of the tuition or other charges for which the student did not receive services (a full refund of the program paid to date will be provided if no teach-out provision is implemented; a pro-rata refund will apply if a teach-out provision is implemented).

All refunds shall be returned to students within forty-five (45) calendar days of cancellation.

A student may cancel his or her enrollment agreement and withdraw from Western State College of Law at Argosy University at any time by providing notification to the school or ceasing attendance without notification.

If the student has received Federal student financial aid funds, the student is entitled to a refund of monies not paid from Federal student financial aid program funds.

If a student withdraws *after* the cancellation period described above, the institution shall perform a pro-rata calculation including all monies paid and all tuition and fees for the enrollment period, excluding a one-time, non-refundable sixty dollar (\$60) application fee and a one hundred ninety dollar (\$190) administrative fee. The proration is based upon the number of days the student attends during the enrollment period of withdrawal as follows: A daily tuition and fee charge is calculated by dividing the institutional charges for the enrollment period by the number of days the student is registered to attend in the enrollment period. This daily charge for the program is then multiplied by the number of days the student attended (start of the enrollment period to the last day of student's attendance) during this withdrawal enrollment period. This proration will be calculated up to and including the sixty (60) percent point of the enrollment period. There shall be no refund available to the student if the student withdraws after completing more than sixty (60) percent of the enrollment period. After the proration is calculated, the institution will return all necessary monies, including aid disbursed during the academic term, as outlined in the refund distribution. If tuition and fees are still due, the student will be billed for the balance. If the student has a refund or credit balance, a refund is expected to be made within forty-five (45) calendar days of the student's completion of, or withdrawal from, the program in which the student was enrolled.

The refund credit is calculated on total semester tuition cost; therefore, it is highly probable when withdrawing to have an outstanding balance due to Western State College of Law after the withdrawal is processed. A refund calculation schedule and sample calculations may be obtained from the Student Finance/Student Accounts Office.

Students who received federal financial aid (i.e. student loans) are also subject to the additional Return of the Title IV Funds policy listed below.

### **Return of Non-Federal Financial Assistance**

Institutional scholarships and other non-federal funds are applied at the same rate as the withdrawal credit percentage.

### **Appeal Process**

An appeal process exists for students who feel individual circumstances warrant an exception from the published Western State College of Law refund policy. A student may submit a written petition, with documentation of the "special circumstances" to the Student Finance Office. Petitions may be approved unconditionally, approved "with condition(s)", or denied. The petitioner will be notified of the final decision in writing.

### **Return of Title IV Funds**

In compliance with Federal regulations, the school will determine how much Federal student financial assistance the student has earned or not earned when a student who is a Title IV recipient withdraws from school.

The school will calculate the percentage and amount of awarded Federal student financial assistance that the student has earned if the student withdraws up through the sixty (60) percent point of the term. If the student has completed more than sixty (60) percent of the term, the student earns one hundred (100) percent of the Federal student financial assistance.

The amount earned will be based on the percentage of the term that was completed in days up to and including the last date of attendance. To calculate the amount earned, the school will determine the percentage by dividing the number of calendar days completed in the term up to and including the last date of attendance by the total number of calendar days in the term. If there is a scheduled break of five or more days, it will reduce the term length. If the scheduled break is before the student's last day of attendance, it will also reduce the calendar days completed.

If the student received more than the amount of Federal student financial assistance earned, the difference will be returned to the Federal student financial assistance programs from which funds were received in the following order: Federal Unsubsidized Direct Loans, Federal Perkins Loans, and Federal PLUS Loans. Funds will be returned to the aid source within forty-five (45) calendar days of the date that the school determines that the student has withdrawn.

If more Federal student financial assistance has been earned than has been received, the student may be eligible for a post-withdrawal disbursement. The school will notify the student of any post-withdrawal disbursement loan funds for which the student may be eligible and what steps need to be taken for the Federal financial assistance funds to be received. The student needs to provide permission before any loan funds may be disbursed on the student's account or disbursed to the student. However, the school may automatically use all or a portion of the post-withdrawal disbursement of grant funds for tuition, fees, and room and board charges (as contracted with the school), and, with the student's authorization, the school may automatically use the grant funds for other educationally-related charges. Any balance of grant funds that may be available will be offered the student.

If Federal student financial assistance funds need to be returned, the institution must return a portion or all of the unearned funds equal to the lesser of:

- The institutional charges multiplied by the percentage of the unearned Federal student financial assistance funds; or
- The entire amount of unearned funds.

If there are remaining unearned Federal financial aid funds to be returned, the student must return any loan funds that remain to be returned in accordance with the terms and conditions of the promissory note. If the remaining amount of funds to be returned includes grant funds, the student must return any amount of the overpayment that is more than half of the grant funds received. The school will notify the student as to the amount owed and how and where it should be returned.

### **Financial Aid Refund Distribution Policy**

All students receiving financial aid who withdraw completely from the program may have to return any refund amount to the appropriate Student Financial Aid Program in accordance with the refund distribution schedule which follows:

1. Federal Unsubsidized Direct Loan
2. Federal Perkins Loan
3. Federal PLUS

4. Other federal, state, private, or institutional aid programs, if required by the program
5. Students

Western State College of Law at Argosy University will return unearned aid if:

1. The student officially withdraws
2. The student is dismissed, or
3. The institution determines the student's withdrawal date, in the case of an unofficial withdrawal.

#### Withdrawal Policy

A student may withdraw from Western State College of Law at Argosy University at any time. The student must inform the Registrar in writing of his or her decision to withdraw. A student who does not inform the Registrar of his or her withdrawal will receive a failing grade (AF) in each course in which the student is registered.

*Because the federal Return of Title IV calculation is in addition to the Western State College of Law refund policy, federal aid students who withdraw from the semester may owe a balance to the Western State College of Law after this calculation is done and funds are returned to the federal programs.*

#### **Leave of Absence and Reentry for Military Students from Military Deployment:**

The College of Law has a leave of absence and re-entry process for students who experience an interruption of their studies based on military deployment. Upon deployment notification the student should contact the Associate Dean of Academic Affairs regarding a leave of absence. Upon return to school, the school will help the student complete the necessary steps to be reintegrated into class and campus.

A student who is in good academic standing may take a voluntary leave of absence after meeting with the Associate Dean of Academic Affairs for the purpose of determining the effect of the leave of absence on the student's program of study. After meeting with the Associate Dean of Academic Affairs, the student must notify the Registrar in writing (on a form provided by the Student Services Office) of his or her intent to take a leave of absence. Before returning to the College of Law, the student must register for classes in the regular registration process. A student who has not completed his or her first semester at the College of Law is not eligible to take a leave of absence unless the Associate Dean of Academic Affairs determines there is a demonstration of extraordinary circumstances.

A student who is not in good academic standing may take a leave of absence from the College of Law only with the written permission of the Associate Dean of Academic Affairs. A student who wishes to resume his or her studies must petition the Associate Dean of Academic Affairs for permission to resume studies. This petition must be filed with the Associate Dean of Academic Affairs at least thirty (30) days before the beginning of the semester in which the student wishes to resume his or her studies. The student must state the reasons why he or she is prepared to resume his or her program of study. The Associate Dean of Academic Affairs shall permit the student to resume studies only if the student demonstrates that he or she is likely to succeed in his or her program of study. If the student is permitted to resume studies, he or she must comply with all requirements for continuing his or her studies on probation and must notify the Director of the S.T.E.L.L.A.R./ Academic Probation Program of his or her resumption of studies within three (3) days of the beginning of classes.

The Associate Dean of Academic Affairs may permit a leave of absence of up to one year. A student who has taken a one semester leave of absence may extend that leave of absence to one year with the written permission of the Associate Dean of Academic Affairs.

A student who resumes his or her studies after a leave of absence shall resume his or her former academic standing. All prior academic work earned shall be retained and the student's cumulative grade point average shall include all coursework and grades taken before and after the leave of absence.

A student who wishes to extend his or her leave of absence for more than one year must reapply for admission to the College of Law through the regular admission procedure then in effect (See Section VI.H.). This policy does not guarantee readmission to the College of Law.

# WESTERN STATE COLLEGE OF LAW

— AT ARGOSY UNIVERSITY —

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