

**WHITTIER LAW SCHOOL
POLICIES
2011-2012**



**Whittier Law School
3333 Harbor Boulevard
Costa Mesa, California 92626**

**Fall 2011
Intersession 2012
Spring 2012
Summer 2012**

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TUITION

Tuition & Fees

Tuition and fees are due on or before the first day of class for each semester. Tuition and fees paid after the due date are subject to a \$50 initial late payment fee. **Another \$50 late payment fee will be assessed every two weeks** in addition to the 1% interest accruing monthly on the unpaid balance. Monthly statements will be sent by the 7th of each month following the first day of class. Please address all questions and concerns in regards to possible balance to Whittier Law School Business Office – 714/ 444-4141 ext. 209.

Methods of Payment. Students may still make payment by cash, money order, cashier's check, personal check or credit card. (Visa & MasterCard only). Students may charge up to one third (**1/3**) of the tuition either as a full-time or a part-time student. A penalty fee of **\$31.00** will be charged for any check returned by a bank. After a check has been returned, in order to clear an account, the school will only accept payment in the form of cash, money order, or a cashier's check. (NO personal checks will be accepted for the remainder of the semester).

Payment on-line. Students and/or their families who would like to pay up to 100% of their tuition may do so via a link on our websites at www.law.whittier.edu or <http://my.whittier.edu> All credit cards transactions through Sallie Mae, including MasterCard, American Express and Discover, will be charged a 2.65% convenience fee.

Student Payment Agreement. All students are required to sign a Student Payment Agreement acknowledging tuition and fees and any scholarship received. If a full payment cannot be made by the first day of the semester, a Student Payment Agreement form must be completed and submitted to the Business Office.

Financial Aid. Students receiving financial assistance must have applied through the Financial Aid Office in a timely fashion, otherwise, late charges and interest will be applied on any unpaid balance. Loans transmitted via Electronic Fund Transfer (EFT) received prior to the tuition due date will be automatically credited to the student's account. Loan funds received via EFT, in excess of tuition and fee charges, will be refunded to the student by check and will be available for pick-up according to the order of loans or EFT received. Loan checks received under both Whittier Law School and the student's name will be deposited into the student's account. The balance in excess of tuition and fee charges will be refunded to the student by check via regular weekly check dates and no later than 10 days after the date the check was issued. Note: Refund checks must be picked-up **within 10 days of notification** or the excess funds will be returned to the lenders.

Payment Plans. Only students who have successfully completed the first year of study may arrange to make tuition payments via an installment plan. Payment Plans were created to assist continuing students paying their tuition in three or four installments throughout the semester. Continuing students who wish to use an installment plan should apply at the time of registration. SBA dues of **\$ 25** are included in the first installment. No interest will be added to the first payment if it is made on or before the first day of class. Succeeding payments reflect **1%** interest on the unpaid balance. Installment payments not received by the due date are subject to the same penalties outlined above in paragraph one (1) under the heading **Tuition & Fees** and further sanctions imposed, outlined below under the heading **Outstanding Balance**. A student who is more than (15) days delinquent on a scheduled installment, twice in anyone semesters, must immediately pay the remaining balance in full and may not be entitled to a deferred payment arrangement in subsequent semesters.

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Outstanding Balance. If at any time there is a balance remaining on the student's account, requests for transcripts, grades and/or a diploma will be denied, parking sanctions may be applied and the student will not be eligible to register in subsequent semesters. In addition, the Law School must report any delinquency on a student's account to the State Bar of California in connection with the Application for Determination of Moral Character, reflecting the fact that the student was "knowingly delinquent" regarding his/her financial obligations.

Default. Should the student default on their financial obligation to the School, he or she will pay all reasonable costs of collection, including collection agency fees, attorney fees, and court costs.

For additional information or any other questions, please contact the Business Office at 714/ 444-4141 ext. 209.

Whittier Law School's **Tuition Refund Policy** is as follows:

Fall & Spring

100% prior to the first day & during the first week of the semester
80% during the second week
60% during the third week
40% during the fourth week
NO REFUND will be made after completion of the fourth week

ABA Membership & Healthcare Program. Starting with Fiscal year 2010-2011, two new **voluntary** Options will be offered to Whittier Law School students. However, it is crucial that students participate in his/her decision for:

- 1/ **ABA Membership** : Opt-in or Opt-Out as shown on the Billing Statement .
Charge will be added **automatically** on student's account **if** Decision is not properly marked.
- 2/ **Kaiser Health Coverage** : Enrollment or Waiver must be done **online** at : studentnet.kp.org
Students can contact Intercare Member Service Center at: 888.999.8442 for all information.

FINANCIAL AID

Financial aid is made available to **all** students with financial concerns about paying for their education. There are several types of financial aid offered at the Law School (LS), including the need-based aid such as scholarships, work-study program, and federal direct subsidized Stafford loans. Other loan programs such as the federal direct unsubsidized Stafford loans, Graduate PLUS (Grad-PLUS) loans, and private loans are considered non-need aid awards. Below is a description of financial aid programs and policies at the LS.

Applying for Financial Aid

Each year, students who want financial aid must do the following:

1. File the Free Application of Federal Student Aid (or FAFSA) – the FAFSA applies to students who are U.S. citizens, permanent residents, or eligible non-citizens only. The FAFSA can be filed online at <http://www.fafsa.ed.gov>. Applicants must have a personal identification number or PIN, and the same PIN is used each year for filing and signing the FAFSA electronically and to access FAFSA records online. Whittier Law School’s Title IV school code is **E00480**.
2. Complete the Financial Aid Application–Continuing(or –New) Student – this is the Law School’s application for reviewing and verification purposes; **and**
3. Provide a copy of a signed **2010** federal income tax return (1040 & W-2s) – this document is used in the reviewing and verification process for aid eligibility. **Non-tax filers** may complete the form “Non-Tax Filer Statement” as proof of exemption from filing federal income tax return. **Students who filed for an extension** on their tax return may provide a copy of the tax extension form and W-2s to the FAO. Copy of actual tax returns (1040s) must be submitted to the FAO by November 1st for a final and official review. (Please be advised that aid awards based on a review of the extension tax form are estimated and can be revoked if a student fails to provide his/her actual filing 1040 form to the FAO.)

Cost of Attendance (COA)

Whittier Law, like many other law schools, uses a standard single budget (or COA) which applies to all students. Besides tuition and fees, the COA also allows for a modest and reasonable standard cost of living during enrollment. For the purpose of aid verification, the COA is normally based on a nine-month period for fall and spring semesters only (the summer term is not included). COA is subject to change upon new fiscal year. The COA for the academic year 2011-12 is listed below:

Fall & Spring	<u>Full-Time</u>	<u>Part-Time</u>
Tuition* and Fees	\$ 39,140	\$ 26,110
Living Expenses		
Books/Supplies	\$ 1,656	\$ 1,656
Room and Board	\$ 14,986	\$ 14,986
Personal Expenses	\$ 3,526	\$ 3,526
Transportation	\$ 3,192	\$ 3,192
Health Care Insurance	\$ 2,052	\$ 2,052
COA	\$ 64,552	\$ 51,522

*Tuition charge = \$1,303 per unit.

The COA shown above is an estimate of expenses one should expect to incur during the nine-month academic year

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from mid-August to mid-May. Any additional expenses such as deposits for housing/apartment, credit card debt, moving expense, car insurance and payments, *standard* car care/maintenance, etc. are **not** allowed in the budget. Students are encouraged to plan cautiously for the expenses not included in the COA.

Summer Session

The COA for summer session is calculated separately as it involves multiple on-campus and abroad programs. Basically, a summer budget for each program includes tuition, application and/or program fees, housing, transportation/airfare, and a reasonable sum for miscellaneous expenses. Students are encouraged to check with the FAO for correct procedures and actual COA for summer.

A minimum enrollment of 4 units is required in order to obtain financial aid for summer, regardless of the enrolled program (home or abroad). Students must submit the “Summer Intent for Financial Aid” form to the FAO indicating the program and units of enrollment. For students who attend summer abroad programs, financial aid awards do not cover both a student’s fixed local/home living expenses and the abroad program. Arrangements for the fixed/local expenses are the student’s sole responsibility. Also, expenses for field trips, before/after traveling lodging, weekend excursions, personal or leisure spending, etc. are not allowed in the budget. It is advisable to bring extra money for these expenditures.

Intersession or Mini-session

The intersession or mini-session is a one- or two-week course/program between semesters when regular classes are not meeting. Thus, federal financial aid cannot apply to the inter- or mini-session classes/programs alone. This means students who plan to attend the intersession or mini-session must also enroll in the regular spring semester classes in order to obtain federal aid. If this requirement is not met and regardless of any reasons (including academic and/or medical causes), all financial aid funds (inter-/mini-session and spring semester) will be voided and cancelled. A student will be responsible for any balance due, even if a student has already completed the intersession or mini-session.

Enrollment Requirements for Financial Aid

Most financial aid programs require students to be enrolled at least half-time each semester/session. Students who enroll in less than half-time are not eligible for financial aid. The following chart indicates minimum enrollment eligibility requirements for financial aid.

Classification	Fall / Spring	Summer	Notes
Full-Time	12 – 15 units	7	Must have approval from the Assistant Dean for Student Affairs Must petition to Academic Standards Committee
	17 units	8	
Part-Time	8 – 10 units	4 – 6 units	
Half-Time	6 units	4 units	

In-School Financial Budget

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The Higher Education Opportunity Act of 2008 indicates the use of a budget calculator to estimate students' education and living expenses while in school. *The purpose is to assist students and their families to recognize the out-of-pocket costs and financial aid eligibility for education.* All students are encouraged to personalize their budget to reflect their personal expenses and compare them to the standard budget determined by the Law School.

1. Cost of Living Comparison Calculator

Students and families are advised to use a cost of living comparison calculator to learn about the equivalent standard of living in the area of the school. The following website is available to consumers: <http://www.bankrate.com/calculators/savings/moving-cost-of-living-calculator.aspx>.

2. In-School Financial Budget

Budget calculator can be used to estimate the education and living expenses during enrollment. Many agencies/companies provide free access to the use of calculators for education planning. Students can personalize the budget to reflect their personal expenses and out-of-pocket costs and compare them to the standard budget determined by the school. Please be advised that the standard COA applies to all students and it is not negotiable for any student's personal living style.

A budget planning worksheet is shown below as examples of expenditures and resources.

Education Expenses		Financial Resources other than Financial Aid	
Tuition and Fees		Earnings/Salaries	
Books/Supplies, etc.		Savings	
Total =		Family Assistance	
		External Aid	
Personal Living Expenses		Total Resources =	
Housing/Rent	\$		
Groceries/Food/Dining Out	\$	Estimated Financial Aid	
Gas/Electricity/Water	\$	Scholarships	
Phone/Internet/Cable	\$	DL Stafford Loans	\$ 20,500
Savings	\$	DL Grad-PLUS	
Child Care	\$	Total F/A=	
Insurance - Car/Medical	\$	Budget Summary	
Other Expenses:		Education Expenses	
-Auto Loan Payment	\$	(Plus) Personal Living Expenses	
-Credit Card Payment	\$	= Total Expenses	
-Auto Care/Gas/Maintenance	\$	(Minus) Total Resources	
-Personal Care (Hair cut)	\$	(Minus) Est. Financial Aid	
-Recreation/Entertainment	\$	= Available Fund *	
-Subscriptions/Books/Music	\$	*IF Positive = surplus ☺	
-Gifts/Donations	\$	*IF Negative = shortfall.	
-Other, etc.	\$	(Students are encouraged to look at options to reduce personal expenses and/or supplement their income.)	

Note: Personal expenses such as car/personal loans, credit cards debt, insurance, basic maintenance costs for car care, phone/internet/cable/utilities, personal hygiene, etc. are not included in the cost of attendance. These personal expenses are incurred regardless if a student is attending school or not. It is a student's sole responsibility to manage these personal expenses.

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Fundamental Aid Awarding Principles

The process of financial aid awarding is based on the computation of the FAFSA and cost of attendance each academic year. Need-based awards will be granted before those of non-need-based aid. Financial aid awards are given in the following descending order:

1. Institutional aid such as scholarships and/or fellowships
2. External financial assistance from a student's family, employer, independent agency, etc.
3. Federal campus-based aid such as work-study
4. Federal direct Stafford loans – subsidized and unsubsidized
5. Federal Graduate PLUS (Grad-PLUS) loans, or
6. Private loans

By regulations, all types of financial resources are included in the aid awarding process. Therefore, students receiving external aid (i.e. AmeriCorps benefits, Governor's scholarships program, tuition reimbursement benefits, living allowances, etc.) are required to notify the FAO. Failure to do so will result in the adjustment and/or cancellation of financial aid awards.

Financial Aid Programs

Below is a brief description of financial aid programs which are available at the Law School. Eligibility is crucial when determining the type of aid awards on a student's award letter.

1. **Scholarships** – Financial aid awards, based on academic merit and/or other exceptional standard, that do not have to be repaid. Some scholarships consider financial need as a decisive factor; thus, students must file the FAFSA to demonstrate need.
2. **Employment through federal work-study (FWS) program** – This is a federally funded and need-based student work program provide employment opportunities for education expenses. Students are allowed to work 20 hours a week or less during enrollment. The FWS is part of a student's financial aid and earnings are processed by hours worked on a biweekly schedule.
3. **Federal Direct Loan Program** – The Health Care and Education Reconciliation Act of 2010 allows students to borrow loan funds under the William D. Ford Direct Loan (DL) program. Under the DL program, the government or Department of Education (not banks or other financial institutions) serves as the students' lender and servicer for the life of their loans.

The DL program offers two types of Stafford loans–Subsidized and Unsubsidized. The DL subsidized Stafford loan is need-based and available up to \$8,500 per academic year. The government pays the interest on behalf of a student during periods of enrollment as well as throughout the 6-month grace period which precedes repayment. The DL unsubsidized Stafford loan is not need-based and students are responsible for paying any interest that accrues while in school. Students have the option allowing the interest to capitalize during enrollment, grace, and deferment periods. Students may borrow up to a combination of \$20,500 of Stafford loans per academic year, if eligible (\$8,500 of subsidized and \$12,000 of unsubsidized Stafford). The annual interest rate is fixed at 6.8%, and a standard repayment schedule is 10 years; though, longer repayment schedules are available.

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Federal Direct Graduate-Plus (Grad-PLUS) Loan – This loan is a credit-based federal loan program extended to graduate/professional students. Annual eligibility of the Grad-PLUS loan is limited to the total COA minus the sum of all other financial aid awards. The interest is fixed at 7.9% and there is no grace period before repayment. This means repayment term begins 60 days after the loan is fully disbursed. However, the option in-school deferment will automatically be granted to all students/borrowers during enrollment periods.

Credit Criteria for Grad-PLUS Loans: In general, the credit requirements for Grad-PLUS loans are minimal. However, the credit criteria do not allow adverse credit upon approval. This means a student/borrower must not have any debts more than 90 days past due, default determination, unpaid collection accounts, unsatisfied judgments, or any evidence within the past five (5) years of bankruptcy default or discharge, foreclosure, repossession, tax lien, wage garnishment, or write-off of a Title IV student loan debt. There are no collateral requirements or income limitations on the Grad-PLUS loans.

Also, depending on a student's credit history, an endorser/sponsor/co-signer/co-borrower may be needed for approval. If a Grad-PLUS loan is approved with an endorser/sponsor/co-signer/co-borrower, both a student and the endorser must submit the MPN for processing. The student/borrower is then required to submit a new MPN for any (and all) new Grad-PLUS loan in the future.

It is strongly advised that students apply for a Grad-PLUS loan to cover their unmet need and living expenses instead of a private/alternative loan. The Grad-PLUS loan is similar to the private/alternative loan but with the benefit of federal guarantee and option for consolidation with other federal loans. The FAO cannot process a Grad-PLUS loan and private/alternative loan concurrently.

Important – Federal DL Fees: The DOE charges a loan fee on both Direct Stafford and Grad-PLUS Loans. Loan fee is set at 1% of the principal amount of the Stafford loans (subsidized and unsubsidized), and at 4% of the loan amount for the Grad-PLUS loans. The DOE/government (not school) will **deduct** this fee proportionately each time a loan disbursement is made.

Since funding for direct loan program comes from a single source and the loans cannot be sold to other financial institution, the DOE allows an up-front rebate as the incentive program promoting on-time loan repayments. Under direct lending, the rebate is set at 0.5% of the principal amount for the Stafford and 1.5% of the amount borrowed for Grad-PLUS loans. The rebate is applied toward origination fee, which in turn reduces the fee that is deducted from the amount borrowed. Consequently, borrowers/students receive a higher net amount of loan funds upon disbursement.

Caveat: In order to remain eligible for the up-front rebate, borrowers/students who are in loan repayment will need to make the initial 12 consecutive monthly payments on time. **If the first 12 monthly payments were not made on time, borrowers/students will lose the rebate.** The rebate amount will then be added back to the principal balance of the loan, which will increase the total amount of the loan in repayment.

For example: Assuming a student borrows \$25,000 of the Grad-PLUS loan in direct lending program. The origination fee of 4% is applied to the borrowing amount, or \$1000 will be deducted upon disbursement. The up-front rebate of 1.5%, or \$375, is then subtracted from the origination fee; so only \$625 will actually be deducted from the loan proceeds (\$1000 - \$375). This means students will receive a net amount of \$24,375 instead of \$24,000 without the rebate. A student borrows \$25,000 is expected to repay \$25,000 of the loan principal plus interests. However, if the rebate is lost during the first 12 monthly payments, a student will

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repay \$25,375, or \$25,000 + \$375 up-front rebate as principal before the added interests.

Also, please beware that when a borrower/student starts making *some* monthly payments and then receives a postponement (deferment or forbearance) before completing all 12 initial payments. He/she is then required to make another 12 consecutive on-time payments in order to keep the rebate. A borrower/student may not pick up from where he/she ended making payments (before deferment or forbearance), and just make the remaining payments to keep the rebate.

Borrowers/students may call the Direct Loan Servicing Center at 1-800-848-0979 for more information about loan rebate.

Paying the interest while in school: Both the unsubsidized Stafford and Grad-PLUS loans have the option for students to pay the interests while they are in school. If choosing this option, you must contact the DL Servicing Center at 1-800-848-0979 with any questions or concerns. The FAO is not involved or does not have any authority in this area.

If you choose not to pay the interest on the DL unsubsidized or Grad-PLUS loan while in school, the interest will accrue until repayment. This practice is called ‘capitalization’, or the charged interest will be added to the principal balance of the loan. As a result, the amount of unpaid principal balance of the loan increases thru time. Then upon repayment, the government will charge interest on the increased principal loan amount before any monthly payment is determined

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The chart below summarizes the DL loans and their characteristics:

Direct Loan Program	Stafford-Subsidized	Stafford-Unsubsidized	Graduate PLUS
Eligibility	Must file FAFSA to demonstrate need	Must file FAFSA; No need required	Must file FAFSA; No need required
Annual Limit	\$ 8,500	\$ 12,000 or \$20,500 (total)	Up to the COA minus all other aid received
Interest rate	6.80% (fixed)	6.80% (fixed)	7.90% (fixed)
Loan Fees (deduct at disbursement)	< 1% >	< 1% >	< 4% >
Up-front Rebate (conditional)	0.5%	0.5%	1.5%
Final Fees Charge (deduct at disbursement)	< 0.5% >	< 0.5% >	< 2.5% >
Aggregate Limits (include <u>ALL</u> unpaid federal loans)	\$ 65,500; or a total of \$138,500 (Sub+Unsub)	\$ 73,000; or a total of \$138,500 (Sub+Unsub)	Up to the COA minus all other aid received
Credit History	No	No	Evaluate by DOE; No adverse credit allowed; Option for endorser/co-signer/co-borrower
Master Promissory Note/Loan Application	Once	Once	Once without endorser; Every loan with endorser
<i>Estimated Debt</i>	\$8,500–34,000	\$12,000–\$48,000 (or \$82,000 w/out Sub. Stafford)	\$168,920
Maintain Satisfactory Academic Standard	Must	Must	Must
Repayment / Grace Period	Begins 6 months after graduation, enroll for less than half-time, or cease of enrollment	Begins 6 months after graduation, enroll for less than half-time, or cease of enrollment	Begins 60 days after full disbursement of funds; qualifies for in-school deferment
Repayment Terms	10 years; longer periods are available and subject to eligibility	10 years; longer periods are available and subject to eligibility	10 years; longer periods are available and subject to eligibility
Repayment Options	The interest is paid by the government while in school, during six months grace period, or periods of authorized deferment/forbearance	Borrower is responsible for payment of interest while in school; Have option to defer until after six months grace period; Interest will accrue	Borrower may be eligible for deferment of principal and interest payments while in school, during unemployment, due to economic hardship, etc.
Prepayment	Allowable without any penalty; Must indicate prepayment be applied to the principal or future payment	Allowable without any penalty; Must indicate prepayment be applied to the principal or future payment	Allowable without any penalty; Must indicate prepayment be applied to the principal or future payment
Loan Consolidation	Allowable; Interest rate is based on weighted average of all loans being considered, capped at 8.25%; No consolidation fees.	Allowable; Interest rate is based on weighted average of all loans being considered, capped at 8.25%; No consolidation fees.	Allowable; Interest rate is based on weighted average of all loans being considered, capped at 8.25%; No consolidation fees.
DOE – Phone	1-800-848-0979	1-800-848-0979	1-800-848-0979

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4. **Private/Alternative Education Loans** – A credit-based loan made available to students who are unable to finance their education with the federal DL and/or personal resources. These loans are offered by private banks/lenders and they may cost more than federal DL. In addition, the interest rate on private loans can be either fixed or variable. If the interest rate is variable, the loan may go through a frequency of interest rate changes (as the market changes) while a student/borrower is in-school or in-repayment. Consequently, the overall interest charged on a private loan may increase. All requirements for private loans are based on established good credit score and history (borrower and/or co-signer), cumulative student loan debt, citizenship status, academic standard, debt to income ratio, and other underlying factors determined by the lending institution. Students/borrowers are strongly recommended to read all the fine print of terms and requirements on the private loan application before obtaining the loan. It is important to note that private/alternative loans **cannot** be consolidated with other federal education loans. Private loans for education are student loans which must be repaid.

Credit checks for private loans are done by banks/lenders (not schools) and typically expire after 90–120 days. Thus, it is extremely important for students to maintain a good credit score and history prior to and throughout the enrollment period at the Law School. Students should not apply for private loans more than 3 months prior to the start of their academic term. Also, they are strongly advised to monitor their credit carefully to ensure a healthy credit profile. Students are encouraged to obtain a free credit report (once a year) at the following website: <https://www.annualcreditreport.com/cra/index.jsp>.

Other credit reporting agencies are:

- | | | |
|-----------------------------|----------------|--|
| 1. Equifax | 1-800-685-1111 | www.equifax.com |
| 2. Experian | 1-888-397-3742 | www.experian.com |
| 3. Trans Union Credit Corp. | 1-800-888-4212 | www.tuc.com |

In addition, new regulations mandate private banks/lenders to provide students/borrowers with two disclosure notices on their private loans. The first one serves as the approval disclosure, or consumer credit agreement, which gives borrowers specific information on their private loan terms that will not change within 30 days. The second notice comes as a final disclosure, which gives borrowers information on how to cancel the loan and any updated on the cost of the approved loan. Please remember that each private loan lender (not school) has specific criteria for qualification when processing, and borrowers must meet these requirements for approval.

Repayment of private loans range from 10 to 25 years depending on the lender/financial institution and amount borrowed. These loans are not eligible for consolidation with federal DL loans and other federal repayment plans. Also, options for deferment and/or forbearance (in repayment) are varied by the lender and can be limited.

As always, it is the student's responsibility to contact his/her lender (private/alternative loan) regarding (a) the status of the loan, (b) any additional document or requirement needed for processing, and (c) the approval and disbursement of the loan. Effective communication with lenders will ensure on-time arrival of loan funds. The FAO does not apply, guarantee, or approve any private/alternative loans.

5. **Bar Study/Examination Loan** – The Bar study/examination loan is available to students in their *final year* of study at the Law School. This is a credit-based private loan which helps finance the bar preparation courses, bar exam fees, and living expenses incurred during the bar study period. As these loans can be costly, students are urged to carefully consider their needs/expenses before applying for the loan.

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6. **Short-Term Emergency Loan** – Whittier Law’s short-term emergency loan is available through the William C. and Selma B. Harris Memorial fund. The loan serves to assist students to temporarily meet their basic needs (not rent/mortgage) while waiting for their disbursements or in case of medical emergency. It may not be used to pay for tuition or other related Law School’s outstanding bills. In general, the emergency loan is interest-free as long as it is repaid within 60 days from the approval date. It can only be granted during the period of enrollment when classes are in sessions and may not be extended beyond the next registration period or graduation. Students may borrow up to \$500 at a time. A minimum of one business day is required to process the emergency loan and all applications must be submitted to the FAO for approval.

Process of Verification

Verification is a quality-control technique used by the Department of Education to check on the accuracy of information submitted on the FAFSA. All schools participating in the federal student loans program are required to take part of the verification process. If a student is selected for verification, the FAO will provide him/her with instructions on additional documents required to satisfy the process.

Aid Awards and Confirmation

Financial aid award package was developed according to federal and institutional policies to help meet a student’s financial need during enrollment. All awards depend on available funds. A student’s aid awards can be adjusted or cancelled when a student: (1) changes units of enrollment [add/drop]; (2) provides incorrect data; (3) changes financial situation; etc.

Continuing Students only – As paper financial aid packaging and award notices are no longer available, continuing students are required to check their emails [@poets.whittier.edu](mailto:poets.whittier.edu) and to validate their aid awards confirmation process online. To accept, decline, or reduce aid awards, students must log onto the my.whittier.edu website at <https://my.whittier.edu/cp/home/displaylogin>. Instructions for this electronic confirmation method were sent to students last year. Nevertheless, additional hard copies of the instructions are available in the FAO. Students are recommended to follow the online instructions carefully.

New Students only – The award letter indicates a student’s financial aid eligibility and appropriate awards. Upon receiving the aid package, a student is encouraged to review it carefully and to confirm his/her decision of whether to accept or decline each eligible award. Please beware that the award letter is not a loan application and does not approve/guarantee any loan for disbursement. If a student wishes to borrow loans for his/her education, he/she must apply for the eligible loan awards. This is the additional step after a student signed/confirmed the awarded financial aid and returned the award letter to the FAO.

To complete the confirmation process, new students must (a) indicate if he/she accepts or declines each aid award type; and (b) sign the award letter and return it to the FAO for further processing.

Important: The DL program is new to all students (New and Continuing) at the Law School. Therefore, those who wish to borrow federal loans must submit new MPNs online at the website: <https://studentloans.gov> to the DOE. There are two types of federal DL for law students – Stafford (subsidized and unsubsidized) and Grad-PLUS. If you want both loans, you must submit an MPN for each loan type. Please follow the instructions carefully in order to avoid unfinished or pending MPN. Your online MPN will NOT be sent to us for certification if it is incomplete.

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Students' Rights and Responsibilities as Borrowers

When a student receives loans for his/her education, he/she accepts all legal rights and financial responsibilities that last until the loans are fully repaid. Thus, as borrowers, students have the following rights to: (1) receive a copy of their signed MPN; (2) receive a disclosure statement; (3) receive a 6-month grace period; (4) prepay all or part of their loan without penalty; (5) obtain deferments and/or forbearance if eligible; (6) receive a written notice if their loan is sold to third party; and (7) obtain proof of repaying loan in full.

As well, students/borrowers have responsibilities to (1) repay their loans as indicated on the MPN whether or not they complete or satisfy with their education or employ; (2) read all correspondence from lender; (3) notify their lender within ten days if they [a] change their name, address, and/or phone number; [b] drop below half-time status; [c] withdraw or transfer from school; and [d] change their graduation date; and (4) complete an exit interview before leaving school.

Loan Entrance/Exit Counseling Requirements

Regulations mandate the FAO to provide guidance about federal loans (DL Stafford and Graduate PLUS) to all students borrowing financial aid loans at the Law School. The entrance loan counseling will be conducted during the week of Orientation for all new students. Likewise, the exit loan counseling will be provided to all graduates before graduation. All financial aid students are required to attend.

Federal DL Loan Repayment

A standard repayment period for DL Stafford and Grad-PLUS loans are scheduled for 10 years or 120 monthly payments. Students/borrowers will be notified of the date repayment begins, usually after the six-month grace period after graduation. Interest rate on all DL Stafford loans is fixed at 6.8% and 7.9% for the Grad-PLUS loans, and monthly repayment amounts are calculated to the nearest dollar. DL borrowers will make payments through the DL servicing center. As well, DL borrowers can view and pay their bills online using their FAFSA PIN at www.dl.ed.gov. When in repayment, students/borrowers are encouraged to make their first 12 payments on-time in order to keep the rebate of their disbursed loans.

Upon graduation, all graduates are required to attend a financial aid exit counseling session to learn more about repayment plans and responsibilities in repayment. The FAO will provide the graduates with more information as mandated by regulations. For now, a sample chart of loan repayment is shown below as general information on all loan types.

		Stafford	6.80%	Grad-PLUS	7.90%	Private	Varied-9%
Amount Borrowed	# of Payment	Monthly Payment	Total Interest	Monthly Payment	Total Interest	Monthly Payment	Total Interest
5,000	120	\$57	\$1,905	\$60	\$2,439	\$63	\$2,600
8,500	120	\$98	\$3,238	\$102	\$4,146	\$108	\$4,421
12,000	120	\$138	\$45,71	\$145	\$5,854	\$152	\$6,241
20,000	120	\$230	\$7,619	\$242	\$9,757	\$253	\$10,402
25,500	120	\$293	\$9,715	\$308	\$12,440	\$323	\$13,263
30,000	120	\$345	\$11,429	\$362	\$14,635	\$380	\$15,603
36,000	120	\$414	\$13,715	\$435	\$17,562	\$456	\$18,724
40,000	120	\$460	\$15,239	\$483	\$19,513	\$507	\$20,805
50,000	120	\$575	\$19,048	\$604	\$24,391	\$633	\$26,005

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60,000	120	\$690	\$22,858	\$725	\$29,270	\$760	\$31,207
65,500	120	\$754	\$24,953	\$791	\$31,953	\$830	\$34,067
73,000	120	\$840	\$27,810	\$882	\$35,611	\$925	\$37,968
80,000	120	\$920	\$30,477	\$966	\$39,026	\$1,013	\$41,608
85,000	120	\$978	\$32,382	\$1,027	\$41,465	\$1,077	\$44,210
90,000	120	\$1,036	\$34,287	\$1,087	\$43,905	\$1,140	\$46,809
95,000	120	\$1,093	\$36,192	\$1,148	\$46,344	\$1,203	\$49,410
100,000	120	\$1,151	\$38,096	\$1,208	\$48,783	\$1,267	\$52,011
120,000	120	\$1,381	\$45,716	\$1,450	\$58,539	\$1,520	\$62,413
140,000	120	\$1,611	\$53,335	\$1,691	\$68,296	\$1,773	\$72,815
160,000	120	\$1,841	\$60,951	\$1,933	\$78,053	\$2,027	\$83,218
180,000	120	\$2,071	\$68,573	\$2,174	\$87,809	\$2,280	\$93,620
200,000	120	\$2,302	\$76,193	\$2,416	\$97,566	\$2,534	\$104,021

Loan Certification Policy

The loan certification process at the LS is in accordance with the DOE standards. It is a goal of the FAO to ensure that students take advantage of all available federal loan benefits prior to obtaining a private/alternative loan. Thus, the federal DL Stafford and Grad-PLUS loans will automatically be awarded in a student's financial aid packet. Those who want private/alternative loans and/or are not qualified for federal loans must first meet with a Financial Aid Counselor for advice.

To be eligible for federal loans, a student must:

1. be a U.S. citizen, national, permanent resident, or eligible non-citizen;
2. be enrolled in at least half-time;
3. file FAFSA or Renewal FAFSA for the need analysis report;
4. not have defaulted on or owe a refund to any previous federal aid program;
5. maintain satisfactory academic performance.

Timeline for Processing Loans

Normal expectation for loan processing is described below:

Institution	Timeline
School for Certification	2 – 3 business days
Department of Education and/or Servicing/Guarantor	Stafford loans: 2-5 business days Grad-PLUS loans: 3-15 business days
Banks/Lenders	Private loans: 3-30 business days
Posting Disbursements	1-3 business days
Loan Aid Refund Check	The Business Office

Calculation of Loan Aid Refund Check

The amount of refund check from loan aid funds for cost of living can be calculated by subtracting tuition and fee payments from the total net amount of all loan funds disbursed for the semester. Students/borrowers should refer to the disclosure statement of their loans for correct amount of loan fees, interest charged, and other details on their loans. The disclosure statement comes directly from the DOE (or the lender for private loans) upon the release of loan funds to the school. The FAO does not issue disclosure statement of student loans.

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Loan Disbursement Policy

The Higher Education Reconciliation Act (HERA) allows loan funds to be disbursed in two payments for the period of fall and spring semesters. Therefore, loan funds will be sent to the LS in a single installment once a semester and within 10 days prior to the first day of the semester or the enrolled program. The FAO will notify students of the arrival of their loan proceeds. There is a need of three (3) business days to post loan funds onto a student's account at the LS before the Business Office (BO) can process tuition payment and refunds of loan aid for cost of living (if applicable). Please note that the loan refund check (beyond tuition and fees) is strictly for a student's cost of living during enrollment.

Except for the process of loan funds, the FAO is prohibited to conduct any cash transaction on a student's account. Thus, students must contact the BO for any information related to tuition due, fees charged, and/or refunds of their financial aid loan funds.

Important: All Entering/New students are required to attend the Orientation session before any loan funds can be released to them. Therefore, **entering/new students shall NOT rely on financial aid loan proceeds** for books, rent, or any expenses prior to the third week of classes (at the least).

Change in Enrollment Status Affecting Financial Aid

When a student changes enrollment status from full-time to part-time or vice versa, all sources of financial aid including scholarships, external aid, and loan funds will be adjusted to prevent an over-award of aid funds. Over-awarded funds will be returned to the original source of the funds and **not** to the student.

When a student changes enrollment status to less than sufficient 6-units to remain classified as a half-time status, **all** financial aid awards will be recalculated, cancelled, and/or returned to the original sources of the funds. The FAO will report the student's less than half-time status of enrollment to the DOE.

For additional information or questions, please contact the FAO at extension 203.

Financial Aid Policy on Withdrawal/Leave of Absence

Students who withdraw from the LS prior to completing 60% of the enrollment period for which they received financial aid will be subject to both the LS refund policy and the federal Return of Title IV Funds policy. The DL Stafford and Grad-PLUS loans are federal Title IV funds awarded to students to meet educational expenses. Thus, these loans will be included in the mandated formula for the return of the Title IV funds.

Students are encouraged to meet with the FAO for more information on this mandatory federal calculation before making a final decision regarding withdrawal or a leave of absence.

Return of Federal Title IV Funds (Stafford and Graduate PLUS)

When a student withdraws or takes a leave of absence from school, a statutory schedule is used to calculate the amount of DL – Stafford and Grad-PLUS loans a student has earned as of the date he/ she withdraws from the LS. If the amount of funds disbursed to the student is greater than the amount the student has earned, the unearned funds must be returned to the DOE. Unearned funds will be returned first to repay the unsubsidized Stafford loan, the subsidized Stafford loan, and then the Grad-PLUS loan up to the total of the net amount disbursed from each type.

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By regulations, both the LS and students bear the responsibility to repay the unearned portion of the federal Title IV funds. Therefore, a balance due is created on a student's account when the LS returns unearned aid to the DOE on behalf of a student. The LS will then bill the student for the difference between the amount returned to the DOE and the amount of refund a student is eligible to receive under the LS refund policy (if applicable). If the disbursed loan amount was less than the amount a student earned, he/she may be eligible to receive a post-withdrawal disbursement of the earned funds that were not received. A detailed formula for the return of Title IV funds is available in the FAO.

Upon receiving a notice of the return of loans aid, a student is required to contact the BO for any balance due. As mentioned above, regulations prohibit the FAO to oversee or control the monetary activities on the students' accounts after the processing of their loan funds. Therefore, rules and policies about payments due are handled by the BO.

Other Matters Affecting Financial Aid

A student bears the responsibility to inform the FAO of all external financial assistance he/she may receive during enrollment. Upon notice the FAO will re-determine a student's aid awards. Any amount exceeding the cost of attendance will be adjusted, returned, or cancelled in order to prevent an over-award. Mostly, over-awarded aid may cause loan funds to be reduced and returned by the amount of said over-award. The return of any fund proceeds will go back to their original sources.

Satisfactory Academic Progress as it relates to Financial Aid

Satisfactory Academic Progress (SAP) is a criterion for eligibility in the federal DL and other private loan programs. This means all financial aid students are required to successfully remain in good academic standing during enrollment in order to obtain federal and private loans.

The LS Academic Rules and Regulations define 'good academic standing' as maintaining a minimum cumulative grade point average (CGPA) of 2.50. A complete guidance about academic rules and regulations is listed in the next section of the policy manual. Students are encouraged to read and save a copy for future reference.

Final rules on program integrity for federal aid mandate schools to amend their financial aid SAP policies in accordance with new regulations. As a result, the FAO is required to evaluate financial aid students' academic progress *every semester* for eligibility.

When a student fails to meet academic standards (or SAP) the first time (academic notice/probation, CGPA is less than 2.50, a student will automatically be placed on "*Financial Aid Warning*". He/she is entitled to receive federal Title IV funds for the next semester **only**. However, if a student does not make SAP at the end of the "*Financial Aid Warning*" period, a student loses his/her Title IV aid eligibility immediately.

For example, when an admitted 1L-student fails to make SAP after the fall semester (*academic notice* and/or CGPA is less than 2.50), a student is placed on "*Financial Aid Warning*" and may continue to receive financial aid funds in the spring semester. The student is required to meet SAP after spring grades. If the student does **not** make SAP at the end of the spring semester, he/she loses the eligibility for federal financial aid immediately.

Exemption: "*Financial Aid Warning*" students (1L-academic notice, probation, DQ reinstate/restart, etc.) are

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given a *one-time appeal* to the FAO for a reconsideration of eligibility for additional Title IV federal aid. If the appeal is granted, the student will be placed on “*Financial Aid Probation*” and federal aid funds are allowed to disburse for one more semester only (the probationary semester). A student is required to meet SAP after the semester of “*Financial Aid Probation*”; if not, all financial aid eligibility will be lost until grades are improved again (CGPA=2.50 or higher).

SAP Appeal for Reassessment of Financial Aid Eligibility: All petitions for financial aid appeal *must include* the following: (1) a detailed explanation for failing the SAP standards (e.g. illness, death in the family, involuntary military leave, or other extenuating circumstances) **and** (2) a statement of academic objectives and plans or corrective action to comply with SAP standards (i.e. weekly/monthly meeting with academic advisor, tutoring, group study, etc.). The petition shall be no longer than two pages in length (one-sided print). By regulations, students are required to provide supportive documentation for verification in the appeal process. For example, if a death in the family has caused a student to perform poorly, a copy of the death certificate must be provided for verification.

The following reasons may NOT qualify as extenuating circumstances: the difficulty of a class/course, the teaching method or dislike of a professor/instructor, personal debts, the length of time out-of-school since last attended, promises to perform better in the future, dropping a course to avoid a bad grade, etc.

By regulations, the financial aid SAP appeal process is a distinct process that pertains specifically to financial aid eligibility. It is *independent* from the LS academic policies or that of any policy that is governed by the LS. This means students may be allowed to continue enrollment but will not be eligible to obtain federal aid funds. As a rule, students on financial aid suspension and awaiting an appeal decision are responsible for arranging payment for tuition and all other educational related expenses.

All appeal reviews will take into account the thoroughness of documentation; GPA; completion rate, length of time to complete the expected degree; resolution of extenuating circumstances; and an explanation of the semester in which a student failed to meet academic standards. For the academic year 2011-12, the deadline to submit financial aid appeal for eligibility reassessment is July 15th.

Appeal Decisions: All appeal decisions are final and written notification of the decision will be delivered to a student. Appeal decisions will be one of the following:

1. Approved – Approval of the appeal will place a student on “*Financial Aid Probation*” for one more semester. A student’s academic progress will be reviewed at the end of the assigned semester.
2. Denied – Denial of the appeal means a student is not eligible for additional financial aid funds until academic standards are met (CGPA=2.50 or more).

Banks/lenders who offer private/alternative loans also require students to make SAP (good standing) in order to be eligible for loans. Students who are placed on probation, reinstated, or readmitted should meet with the FAO to learn more about their options for financial aid.

ACADEMIC RULES AND REGULATIONS

I. Academic Rules and Regulations

A. Purpose

These Academic Rules and Regulations have been developed, and shall be enforced, in order to maintain those standards of student achievement and performance requisite for the successful study and practice of law; to impose a fair and consistently applied system of course grading which accurately reflects individual student performance both objectively and in relation to the performance of other students; to provide for academic notice; to forewarn students of potential academic problems; to disqualify students whose performance fails to meet minimum standards of law school performance; to reward students for high levels of achievement; and to determine honor status upon graduation.

B. Good Standing, Probation, and Disqualification from the Law School

1. Good academic standing

Students at the law school are required to achieve and maintain good academic standing.

- a. The determination of good academic standing is made after the first two semesters of a student's course work at Whittier Law School, and every semester thereafter, based upon the students' cumulative grade point average. (For spring admission students, the summer shall be considered their second semester of course work.)
- b. To be in good standing, a student (both full-time and part-time) must have a cumulative grade point average (CGPA) of at least 2.50 at the end of the second semester and each subsequent semester.

2. Disqualification and Probation

- a. A student shall lose good academic standing, and shall be disqualified from further attendance at the law school, if his/her:
 - i. CGPA falls below 2.50; or
 - ii. the student while on academic probation fails to comply with the terms of probation.
- b. The Registrar shall notify a student of disqualification from further attendance at the law school. A copy of the notice of disqualification shall be placed in the student's file, and entered on the face of the student's permanent transcript. This notation will be removed from the face of the transcript if the student is reinstated, satisfies the terms of probation and is returned to good academic standing. The Registrar shall notify the Academic Standards Committee of students disqualified from further attendance at the law school.
- c. Procedure for Petitions for Reinstatement
 - i. Petitions for Immediate Reinstatement

If a student is eligible to petition for reinstatement, that student's petition for immediate reinstatement must be in writing, and must be delivered to the Office of the Assistant Dean for Student Affairs no later than the date

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set forth in the letter of disqualification, which shall be at least seven days after the date of mailing. The Academic Standards Committee will review and consider the petition for reinstatement in accordance with I.B.4.

ii. Petitions for Delayed Reinstatement

A student who has been academically disqualified and who is eligible to petition for reinstatement, may petition within one (1) year from the date of the letter of disqualification to the Dean (or the Dean's designate) for reinstatement no earlier than the semester following receipt of the disqualification letter under the standards set forth below.

The Dean will review and evaluate the petition and will notify the Academic Standards Committee of his/her conclusion, based on the criteria set forth above, as to whether the student should or should not be reinstated. The Committee shall convene as soon thereafter as possible to determine whether or not the disqualified student has established grounds meriting reinstatement, and advise the Dean of its determination. If the Committee disagrees with the Dean's conclusion that a student should not be reinstated, the Committee shall request reconsideration by the Dean. If the Committee determines that a student should not be reinstated, and that determination is not acceptable to the Dean, he/she may recommend that the full faculty at its next regularly scheduled meeting approve the student's reinstatement petition. The faculty may deny or grant the student's reinstatement petition on such terms as it deems appropriate.

A student who has been academically disqualified, and who is ineligible to petition for reinstatement, or who is eligible but seeks reinstatement after more than one (1) year from the date of the mailing of a disqualification notice, must re-apply to the Admissions Committee for admission to the law school as an entering student.

iii. Format of Petitions for Reinstatement

All petitions for reinstatement shall be no longer than 1,250 words in length, not including any relevant and appropriate supporting documentation that may accompany the petition.

d. Standards for Reinstatement

In order to be reinstated on academic probation, a student must demonstrate by clear and convincing evidence the following:

- (1) That the student's C.G.P.A. is at least 2.40 at the end of second semester and each subsequent semester (**note: under no circumstances will the Academic Standards Committee or the Dean have any discretion to consider reinstatement for a student with a CGPA below 2.40**);
- (2) That the student was faced with extraordinary circumstances;
- (3) That there is a causal connection between these extraordinary

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- circumstances and the student's performance in law school;
- (4) That these extraordinary circumstances will not continue to create a barrier to the student's success if the student is permitted to continue in law school; and
 - (5) That the student has the ability, willingness, and capacity to achieve acceptable law school performance standards.
- e. A student disqualified from further attendance at the law school under the operation of this Section remains disqualified pending the outcome of his/her appeal for reinstatement. However, students should continue to attend classes pending a final decision.
 - f. A student whose appeal for reinstatement is granted shall be reinstated on academic probation, according to the applicable terms set forth in Section I.B.2.h. - m., below. A student whose appeal for reinstatement is finally denied is disqualified from further attendance at the law school, without further recourse.
 - g. A student on academic probation is prohibited from holding office or otherwise actively participating in any school-related organization or extracurricular activity. Students on probation normally are not permitted to enroll in externships, independent studies or non-graded electives. However, students may petition the Academic Standards Committee for permission to enroll or remain enrolled in such courses.
 - h. To be restored to academic good standing, the student must raise his/her CGPA to a level sufficient to meet the good standing requirements.
 - i. Terms of probation must generally be satisfied within one semester. If a student is placed on probation for two semesters, terms of probation must be satisfied by the end of the second semester. If a student on a two-semester probation attains a cumulative grade point average of at least 2.5 by the end of the first semester of academic probation, the student will not be continued on probation for the second semester. The Academic Standards Committee may, in its discretion, require the student to meet with the Director of the Academic Success Program during the second semester.
 - j. A student on probation shall not be permitted a semester course load in which seminar course units are greater than one-half of the total course units for the semester.
 - k. A student on academic probation who complies with all applicable terms of academic probation is restored to good academic standing. The Registrar shall notify the student of his/her return to good academic standing and place a copy of the notice in the student's file.
 - l. A student who fails to meet all applicable terms of academic probation is disqualified from further attendance at the law school.
 - m. The Registrar shall notify the Academic Standards Committee of those students who have complied with, and those who have failed, their terms of probation. The Committee is responsible for overseeing the effective administration of and compliance with the terms and procedures for probation set forth in this section. The Committee, at its discretion and for good cause, may impose additional or supplemental terms of probation for a student on academic probation. In extraordinary circumstances, and at its discretion, the Committee may waive one or

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more of the terms of probation which otherwise apply automatically to a student placed on probation.

3. Academic Notice

Special provisions apply to students whose first semester of course work at Whittier Law School (“first-semester students”) indicates a difficulty in maintaining those standards of performance necessary for the study of law. A first-semester student will be placed on Academic Notice as set forth in this Section, and allowed a second semester in which to adjust to the demands of law school and demonstrate a capacity for law study.

A student whose grade point average is less than 2.50 at the end of his/her first semester of course work at Whittier Law School shall be placed on Academic Notice. The Registrar shall notify the student of his/her academic status. The Registrar shall place a copy of the Academic Notice in the student's file; however, no record of the notice shall appear on the face of the student's transcript. The Registrar shall notify the Academic Standards Committee of students placed on Academic Notice.

4. Academic Standards Committee Oversight: Student Petitions

The rules and regulations governing good standing, academic notice, probation, and disqualification from the law school shall be administered by the Academic Standards Committee. Certain student petitions, submitted in due course to the Assistant Dean for Student Affairs, also may require Committee attention and resolution. In such cases, the Committee will render a decision in response to the student's petition, in conformance with the following guidelines for Committee action.

- a. When a student petition requires Academic Standards Committee action, the Committee shall act on it as speedily as possible, considering the number of requests, the necessity for careful consideration of difficult cases, and the desirability of reaching comparable results in comparable cases. It should be understood, however, that each case is considered on its own merits, and that it is not possible to discuss with one student the resolution of another's case.
- b. The Committee may request a meeting with a student, if it believes a personal appearance by the student will assist the Committee in reaching a decision or in counseling a student. Similarly, a student may request a personal appearance before the Committee to speak in his or her own behalf and to answer questions from members of the Committee. The Committee in its discretion may grant or deny the request.
- c. Any decision of the Committee which substantially adversely affects a student's academic standing may be appealed by that student in writing to the Dean. The student's appeal must be in writing, and must be delivered to the Dean's Office within five business days after the student receives notice of the Committee's decision. After due consideration of the facts and basis of the Committee's decision, the Dean may recommend that the Committee review its initial decision. After having conducted such review, the Committee shall inform the Dean of the

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outcome of its review. This section does not apply to matters subject to Section I.B.2.c.ii.

- d. If the reconsidered decision of the Committee should still prove unacceptable to the Dean, he/she may recommend that the full faculty at its next regularly scheduled meeting approve the student's petition appealing the decision of the Committee.
- e. The Dean shall have no power to overturn a decision by the Committee which grants the relief sought by the student in his/her petition.

5. Interpretations of These Rules

Except as specifically set forth in these Rules and Regulations, students are not entitled to rely on oral statements of individuals regarding the interpretation and application of these rules. A student may submit a written request to the Academic Standards Committee for a written clarification of the application of these rules to his or her situation, and a student is entitled to rely on that written clarification.

C. Grading and Grade Normalization

1. General Grading Policy

a. Grading scale

Final and interim numerical grades for all courses shall be issued according to the following scale of point values:

A	3.6 to 4.0 (Excellent)
B	3.0 to 3.5 (Good)
C	2.5 to 2.9 (Satisfactory)
C-	2.3 to 2.4 (Below Average)
D	1.8 to 2.2 (Poor)
F	1.7 (Failure)

The highest possible grade on the grading scale is an "A" having a value of 4.0 points. The lowest possible grade is an "F" having a value of 1.7 points.

b. Anonymous grading for written examinations

In order to insure objectivity, an anonymous grading system is used for all written examinations. Students will be issued two random examination numbers per semester - a midterm number and a final examination number. Examination numbers are confidential and students must use only their assigned exam numbers as identification on all exam materials. It is the responsibility of students to preserve their anonymity during the exam taking and grading process. Any attempt on the part of students to identify themselves to the instructor by means of personal information or notes on the exam or by compromising their anonymity in

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any way before final grades are issued may constitute a violation of the Code of Student Conduct.

c. Final grades

- 1) The final grades for all courses other than seminars, Legal Writing and Professional Skills (“Legal Skills”) courses, and courses designated by the Faculty as Lawyering Process Courses and Programs, shall be determined primarily on the basis of student performance on sequestered, written final examinations.

Lawyering Process Courses and Programs are:

1. Advanced Appellate Advocacy
2. Advanced Legal Reasoning
3. Alternative Dispute Resolution
4. Appellate Advocacy
5. Arbitration
6. Clinic Program
7. Environmental Justice
8. Externship Program
9. Intellectual Property Litigation
10. International Business Litigation
11. Interviewing, Counseling & Negotiation
12. Lawyering Skills
13. Legal Drafting
14. Legal Writing I and II
15. Legislative Drafting
16. Mediation
17. Pretrial Litigation Skills & Strategy
18. Professional Skills I
19. Professional Skills II
20. Street Law
21. Trial Advocacy
22. Writ and Appellate Practice

The grade on the final examination shall constitute at least 50% of the student's grade for that course, before adjustment for class participation as provided in I.C.1.c.4) & 5), unless the Academic Standards Committee approves a request by the faculty member to set a lower percentage for a particular course in a particular semester. The instructor for a course may take into account certain additional factors in determining a student's final grade, including performance on midyear and/or midterm examinations, quizzes, and assigned presentations and projects. Penalties for excessive absences and credit for class participation other than for assigned presentations and projects may be given in accordance with subsections 4) and 5).

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- 2) Within the first three weeks after the beginning of a course, the course instructor shall notify enrolled students of the grading policy of the course, including the relative values and percentages to be assessed for examination and course work performance. This requirement does not apply to subsection 5) below.

A professor who intends to use unannounced quizzes which count toward the final grade must give students notice of this policy at least one class session in advance of the first quiz.

- 3) Regular class attendance and preparation are essential to a satisfactory understanding of a course of study. Therefore, students are expected to attend class, to give recitations when called upon to do so, and to submit all written projects on the date assigned. Class attendance policy is set forth in Part F ("Class Load and Attendance."), Section 2 ("Attendance and Class Preparation."), below.
- 4) An instructor may, without notice, reduce or increase a student's final grade [not including interim first year grades] by 0.1 point based upon the student's classroom performance or attendance. This grade adjustment is not appealable. A participation point may be added to or subtracted from interim first year grades provided the maximum effect on the final grade does not exceed 0.1 point. All participation point adjustments in interim and final grades will be reported as whole numbers and not as fractions or percentages. The adjustment provided in this subparagraph is the maximum adjustment for ordinary class participation except as provided in subsection 5). This limit does not apply to assigned presentations or projects, or to seminars or Lawyering Process Courses and Programs.
- 5) Notwithstanding subsections 2) and 4), above, an instructor with notice may reduce a student's final grade by 0.1 to 0.5 additional points to reflect repeated instances of a lack of class preparation, or as a penalty for disrupting class or for excessive absences without good cause. Notice of the intent to implement this policy should be announced by the instructor at least one class session before it is implemented. The instructor should clearly document each imposition of such penalty, and inform the individual student of each actual imposition. A student may appeal such penalty to the Associate Dean, for decision by the Academic Standards Committee as set forth in I.B.4. ("Academic Standards Committee Oversight: Student Petitions."), above.

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d. Interim grades

Interim grades, rather than final grades, are issued at the end of the first semester of those two-semester courses routinely included in the full-time, first-year curriculum: Torts, Contracts, Property, and Legal Writing. A student's interim grades are included in computing the student's CGPA, for purposes of determining whether a first year student receives academic notice, and in determining a continuing student's academic standing, academic honors, probationary status or disqualification, and may be included by the instructor in computing the final grade for the course. Interim grades are not subject to the normalization requirements of this section; however, the final grades which supersede interim grades for a course are subject to normalization as set forth in Section 2 ("Grade normalization"), below.

1) Special provisions for part-time, spring admission, and transfer students

Schedules of part-time students, of students commencing law school in the spring admission semester, and of certain transfer students, often require that courses routinely part of the full-time, first-year curriculum be taken in the student's second year. The Introduction to Legal Writing course is such a first-year course, in which students receive an interim grade at the end of the first semester regardless of when taken. Part-time evening, spring admission and transfer students taking other two semester first-year courses in their second year (currently, Civil Procedure and Property) will be issued final grades, rather than interim grades, at the end of the first semester of such courses, if the section in which such students are enrolled consists primarily of students of those designations.

2) Withdrawal from a two-semester course after first semester

If a student's interim (i.e., first semester) grade is less than 2.50, it will be included as a semester grade in all determinations of the student's academic status until it is displaced by a final grade. If the interim grade is equal to or greater than 2.50, it will not be included in any determination of the student's academic status made after withdrawal from the course.

e. Failing Grades

1) In general

Any final grade below 1.80 shall be treated as a "Fail", and the grade so received shall be included in any calculation necessary for the determination of academic standing. If the course is repeated, both

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grades shall be included in all calculations, but only the course units earned when the student passes the course will count toward the graduation requirement. Courses with grades earned at the "D" level, between 1.80 and 2.20 points inclusive, do count toward the graduation requirement, and may not be repeated.

2) Required courses

If a student receives a failing grade in a required course, the course must be repeated or the student is ineligible for graduation. The course must be repeated at the earliest possible time, unless the Academic Standards Committee agrees to a postponement of the requirement.

3) Interim failing grade in a two-semester course

If a student receives an interim failing grade in the first semester of a two-semester course, the grade shall be included in calculating the student's semester GPA and CGPA for the purposes of determining the student's academic standing. However, the interim grade will not be included in such calculations once the final grade is received, and the final grade shall then have the weight of the total number of units in two semesters.

4) Final failing grade in the first semester of a two-semester course

If a student receives a failing grade in the first semester of a required two-semester course in which each semester grade is treated as a final grade, the student may only continue into the second semester of the course with the written consent of the instructor and the approval of the Academic Standards Committee. In the event that consent is granted, the student shall still be required to repeat the first semester of the course, as set forth in subsection 2), above. If a student receives a failing grade in the first semester of an elective two-semester course in which each grade is treated as a final grade, the student may continue in the second semester of the course only with the express permission of the instructor.

f. Pass/Fail/No Credit Grades for Independent Study, Teaching Assistantships and Research Assistantships

Independent study projects, teaching assistantships and research assistantships shall be graded on a "Pass/Fail/No Credit" basis. The faculty overseeing an independent study project, or research assistantship, or the course instructor overseeing a teaching assistantship, as applicable, shall assign a "Pass" grade to a student when the student has performed work at the equivalent of an 3.0 numerical grade or better, with due regard

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for the quality of work he/she should be expected to produce under conditions of continuing supervision and guidance. Otherwise, the independent study supervisor or course instructor shall have the option of assigning a grade of “No Credit” or a grade of “Fail,” based upon the extent of the student’s effort and the detrimental effect of the student’s conduct, if any, upon the independent study supervisor or course instructor or other students. “Pass” and “No Credit” grades shall be reflected on the student’s transcript but shall not be included in the computation of a student’s grade point average. “Fail” grades shall be assessed a point value of 1.70 by the independent study supervisor or course instructor and shall be included in the computation of a student’s grade point average.

g. Pass/Fail Grades for Courses

For courses designated as “Pass/Fail,” or those that may from time to time be designated as such by the faculty, the course instructor shall assign a “Pass” grade to a student when the student has performed work at the equivalent of a 2.50 numerical grade or better, and a grade of “Fail” when the student has performed work below the equivalent of a 2.50 numerical grade. “Pass” grades shall be reflected on the student’s transcript but shall not be included in the computation of a student’s grade point average. “Fail” grades shall be assessed a point value of 1.70 by the course instructor and shall be included on the computation of a student’s grade point average.

h. U.S. Legal Studies LL.M. Program Grading [Revisions to LL.M. grades approved through 2010/2011 academic year]

LL.M. grades will be officially recorded in alpha-numeric form in the manner set forth below:

95 – 100	A’s
90 – 94	A –
85 – 89	B +
80 – 84	B’s
77 – 79	B –
Below 77	Incomplete Grade (See Below)

Any LL.M. student evaluated to receive a grade below 77 will be given an interim grade of “Incomplete” and offered the following options:

- 1) To repeat the course (at no additional fee). An LL.M. student who repeats a course and receives a grade of 77 or better will have only the higher grade count toward his or her cumulative GPA; or

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- 2) At the discretion of the professor and in consultation with the program director to retake the final examination or alternatively write a paper in lieu of the final examination. This grade will be recorded as the grade for the course.

2. Grade normalization

Final course grades must conform to normalization standards established by distribution and mean average requirements, with distinctions made between first-year courses, upper-level courses with twenty-one students or more, upper-level courses with fewer than twenty-one students, and seminars. For the purposes of this section, “First Year Courses” shall mean for all students: Civil Procedure, Contracts, Criminal Law, Legal Writing I and II, Property and Torts.

a. Distribution

Final grades for all courses,¹ except seminars, upper-level courses with fewer than twenty-one students, and all Lawyering Process Courses and Programs, including first-year Legal Writing, shall conform to the following pattern of distribution:

	First Year Courses	Upper-Level Courses with 21 or more students
3.6 – 4.0	0-10%	15-30%
3.0 – 3.5	15-25%	30-50%
3.0 – 4.0	15-30%	50-70%
2.3 – 2.9	35-65%	20-40%
1.8 – 2.2	20-35%	5-20%
1.7	0-10%	0-10%
Below 2.3	20-35%	5-20%

When the application of these percentages to the number of students in a class results in a fractional number of students required to receive a grade, the fractional number of students will be rounded to the nearest whole number, with .5 rounded up.

Seminars, upper-level courses with fewer than twenty-one students, and all Lawyering Process Courses and Programs, including first-year Legal Writing, are not subject to distribution requirements. (See Section I.C.1.c.1 for Lawyering Process Courses and Programs.) All courses except seminars and classes with 10 or fewer students are subject to the course mean requirement of subsection b. below. Seminars and classes with 10 or fewer students are subject to

¹ The distribution requirement for the range 1.8-2.2 for first year courses taken second year part-time evening is 5-20%

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the rules of subsection c. below.

b. Course mean

1) First Year Courses

The mean for final grades for all first-year courses except Legal Writing shall be standardized within the range of 2.50 to 2.75 points. Instructors may, in their sole discretion, raise the mean in any such class to 2.85.

2) Upper-Level Courses

The mean for final grades for all upper-level courses, except seminars and classes described in subsection c below, shall be standardized within the range of 3.10 to 3.30 points.

3) Lawyering Process Courses

All Lawyering Process courses and programs for which numerical grades are given, including first-year Legal Writing, shall be subject to the same mean requirement as upper-level courses. Seminars are not subject to course mean requirements. (See Section I.C.1.c.1 for Lawyering Process Courses and Programs.)

c. Seminars and classes with 10 or fewer Students

The distribution and mean average requirements set forth in Sections 1) and 2), above, tend to be distortive when applied to the small size and unique work product of the typical seminar or classes with 10 or fewer students. Therefore, final grades for these classes will only require normalization by use of a median. Final grades for these classes must reflect a median of between 3.20 and 3.50 points. For purposes of applying this requirement, the median shall be defined as the grade point value of the midpoint grade in courses having an odd number of final grades, and as the value half-way between the value of the highest grade in the lower half of grades, and the lowest grade in the upper half of grades, in courses having an even number of final grades.

d. Grading Rule Variances

The Academic Standards Committee, at its discretion and upon a showing of good cause by the instructor for a course, may waive or vary one or more of the requirements for grade normalization as set forth in this Section.

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e. Grade Changes

Once grades are final, they will not be changed except in the case of a documented clerical or computational error. A faculty member seeking to change a grade must submit a written petition with documentation to the Academic Standards Committee. The change will become effective only after the petition has been approved by Academic Standards Committee.

D. Residency Requirements, Graduation Eligibility, Requirements and Honors

1. Residency Requirement

A student is required to complete the course of study for the J.D. degree no earlier than 24 months and no later than 84 months after a student has commenced law study at Whittier Law School. Students who transfer into the law school must complete the course of study for the J.D. degree no earlier than 24 months and no later than 84 months after the student has commenced law study at the law school from which Whittier Law School has accepted transfer credit.

2. Requirements for Graduation

A student is eligible to graduate from law school at the end of the semester in which he/she has accumulated 87 units for graduation, if the student is in good academic standing at the end of that semester.

1) Pass/Fail/No Credit Courses

- a) At least 68 of the units earned toward graduation must have been earned in graded courses. For purposes of this rule, a course is “graded” if the student receives an alphanumeric grade for the course at the school at which the course is taken.
- b) A maximum total of six units of externship (eight units for students participating in a Full- Time Judicial Externship), and a maximum total of six units from courses taken at other law schools after matriculation at Whittier, will be counted toward graduation requirements.
- c) A maximum total of 12 units earned through a faculty approved student exchange program with a foreign law school will be counted toward graduation requirements.

2) Credit from Study Abroad Programs

- a) A maximum total of six (6) units from other law schools’ summer abroad programs will be counted toward graduation requirements.

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- b) A maximum total of either (8) units from summer abroad programs in a single summer will be counted toward graduation requirements. These units may be earned in a combination of two or more Whittier Law School summer abroad programs, or in a combination of Whittier Law School's and other law schools' summer abroad programs, so long as the total units from other law schools' summer abroad programs do not exceed six (6).
- c) A cumulative total of twelve (12) units from summer abroad programs will be counted toward graduation requirements. These units may be earned in a combination of Whittier Law School summer abroad programs, or in a combination of Whittier Law School's and other law schools' summer abroad programs, so long as the total units from other law schools' summer abroad programs do not exceed six (6).

3) Credit for repeated course work

If a student repeats a course, only the course units earned when the student passes the course will count toward the course unit requirement for graduation. If a course is repeated, both the original grade and the grade received when the course is repeated are counted at full value in all relevant calculations. A student may repeat a graded course only if the student received a failing grade in that course.

b. Semesters in Residence

To be eligible to graduate from law school, a student must complete the equivalent of six semesters in residence. A semester in residence is a semester in which a student receives a passing grade for at least eight units. Alternatively, a semester in residence may consist of a combination of the following: 1) semesters in which the student receives a passing grade for fewer than eight units and 2) summer sessions. For purposes of calculating a semester in residence, the following ratios shall apply to units taken in the Fall and Spring semesters:

8 or more units of passing work = 1 semester in residence
7 units of passing work = 7/8 of 1 semester in residence
6 units of passing work = 3/4 of 1 semester in residence
5 units of passing work = 5/8 of 1 semester in residence
4 units of passing work = 1/2 of 1 semester in residence
3 units of passing work = 3/8 of 1 semester in residence
2 units of passing work = 1/4 of 1 semester in residence
1 unit of passing work = 1/8 of 1 semester in residence

For purposes of calculating a semester in residence, the following ratios

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shall apply to units taken in summer sessions of at least seven weeks duration:

4 or more units of passing work = $\frac{1}{2}$ of 1 semester in residence

3 units of passing work = $\frac{3}{8}$ of 1 semester in residence

2 units of passing work = $\frac{1}{4}$ of 1 semester in residence

1 unit of passing work = $\frac{1}{8}$ of 1 semester in residence

A full-time student who wishes to attend summer sessions of fewer than seven weeks duration, such as summer abroad programs, in order to accelerate their graduation, should see the Assistant Dean for Student Affairs to assess whether that student will complete the requisite number of semesters in residence for graduation. Generally, however, a full-time student may not graduate in fewer than six semesters by attending one summer session of at least seven weeks duration plus a summer abroad program or two summer abroad programs.

- c. All students are individually responsible for ascertaining whether they have sufficient units to graduate. Students are advised to check Degree Works Audit System through their own my.whittier account.

3. Degree

The degree of Juris Doctor is conferred upon all students who have satisfactorily completed the course of study prescribed by the law school, accumulated 87 units for graduation and are in good standing.

4. Graduation honors

Cum laude, magna cum laude, and summa cum laude honors shall be awarded to those students who, at graduation and based upon all course work for which they have been issued final grades, meet the following criteria:

- a. Summa cum laude – Top 5% of Students;
- b. Magna cum laude – Top 6-15% of Students;
- c. Cum laude – Top 16-25% of Students.

5. Graduation Requirement to Take the Bar Exam

Students wishing to sit for the Bar Examination in July must complete all graduation requirements by the end of the preceding Spring semester. Students enrolled to earn any units during the Summer semester, or complete any graduation requirements, will not be eligible to sit for the July Bar Examination offered during that same year.

E. Late Examinations

These rules apply only to exams regularly scheduled by the Law School.

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1. In general

A student who has failed to take any final examination at the scheduled time will receive a grade of "W/F" (Withdrawal/Failure), which for grade average purposes will be computed as the numerical grade of 1.6, unless approval to take a makeup examination or grade of "W" is granted.

2. Make-up Examinations

- a. If a student believes, in advance of the day of an examination, that he or she is unable to sit for the examination at the regularly scheduled time, the student shall submit a written petition requesting a make-up examination to the Associate Dean for Academic Affairs before the regularly scheduled examination. The petition shall set forth in relevant detail the circumstances which make it impossible for the student to take the final examination as scheduled. The petition should include appropriate supporting documentation.
- b. If, on the day of an examination, a student is unable to take an examination at the regularly scheduled time, the student must contact the Associate Dean for Academic Affairs' office to inform the Associate Dean of the student's inability to sit for the examination. As soon as possible thereafter, the student shall submit a written petition to the Associate Dean requesting a make-up examination. The petition shall set forth in relevant detail the circumstances which made it impossible for the student to take the final examination as scheduled. The petition should include appropriate supporting documentation.
- c. The Associate Dean for Academic Affairs shall have the discretion to approve petitions for make-up examinations. The Associate Dean may: 1) grant the petition if the student's petition documents an approved excuse and is submitted in a timely fashion, 2) forward the petition to the Academic Standards Committee for decision, 3) deny the petition and withdraw the student from the course, awarding a grade of "W," or 4) deny the petition, awarding a grade of "W/F." Approved excuses are limited to situations involving personal illness or injury, a family emergency of a serious nature, or any other reason of a similar nature; job-related excuses are not approved excuses. In addition, a student's examination schedule which consists of three examinations in a 24-hour period would constitute an approved excuse; two examinations in one day is not an approved excuse.
- d. If the Associate Dean for Academic Affairs denies the petition for a make-up examination, the student may appeal to the Academic Standards Committee. When a student appeals the Associate Dean's denial or when the Associate Dean forwards the petition to the Committee, the Committee has the discretion to: 1) grant the petition without a penalty if the student's petition documents an approved excuse, 2) grant the petition assessing a penalty between 0.2 – 1.0 points to be subtracted from the exam grade, 3) deny the petition and withdraw the student from the course, awarding a grade of "W," or 4) deny the petition, awarding a grade of "W/F."
- e. Whenever possible, the Associate Dean for Academic Affairs, acting in

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consultation with the faculty member or the Academic Standards Committee, will schedule make-up examinations during the same examination period in which the examination was regularly scheduled or as soon thereafter as possible. Ordinarily, make-up examinations will not be administered prior to the regularly scheduled examination. Students taking make-up examinations after the regularly scheduled examination will be subject to disciplinary sanctions under the Code of Student Conduct if, prior to taking the examination, they discuss the nature or content of the examination with anyone who has already taken the examination.

- f. Ordinarily, make-up examinations must be administered prior to the fourth week of the semester following the semester (either spring, summer or fall) in which the student was scheduled to take the examination. Students must be prepared to take make-up examinations on the date and at the time scheduled by the law school administration. Whenever possible, make-up examinations will be administered on a scheduled make-up examination day.

F. Class Load and Attendance

1. Schedule of classes

All students are required to carry a regular schedule of classes. A regular schedule in the Full-time Day Program is a three-year course of study and ordinarily consists of 12 - 15 hours during a Fall and Spring semester. A regular schedule in the Part-time Day and Part-time Evening Program is a four-year course of study and ordinarily consists of three classes per week of three hours each in the Fall and Spring semesters and attendance at two eight-week Summer sessions. A student must acquire 87 units of study to be eligible for graduation.

A student who wishes to take fewer or more units than recommended must obtain permission of the Assistant Dean for Student Affairs. A student who wishes to take 17 units in a single semester must have a cumulative grade point average of at least 3.0 and must state a persuasive reason for the need to take an overload. Under no circumstances may a student take more than 17 units in a single semester.

2. Attendance and class preparation

Regular class attendance and preparation are deemed essential to a satisfactory understanding of a course of study. Students are required to attend every class meeting, and instructors are required to take attendance. Absences may result in grade penalties pursuant to rule I.C.I.c.5. A student who is absent from more than 20% of the class hours in any given course will be automatically disqualified from further attendance at that course, and the student *will* be ineligible to take the final examination. Instructors shall notify the Assistant Dean for Student Affairs when a student has missed the maximum number of classes permitted before triggering automatic disqualification under this rule. A student may petition the Assistant Dean for Student Affairs for a waiver of the

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automatic disqualification based upon a showing of good cause for the absences and an assurance of no future absences.

- a. If a good cause for the absences is shown and adequate assurance is given that there will be no further absences, a waiver will be granted. However, the provisions of Rule I.C.1.c.5 remain applicable.
- b. If good cause for the absences is shown, but without adequate assurance of no further absences, the student will be administratively withdrawn from the course and a "W" will be recorded for the course.
- c. If good cause for the absences is not found by the Assistant Dean of Student Affairs, then the matter shall be referred to the Academic Standards Committee. If good cause is not found by the Committee, then a W/F ("Withdrawal/Failure") will be recorded for the course and counted as a 1.6 in the calculation of the student's GPA. If good cause for the absences is found by the Committee, then it shall determine the student's status according to the provisions of subparagraphs a) and b) above.

3. Externships, Clinics, Teaching Assistants, Research Assistants, and Classes at Other Law Schools

- a. Students who have completed one academic year of study and at least 19 units are eligible to enroll in an externship. Students must enroll in Lawyering Skills concurrently with the first externship placement. All externship placements are subject to the approval of the Lawyering Skills professor. With the approval of the Lawyering Skills professor, a student may take Lawyering Skills as an independent study if the location of the student's externship placement makes commuting to the law school unduly burdensome.

Students with a cumulative grade point average of 3.0 or higher may apply for a full-time externship placement with the local California appellate or federal bench (Full-Time Judicial Externship Program). Students in the Full-time Judicial Externship Program may earn up to a maximum of eight (8) units and first-time externs must concurrently enroll in the Lawyering Skills course.

Eligible students who secure a qualifying judicial placement for a semester subsequent to having already earned one (1) or more regular externship units may use the remainder of the eight (8) units for the full-time judicial placement. Eligible students who secure a qualifying judicial placement for fewer than eight (8) units may use the remainder of the eight (8) units during a subsequent semester externship.

- b. Students must enroll in a minimum of two (2) units for any externship plus one (1) unit of Lawyering Skills for the first time a student enrolls in an externship. A maximum of six externship units (eight (8) units for students participating in the Full-Time Judicial Externship Program) plus one (1) unit for Lawyering Skills will be counted toward graduation requirements. Students are required to spend sixty (60) hours at the externship placement for each unit of externship credit earned.

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- c. Students must enroll in a minimum of two (2) units for any Clinic course, plus one (1) unit of Lawyering Skills the first time a student enrolls in a Clinic course. Students are required to spend sixty (60) hours at the Clinic or in service of the Clinic for each unit of credit earned.
- d. A student may be a Teaching Assistant for no more than two courses in the same semester, whether the work is done for monetary compensation or for academic credit. For purposes of this rule, the term “course” includes the Academic Success Program. If a student is a Teaching Assistant for two courses in the same semester, the student must inform each teacher of this fact.

Students enrolled for credit as a Teaching Assistant or Research Assistant are required to work a minimum of sixty (60) hours to receive one unit of credit. An instructor may require a student Teaching Assistant or Research Assistant to work more than 60 hours to receive this credit; however, an instructor may not require a student to work more than seventy (70) hours per unit credit without the permission of the Dean or the Dean’s designate. Teaching Assistants or Research Assistants enrolled for credit will not be granted compensation for hours worked in excess of the minimum required to receive credit. A student who is a Teaching Assistant for two courses in the same semester must work a minimum of 60 hours for each unit of credit. A student may not engage in “double billing” by counting the same hour of work toward two courses, whether the student is receiving credit or compensation.

- e. Students seeking to take courses at other law schools, including summer programs at other schools or in foreign countries must first obtain permission, in writing, from the Office of the Assistant Dean of Student Affairs. A maximum of six units for courses taken at other law schools after matriculation at Whittier will be counted toward graduation requirements. Credit will be granted only for work which receives a passing alpha-numeric grade on the scale of the school where the course is being taken. A student may not receive credit for a course at another law school that is substantially similar to a course the student has taken at Whittier Law School, nor may a student receive credit for a course at Whittier Law School that is substantially similar to a course the student has taken at another law school. Required courses and California Bar courses may not be taken at another law school after matriculation at Whittier Law School. Whether a course taken at another law school may be used to satisfy the requirements of a Whittier Law School certificate program is within the discretion of the Director of the certificate program.
- f. A student may petition the Academic Standards Committee for a waiver of the unit limits on externships, summer programs, and pass/fail units, in the manner specified in Section I.B.4., above.

4. Dropping and adding courses

- a. Before the first day of a semester or a summer session, a student may add
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or drop a course at his or her option. Within the first two weeks of a semester, or the first week of a summer session, a student may add or drop a course, at his or her option. A withdrawal made pursuant to this section shall not appear on the student's permanent record.

- b. After the second week of the semester or the first week of the summer session, and before the last three weeks of the semester or the last two weeks of the summer session, a student may add or drop a course only by a petition granted by the Assistant Dean of Student Affairs for good cause, for a fee as prescribed in the Registration Bulletin. A recommendation as to disposition from the instructor of the course involved will be given due regard by the Assistant Dean of Student Affairs, but instructor approval will not be considered a condition for granting of the petition. A withdrawal made pursuant to this section shall appear on the student's permanent record.
- c. During the last three weeks of the semester and the last two weeks of the summer session, a student may not add any course and may drop a course only with approval of the Academic Standards Committee. Failure to take the regular examination will result in the assignment to the student of a Withdrawal/ Failure which shall be entered upon his record at a numerical grade of 1.60.
- d. Notwithstanding subsection a. above, a student may not withdraw from any required course except by a petition granted by the Assistant Dean of Student Affairs for good cause.
- e. When dropping or adding a course would result in a change in the student's status (dropping a full-time student to a semester constituting less than 12 hours of study or a part-time student less than eight hours of study), section I.F.5. below applies.
- f. Students enrolled in a two semester course in which each semester is treated as a final grade shall enroll and remain enrolled in the same course and the same section for both semesters of the course.

5. Changing status

A student may change status from full to part time or from part to full time only by a petition granted by the Assistant Dean of Student Affairs for good cause.

6. Taking a leave of absence from school

- a. Before the last three weeks of the semester or the last two weeks of the summer session, a student may take a leave of absence from school only by a petition granted by the Assistant Dean of Student Affairs for good cause. During the last three weeks of the semester and the last two weeks of the summer session, a student may take a leave of absence from school only by a petition granted by the Academic Standards Committee for good

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cause.

- b. If a student is granted permission to take a leave of absence from school prior to completing a year-long course, any interim grade the student may have earned will be changed to a “W,” and the student must repeat that course when the student returns from the leave of absence.
- c. A student may take a leave of absence for up to one year. A student who fails to return from his or her leave of absence will be administratively withdrawn from school.
- d. Students taking leaves of absence from school will be subject to the Whittier Law School Refund Policy and Title IV regulations as set forth in the Registration Bulletin.

7. Withdrawing from school

- a. Before the last three weeks of the semester or the last two weeks of the summer session, a student may withdraw from school only by a petition granted by the Assistant Dean of Student Affairs for good cause. During the last three weeks of the semester and the last two weeks of the summer session, a student may withdraw from school only by a petition granted by the Academic Standards Committee for good cause.
- b. If a student withdraws from school, the student is not eligible to return to school unless the student is readmitted after reapplication to law school through the Admissions Office.
- c. Students withdrawing from school will be subject to the Whittier Law School Refund Policy and Title IV regulations as set forth in the Registration Bulletin. Students who withdraw from school during a semester must petition the Assistant Dean of Student Affairs for a tuition refund.

G. Dean's List and Honor Roll

A student shall be placed on the Dean's List if, after he/she has accumulated at least 19 units toward graduation, his/her GPA for a given semester of 8 or more units is at or above 3.0. A student shall be placed on the Honor Roll, after he/she has accumulated at least 19 units toward graduation, and his/her CGPA is 3.0 or greater at the end of a given semester.

H. Rules of Student Conduct

1. Smoking

Smoking is not permitted during class, in the library areas, or in the cafeteria. Smoking is permitted only in accordance with the School's official smoking policy.

2. Recording of Classes

ACADEMIC RULES AND REGULATIONS

Students are not permitted to record classroom sessions by use of tape recorders or other recording devices, except as provided in this rule.

- a. An instructor may permit or initiate the recording of a class by audiotape or by videotape. The instructor may prescribe the terms, conditions, and limitations relating to the recording or to the availability of the audiotape(s) or videotape(s).
- b. The Dean or the Dean's designate may overrule an instructor's refusal to allow the recording of a class under circumstances required by law.
- c. This rule does not affect any rule governing student attendance at classes. The same student attendance rules apply for a recorded class as for a non-recorded class.
- d. The term "instructor" (as used in this rule) means anyone who is employed to teach a class at Whittier Law School.

PARKING POLICY

I. Speed limit

Speed limit on campus is 5 m.p.h.

II. Liability

Whittier Law School is not responsible and assumes no liability for theft of or damage to any vehicle or its contents while located on campus.

III. Parking Access

Student and Visitor parking on the Costa Mesa campus parking lot is by parking access cards or daily fee. Students use their Whittier Law School identification cards for access. Visitor parking access cards are available from the Business Office. Parking access cards are non-transferable.

Visitor parking fees for Fall semester and Spring semester is \$100.00 per semester.

Visitor parking fee for Summer semester is \$50.00 per semester.

A semester period is from the first day of the semester until the first day of the following semester.

Alumni receive free parking as long as they maintain their Whittier Law School Student Identification card. Inactivity of Identification card access card after 3 years will result in the deactivation of Identification card.

Alumni may request to have their parking card re-activated. If the Identification card is lost, a replacement Identification card may be purchased for \$25.00.

IV. Disabled Parking Privileges

Only drivers authorized by the State of California to have a disabled placard may park in disabled parking space.

V. Lost/Stolen Parking Access Card

If a parking access card is reported lost or stolen, the individual who purchased it will be required to complete a form which describes the card. The lost/stolen parking access card number is placed on a lost/stolen access card computer listing, and the individual has the opportunity to replace the card. A replacement student identification card is \$25.00 and visitor access parking card is \$10.00. The original parking access card will be deactivated and will not allow access to the parking lot.

VI. Enforcement procedures

A. Violation and penalty schedule

PARKING POLICY

1. Parking prohibited (Penalty -- \$35.00):

Parking is prohibited in any area not specifically marked as a parking space. This includes, but is not limited to driveways, red zones, loading zones, planted and natural landscapes, pedestrian malls, sidewalks, intersections, ramps for disabled access, service access lanes, pedestrian crossings, barricaded areas and construction zones.

2. Unauthorized area (penalty -- \$20.00):

The parking zone in which a vehicle parks must be consistent with the parking privileges associated with the parking access card or visiting status.

3. Overnight parking prohibited (penalty -- \$20.00):

Overnight parking without prior authorization is prohibited.

4. Disabled parking violation (penalty -- \$250.00):

Only those individuals who have secured a disabled placard are authorized to park in disabled spaces.

5. Expired meter (penalty -- \$20.00):

6. Parked over 1 hour/30 minute visitor (penalty -- \$20.00):

Timed visitor parking areas are for Administrative Office visitors only.

B. Payment of penalty

Payment of the penalty must be accompanied by the violation notice. Payments may be made in person at the Business Office between the hours of 9:00 a.m. to 6:00 p.m., Monday through Thursday and 9:00 a.m. to 5:00 p.m. on Fridays. Payment of the penalty may also be completed through the mail. The violation notice must accompany the check when paying by mail.

C. Administrative review of citation issuance

A vehicle owner/operator who believes that a violation notice has been issued in error may request a review of the conditions for issuance of the violation notice with the Director of Facility Management. A review must be conducted in person, by mail or by telephone, within 21 days of the issuance of the violation notice, or within 10 days of the mailing of a Notice of Delinquent parking Violation. The decision by the Director of Facility Management is final.

PARKING POLICY

D. Towing and immobilization of vehicles

Director of Facility Management will tow or immobilize vehicles which have three (3) or more outstanding (unpaid) parking violation notices. Immobilization is achieved via “boot.” Vehicles are usually immobilized. If a vehicle has been previously immobilized, subsequent violations may result in towing. Vehicles presenting an immediate hazard, such as when parked in an emergency/fire access lane, are towed. Vehicles parked on any surface not specifically marked for the legal parking of a motor vehicle, such as lawns, open spaces, sidewalks, etc., are towed. Vehicles are towed by a bonded towing service.

Vehicles are immobilized or towed and impounded until all penalties are paid. In addition to the penalties due, the owner/operator of the vehicle which has been towed or immobilized must pay the costs of towing and storage or an immobilization fee. Towing costs normally range from \$60.00 to \$90.00. The vehicle immobilization fee is \$25.00.

Whittier Law School and its employees assume no liability for loss or damage of any kind resulting from towing, impounding or storage.

COMPLIANCE WITH STATE BAR REGULATIONS

I. In General

It is the personal responsibility of each student to acquaint himself or herself with the Rules and Regulations of the Committee of Bar Examiners relating to law students and admission to practice in the State of California. Copies of these Rules are available in the Registrar's office or on the State Bar website www.calbar.ca.gov.

Students who anticipate practicing law in another state should acquaint themselves with the rules of that jurisdiction. Information regarding the requirements to practice law in any state is available on the American Bar Association (ABA) website. You may access the *Comprehensive Guide to Bar Admissions Requirements* at www.abanet.org/legaled.

II. Registration as a Law Student

Within three (3) months after beginning the study of law, all first year law students are required to register with the California Committee of Bar Examiners. The State Bar no longer provides law schools or applicants with registration packets. Applicants must go directly to the State Bar website at www.calbar.ca.gov and may either submit their registration directly on-line or download the forms and submit them by mail. It is the responsibility of each student to complete this registration within the required time.

III. Special Students

A special student, as the term is used in this section, is an applicant who has been accepted by the Law School having completed less than 60 applicable college credits. Special students are required to pass the First Year Law Students' Examination within three administrations of the examination of their first having become eligible to take it. The student will receive credit for study completed to the time they pass the examination. Students who do not pass the examination subsequent to the third administration of their first having become eligible to take it will receive credit for only one year of study when they do pass the examination.

RIGHTS RESERVED BY WHITTIER LAW SCHOOL

Whittier Law School reserves the right to change the requirements for admission or graduation; to modify the schedules, content, and material or courses; to change tuition or other fees; and to change the rules and regulations set out herein.

Whittier Law School also reserves the right to deny admission to any applicant or to disqualify a student for any reason which appears to be in the best interest of the school.

CODE OF STUDENT CONDUCT

ARTICLE 1 - PREAMBLE

This Code is adopted by the authority of the Faculty of Whittier Law School to maintain the academic environment and to promote among the student body a sense of individual responsibility, integrity and honor. Its intent is to confirm and foster standards of conduct during the period of law school training that will continue in future professional life.

ARTICLE II - PERSONS SUBJECT TO THE CODE

A person enrolled in or applying to the Law School or applying for readmission, hereinafter referred to as "student", is subject to the provisions of this code.

ARTICLE III - JURISDICTION OF THE LAW SCHOOL

Generally, Law School jurisdiction and discipline is limited to conduct which occurs on Law School premises or which adversely affects the Law School.

ARTICLE IV - PROSCRIBED CONDUCT

A. General Standards of Conduct

The Code adopts the California Code of Professional Conduct as amended.

B. Specific Conduct - Rules and Regulations

A student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article VI:

* EFFECTIVE JUNE 1, 1993

1. Acts of dishonesty, including but not limited to the following:
 - (a) Cheating, plagiarism or other forms of academic dishonesty.
 - (b) Furnishing false information, knowing it to be false, to the Law School, its staff or faculty members, or to potential employers.
 - (c) Forgery, alteration, or unauthorized use of the academic property of the Law School or the academic property or work product of a member of the Law School community.
2. Interfering with the orderly conduct of the educational or administrative functions of the Law School.
3. Physical abuse, verbal abuse, threats, intimidation, harassment or coercion or other conduct which threatens or endangers the health or safety of any person.

CODE OF STUDENT CONDUCT

4. Attempted or actual theft of and/or damage to property of the Law School or property of a member of the Law School community including but not limited to intentionally removing, misplacing, tearing, mutilating or destroying library materials.
5. Commission of an act involving moral turpitude, dishonesty or corruption which reflects upon moral fitness as a prospective member of the legal profession, whether the act is a felony or misdemeanor. Conviction in a criminal proceeding is not a condition precedent to disciplinary action by the school. However, the record of conviction shall be conclusive evidence of the guilt of the crime of which the student has been convicted, and a plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction.
6. Violating a Law School rule or policy including but not limited to its Sexual Harassment Policy, Alcohol and Drug Policy and Rules and Regulations Regarding Examinations.
7. Submitting as one's own, research assignments, papers or classwork prepared by another, prepared in concert with another or prepared for another class or professor unless otherwise authorized by the professor to whom the paper or work product is submitted.
8. Abuse of the Law School's Student Conduct system, including but not limited to:
 - (a) Failing to appear and testify as a witness at a proceeding under this Code when called.
 - (b) Falsifying, distorting, or misrepresenting information before the Hearing Board.
 - (c) Disrupting or interfering with the orderly conduct of a student conduct hearing.
 - (d) Knowingly making a false accusation against another alleging violation of the Code.
 - (e) Attempting to block an individual's proper participation in, or use of, the student conduct hearing process.
 - (f) Attempting to influence the impartiality of a member of a hearing board prior to, or during the course of, the hearing proceeding.
 - (g) Harassing (verbally or physically) or intimidating a member of a hearing board prior to, during, or after a conduct hearing.
 - (h) Failing to comply with the sanction(s) imposed under the Student Code.

CODE OF STUDENT CONDUCT

- (i) Influencing or attempting to influence another person to commit an abuse of the student conduct process.

ARTICLE V - PROCEDURE

A. Initiation of Disciplinary Action

1. Reports of alleged student misconduct must be submitted to the administrative official appointed by the Dean (the "Dean's Appointee") as soon as possible after the event takes place but in no event more than one year after the occurrence of the alleged misconduct except as otherwise provided in the Sexual Harassment policy. The Dean's Appointee shall notify the accused student of the charge as soon as practical.
2. The Dean's Appointee may conduct an investigation to determine if the charges have merit. If the Dean's Appointee determines that the charges lack merit, the charge will be dismissed and no record kept of the matter. If the charge has merit, then the Dean's Appointee may dispose of the matter administratively by mutual consent of the Dean's appointee and the accused involved on a basis acceptable to the Dean's Appointee. Disposition may include the imposition of one or more sanctions described in Article VI. If a sanction is imposed, the Dean's Appointee shall make a record of the matter which shall describe the charge(s) and indicate the agreed upon sanction. The record shall be placed in the student's permanent file and treated according to the procedures described in Article VII, Sections B, C, and D. Such an administrative disposition shall be final and there shall be no subsequent proceedings.
3. If the charges cannot be disposed of by mutual consent, the Dean's Appointee shall require that a hearing be set before the Hearing Board.
4. If a hearing is required, charges shall be presented to the accused student in written form. A time shall be set for a hearing, not less than five nor more than twenty academic days after the accused student has been notified. Minimum and maximum time limits for scheduling of hearings may be reduced or extended at the discretion of the Dean's Appointee.

B. Hearing Board

This Board affords a person accused of violating this Code an opportunity for a hearing. The Board is composed of students, faculty members and the Dean's Appointee.

CODE OF STUDENT CONDUCT

1. Membership

The Hearing Board shall be composed of one non-voting member, the Dean's Appointee, and three or five voting members: either one student and two faculty members or two students and three faculty members.

- (a). During the SBA regular elections, the student body shall elect one or two student members to Hearing Board terms of one year. If no student member is elected, the SBA President may propose one or two student members to the faculty for faculty approval. A student member shall have completed one semester of study. No student who has been found to have violated the Code or who has received an administrative sanction may be elected or appointed to sit on the Hearing Board.
- (b). The faculty shall elect their members at the first faculty meeting of the fall semester. If faculty representation must be increased or decreased to fit the prescribed ratio, the faculty shall vote to add or remove a faculty member. If a faculty vote is not possible, the Dean may appoint or remove a faculty member as required.
- (c). The Dean shall appoint the Chair of the Hearing Board from its membership.

2. Function of the Hearing Board

The Hearing Board shall:

- (a) review written charges of violation(s) of the Code.
- (b) consider the level of intent of the alleged conduct.
- (c) make findings of fact regarding the alleged violations.
- (d) determine whether the facts constitute a violation of the code.
- (e) determine the sanctions, if any, to be assessed for violation of the Code.

3. Duties, Disqualifications, and Replacement of Board Members

- (A). Members must be present at meetings of the Board and remain throughout the proceedings unless disqualified or excused.
 1. A voting member of the Board should disqualify himself or herself in a proceeding in which his or her impartiality might

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reasonable be questioned, including but not limited to instances where:

- (a) he or she has a personal bias or prejudice concerning the accused party;
- (b) he or she has confidential knowledge of the disputed evidentiary facts regarding the matter in dispute;
- (c) he or she has counseled, advised, or acted as an advocate on behalf of a student with regard to the matter which is the object of the proceeding before the Board;
- (d) there is a blood or marital relationship between the member and the accused.

2. A member of the Board disqualified by the terms of 3.A.1 (c) or (d) above may, instead of withdrawing from the proceedings, disclose on the record the basis of his or her disqualification. If based on such disclosure, the Dean's appointee and the accused student agree in writing that the member's relationship under 3.A.1 (c) or (d) is immaterial, the member may participate in the proceeding. The agreement, signed by the Dean's appointee and the accused student, shall be incorporated in the record of the proceeding.

3. A member disqualified under 3.A.1 (a) to (d) above and whose disqualification is not remitted may be replaced: by the Dean of the Law School, if the disqualified member is a faculty member or by the President of the SBA, if the disqualified member is a student member.

4. Responsibilities of the Chair

- a. The Chair shall preside over the hearings.
- b. The accused student may waive a hearing by the Board and elect to have a decision rendered by the Board based on stipulated facts. The right of appeal remains available.

5. Jurisdiction of the Hearing Board

- a. The Board shall hear matters of individual or group violations, unless the accused student waives the right to a hearing by the Board.

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- b. In a case where the Board determines that an individual or group has violated the Code, it shall take such disciplinary action permitted by the Code as it finds appropriate under the circumstances.

- c. Pending a hearing or action of the Board, the Dean or the Dean's Appointee may take temporary disciplinary action against an accused student (a) to ensure the safety and well-being of members of the law school community or preservation of law school property; (b) to ensure the student's own physical or emotional safety and well-being; or (c) if the student poses a definite threat of disruption of or interference with the normal operations of the law school. This action shall be judged as entirely separate from the action of the Board and shall be deemed non-prejudicial to the hearing before the Board.

C. Hearing Rules and Procedures

1. Hearing Rules

Pursuant to Article V, Section A.4., the Dean's Appointee shall serve a written complaint on the accused and recommend a hearing by the Hearing Board if the matter is not resolved administratively pursuant to Article V, §A.2.

- 2. Hearings shall be conducted by the Hearing Board according to the following guidelines:
 - (a) Except as provided in Article VI, hearings normally shall be closed to the public and other members of the Law School community. At the request of the accused, and subject to the discretion of the Chair, the hearing may be open to other members of the Law School community.
 - (b) Admission to the hearing shall be at the discretion of the Chair or the Dean's Appointee.
 - (c) In hearings involving more than one accused, the Chair may permit the hearings to be conducted separately.
 - (d) The accused has the right to be assisted by an advisor he or she chooses, at his or her own expense. The accused is, however, responsible for presenting his or her own case and, therefore, advisors are not permitted to speak, to cross-examine witnesses or to participate directly in the hearing.
 - (e) Pertinent records, exhibits and written statements may be admitted as evidence for consideration by the Hearing Board at the discretion of the Chair.

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- (f) Procedural questions are subject to the final decision of the Chair of the Hearing Board.
- (g) The Hearing Board's determination shall be made on the basis of clear and convincing evidence that the accused student violated the Code.
- (h) In proceedings governed by the Code, the Hearing Board is not bound by the formal rules of evidence.
- (i) In no case shall the accused be denied the right to know and confront his or her accuser.
- (j) If the accused fails to appear without prior notification in writing to the Dean's Appointee, the hearing may proceed as scheduled and judgment rendered, with the presumption that the accused denies all charges.

3. Rights of Victims

- a. Some actions which violate Law School rules involve a person who has been victimized by the behavior of others. This behavior may include acts such as theft of or damage to property, intimidation, harassing or obscene phone calls, physical violence, sexual assault, harassment, and acts which endanger one's safety. If a member of the Law School community has filed a complaint and is identified as a victim, that individual is entitled to certain rights in the hearing process.
- b. If a complaint is filed with the Dean's appointee, it is important to remember that the accused student is being charged with violating a Law School rule; therefore, the Law School is ultimately responsible for initiating charges and for implementing the hearing process. Although victims' input is sought during the disciplinary process, the judgment of the case is the responsibility of the Dean's Appointee or Hearing Board. If a victim decides to withdraw a complaint, the Law School may proceed with the case on the basis of other testimony.
- c. Victims are entitled to the following:
 - 1. To meet with the Dean's Appointee, who will discuss the various aspects of the disciplinary process.
 - 2. To submit a written account of the alleged incident.
 - 3. To be informed of the date, time, and location of a hearing.

CODE OF STUDENT CONDUCT

4. To be present at all stages of the hearing process subject to the approval of the Hearing Board Chair except the private deliberations of the Hearing Board; to be present to hear all the testimony and to hear the determination and imposition of penalties, if any.
5. To be called upon as a witness.

4. Hearing Procedure

- a. The Dean's appointee shall read the written complaint, including any attestations of corroborating witnesses as the preliminary case against the accused student. The accused student may waive the reading of the complaint.
- b. The accused student shall then have the opportunity to refute the accusations and offer a defense. The accused student may call witnesses to corroborate or to establish reputation and character. The accused student has the right to cross examine complaining witnesses.
- c. The Board may, thereafter, call its own witnesses.
- d. The accused student may question a witness the Board calls, may reply to such witness, or may call witnesses to refute testimony, at the discretion of the Chair.

5. Decision of the Hearing Board

- a. After the hearing and due deliberation, the Board members shall vote once by secret ballot to determine whether the accused student has violated the Code.
- b. The members shall vote that the student has violated or has not violated the code by majority vote for each section of the Code the student is charged with violating. Where it is material, the Board in its finding of fact will indicate the nature or degree of culpability.

6. Recommendation for Sanctions

If the Hearing Board determines that the accused is responsible for violating the Code of Student Conduct by a majority vote, it shall impose one or more sanctions as described in Article VI.

7. Appeal

- a. Students found to have violated the Code may appeal decisions of the Board in writing to the Dean of the Law School within five days of being
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notified of the Board's decision. Grounds for appeal shall be limited to instances where:

- (1) the appellant claims procedural or substantive error which prejudiced the outcome of the hearing, or
 - (2) the appellant contends the sanction imposed by the hearing board was too severe given the nature of the violation.
- b. Students found to have violated the Code may seek review of decisions of the Board in writing to the Dean of the Law School within one year of the date of the original hearing in instances where new evidence, not available at the original hearing is uncovered which is exculpatory.
- c. The Dean has the authority to affirm the decision of the board; affirm the finding but modify the sanction; reverse the decision and remand the matter to the hearing board; or reverse the decision of the board.

ARTICLE VI - SANCTIONS

- A. Violation of the Code may result in one or more of the following disciplinary actions:
1. Warning
Written notice to the student, that continuation or repetition of specified conduct may be cause for disciplinary action.
 2. Censure
Written reprimand for violation of a specified section of the Code, including notice that conviction for violation of the Code within a specified period of time stated in the reprimand will lead to other more severe sanctions.
 3. Restitution
Reimbursement for damage to or misappropriation of property may take the form of money payment or appropriate service to repair or otherwise compensate for damages.
 4. Academic Penalty
In the imposition of academic sanctions, the Board may take into account the possible effect the sanctions may have on the student's future admissibility to the bar. These sanctions may include:
 - a. Permanent expulsion from the Law School.
 - b. Suspension from the Law School for one or more semesters.
 - c. Grade penalty

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- B. In the Event of an expulsion or suspension, the school shall retain only that portion of the total tuition to which the student would have been entitled under the refund policy of the law school had he/she withdrawn from classes as of the date of the notice of suspension and expulsion.
- C. Notification of Sanction Imposed
The Chair shall inform the person charged with the violation of the Board's decision within three academic days after the hearing.

ARTICLE VII - RECORDS

- A. There shall be a single verbatim record, such as a tape recording, of hearings brought under this Code. The record shall be the property of the Law School.
- B. The deliberation, and record, of each hearing are not disclosed to the public except as provided by law. The State Bar and other agencies concerned with accreditation are not considered public for the purposes of these rules. If the decision is made that the Code was not violated the student will have option to make the decision public.
- C. A record of the Board's decision will be placed in the student's permanent file. At the option of the Board, notation of results of the proceedings may be placed on the permanent record card from which transcripts are prepared. (These are not available to the public without the student's request except as provided by law.)
- D. Records will not be removed from the individual's permanent file except as otherwise provided in any other law school rule or policy.

POLICY ON PLAGIARISM AND MISUSE OF SOURCES

1. Plagiarism as an Academic Offense

Plagiarism may take the form of repeating another's sentences, adopting a particularly apt phrase, or paraphrasing someone else's words as though they were your own. To plagiarize is to give the impression that you have written or thought something that you have in fact borrowed from another.

Whittier Law School considers plagiarism to be one of the most serious offenses that can be committed in an academic community because it falsifies the creative and evaluative processes of learning. A finding that a student has engaged in plagiarism raises serious questions about the student's fitness to remain in Law School.

2. Definition of Plagiarism

a. Plagiarism is the knowing use of another's language without citation to the precise source of that language. It is a violation of the School's plagiarism policy if the student commits plagiarism in any written work submitted or presented for any Law School credit or benefit in any situation where the student is expected to do his or her own work.

b. By "another's language" we mean:

(1) the use of someone else's exact words. The use of someone else's exact words requires both the use of quotation marks and a citation to the source. Obviously, this rule applies to the use of a paragraph or even a sentence from another's work. It may also apply to the use of only a few words. Because every word you use will have been used by someone else before, the test for the quotation-and-citation rule is a common sense one. If you are using the essence of someone else's expression, the rule applies no matter how few words are involved. If you are unsure whether the rule applies, it is better to use quotation marks as well as a citation.

When you merely substitute a few of your own words in an otherwise verbatim passage, you should place the passage in quotation marks and place brackets around the words you have inserted. For example: "Four score and seven years ago our [foremothers] brought forth on this continent a new nation..." Abraham Lincoln, Gettysburg Address.

or

(2) Substitution of one's own words for selected words in a copied passage, while retaining the order or syntax of the original, without clear attribution to the original source or sources. (This may also be known as "paraphrasing.")

(a) Rearrangement and/or paraphrase of paragraphs, sentences or portions of sentences does not suffice to avoid plagiarism. If a source is used in this manner, the student's work must clearly acknowledge its usage.

POLICY ON PLAGIARISM AND MISUSE OF SOURCES

c. Misuse of Sources

Misuse of sources, such as knowingly distorting or misstating quoted or cited material, knowingly attributing quotations to a source that does not contain them or knowingly citing a source to support material it does not support, does not constitute plagiarism but may be subject to sanctions as academic misconduct.

3. Disciplinary Sanctions

- a. If the Law School Hearing Board, acting pursuant to the Whittier Law School Code of Student Conduct, determines that a student has committed an act of plagiarism as defined in this policy, or has misused research sources as defined above, the student shall be subject to disciplinary action including expulsion or suspension, notification to state bar examiners and other penalties authorized by the Code of Student Conduct.
- b. Regardless of disciplinary action by the Law School, if an instructor determines that a student has copied or paraphrased the work of another without sufficient attribution, has failed to submit sufficient original work of his or her own or has misused research sources, the instructor may lower the student's grade or impose a failing grade and deny course credit.
- c. Any proceedings against a student for a violation of this policy must be brought within two years of the date at which the student turned in the offending material. Even if a student has received course credit or has graduated from Law School before discovery of plagiarism or misuse of sources, the Law School may impose disciplinary sanctions including substitution of a lower or failing grade for a course, revocation of the student's law degree, and notification of state bar examiners, and the instructor may withdraw the existing grade and substitute a lower or failing grade for the course. This rule shall operate as an explicit exception to the rule that restricts grade changes to clerical errors.

EXAMINATION RULES

A. TIME OF EXAMINATION

1. The proctor shall make every effort to see that the students in an examination room start the exam simultaneously and finish the exam simultaneously.
2. If there is a delay in starting the examination (other than a delay caused by a student's late arrival), the proctor shall allow the students extra time after the scheduled end of the exam to compensate them for the time lost.
3.
 - (a) If a student arrives late to an exam, the proctor shall note the student's name (not student number), arrival time and beginning time on a sheet of paper (separate from the student's bluebook and exam materials) and shall assist the student to begin taking the exam promptly. The proctor shall note the time that the late student completes the exam.
 - (b) If a student arrives any time after the time the exam has actually begun, the Dean, Associate Dean or Assistant Dean determines whether to give the student compensatory time. The decision of the Dean, Associate Dean or Assistant Dean is final. If the exam room is closed, the Dean, Associate Dean or Assistant Dean should make arrangements for the student to take the exam in another room. The Dean, Associate Dean or Assistant Dean shall consult with the faculty member when reasonably practicable.
4.
 - (a) A student may not begin writing or typing any words (e.g., outlines, notes, examination answers) until the proctor has announced that the exam has begun.
 - (b) A student may not continue writing or typing any words (e.g., outlines, notes, examination answers) after the proctor has announced that the exam has ended.
 - (c) Violations of these provisions, **4(a)** and **4(b)**, shall be referred to the professor for deduction of points. The proctor should, with due care to preserve the anonymous grading system, note separately from the student's examination answer the circumstances of such violation (e.g., whether the student wrote before the examination, or after it, how long the student so wrote, how many times the student was told not to write, etc.) The proctor must also refer the matter to whichever Dean is in attendance during the examination. The student should be instructed that he may explain his/her version to the Dean in attendance. If such Dean determines the supposed violation to be flagrant (i.e., such that, if true, the violation would warrant disciplinary action in addition to a deduction of points by the professor), such Dean shall also refer the matter to the Dean's designee under the Code of Student Conduct. If the Dean's designee determines that the supposed violation would, if true, be flagrant, then the Dean's designee shall proceed in accordance with the Code of Student Conduct.
5. No student will be permitted to leave the exam room during the last 10 minutes of the exam. (This insures that the room is quiet for the duration of the examination.)

EXAMINATION RULES

B. EXAMINATION FORMAT

1. Examinations may be answered by writing in bluebooks, using the ExamSoft program or marking Scantron forms. Occasionally a faculty member will direct students to answer on the examination itself.
2. The Examsoft software program may be used with the prior permission of the Registrar and after registering properly with the Examsoft company on their website. The student must provide his or her personal laptop computer for this substitute for writing in bluebooks. Each student using Examsoft is responsible for the operation of her or his personal laptop computer.

C. AUTHORIZED MATERIALS

1. The school will provide students sitting for examinations with bluebooks, scratch paper, and Scantron forms as appropriate.
2. Students whose native language is not English and who received their undergraduate degree at a university in which classes are conducted in a language other than English shall be permitted to use an approved Foreign Language-English Dictionary during examinations.

D. UNAUTHORIZED MATERIALS

1. The professor shall give the student reasonable notice prior to the exam of what papers, books, notes, outlines and other materials may be referred to by students during the exam. Any books, papers, notes, outlines and other materials not specifically permitted by the instructor shall be considered "unauthorized materials."
2. Students shall not have the unauthorized material near them during the exam. Proctors should instruct the students to place all unauthorized materials at the front of the exam room or at another distant location before the examination questions and bluebooks or Scantron forms are distributed. (Students will not be permitted to keep unauthorized materials under desks during the exam.)
3. A purse or pocketbook shall not be considered "unauthorized material" unless so designated by the Dean on duty.

E. DISTRIBUTION AND COLLECTION OF AUTHORIZED MATERIALS

1. The proctor shall not distribute bluebooks, scratch paper, and scantron forms to the students until the students' desks and adjacent areas have been cleared of all unauthorized materials.

EXAMINATION RULES

2. The proctor is required to collect all blank and used bluebooks (including student's notes and outlines made during the exam) at the completion of the exam. Students shall put their number on all used bluebooks, unless the professor specifies otherwise.

F. DISTRIBUTION AND COLLECTION OF EXAMINATION QUESTIONS

1. The proctor shall not distribute examination questions to the students until the students' desks and adjacent areas have been cleared of all unauthorized materials.
2. The proctor is required to collect the examination questions at the completion of the exam. Students shall put their numbers on the examination question, unless the professor specifies otherwise.

G. ACTION OF PROCTORS WHO OBSERVE MISCONDUCT

1.
 - (a) The first concerns of a proctor who suspects misconduct should be to stop the misconduct and to preserve evidence, while not disrupting any student (including the accused) who is taking the exam.
 - (b) The proctor should request students observed communicating (e.g., talking, gesturing) to stop communicating. The proctor should quietly ask a student suspect of cheating to give the proctor the notes, papers or other materials used to cheat, but the proctor shall allow the student to continue taking the exam. If the student refuses to turn over any materials requested, he/she should not be searched but the proctor should advise him/her that an adverse inference may be drawn by the Code of Student Conduct Committee based on the students' refusal.
 - (c) When gathering evidence or quieting students during the examination, the proctor should be careful not to disrupt or alarm any student.
2. After the proctor has stopped the misconduct and preserved the evidence, the proctor should notify the Dean on Duty of the problem that has arisen. If possible, the Dean on Duty should be available when the accused student completes the exam to interview the accused student, as described below.
3. The proctor or the Dean on Duty should note the names of students who, during the exam, are seated near the accused students and may have witnessed misconduct. This information may be forwarded by the professor to the Dean's designee who handles disciplinary matters pursuant to the Code of Student Conduct.
4.
 - (a) After the accused has completed his/her exam, and before the accused student has picked up his/her unauthorized materials and left the room, the proctor should request that the student stay Dean of Duty in the room or accompany the proctor to another room, in order to meet the Dean on Duty. The proctor should make this request to the student privately, out of the hearing of other persons.
 - (b) If the student refuses to stay to meet with the Dean on Duty, he/she cannot be

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forced to stay. However, the proctor should explain that an adverse inference may be drawn by the Student Conduct Hearing Board based on the student's refusal.

- (c) The Dean on Duty should interview the accused student privately, giving him/her a chance to explain the suspicious conduct and to provide relevant evidence. The professor should take complete notes of the interview and preserve evidence for eventual use in connection with the procedures provided by the Code of Student Conduct. The Dean on Duty, at his/her discretion, may forward the information to the Dean's designee who handles disciplinary matters pursuant to the Code of Student Conduct.

- 5. The failure of a proctor to follow these rules regarding the preservation of evidence shall not preclude the Dean's designee of the Code of Student Conduct Board from considering and acting on the evidence which is available and shall not be offered as an objection to the admissibility or consideration of evidence which is available.

H. EXAMINATION ROOMS

- 1. There shall be at least one proctor assigned to each examination room.
- 2. There shall be a sufficient number of examination rooms so that there will be at least one vacant seat between every student who writes the examination.
- 3. During the administration and collection of the exams, proctors shall take reasonable steps to preserve the anonymity of the student.

I. SPECIAL EXAMINATION ADMINISTRATIONS

- 1. Upon the approval of the Administration a student may be allowed to take examinations under special circumstances to accommodate a disability.
- 2. Any accommodation must be approved before the end of classes.

J. DEFINITIONS

- 1. The term "professor" means any faculty member or course instructor.
- 2. The term "proctor" means any person (staff member or other) who supervises the administration of the exam.

K. APPLICABILITY OF THE RULES

The rules shall apply only to the examinations given during the exam period at the end of a semester or summer session. The examination rules do not apply to mid-term examinations. However, the Code of Student Conduct (Honor Code) does apply to all examinations.

POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

I. GENERAL POLICY

Whittier Law School's policy and practice is to comply with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and state and local requirements regarding students and applicants with disabilities. Under these laws, no qualified individual with a disability shall be denied access to, or participation in, services, programs and activities of the Law School.

It is the policy of the Law School that otherwise qualified students who have disabilities shall be given reasonable accommodations, including academic adjustment and auxiliary aids, where appropriate, necessary to ensure access to the school's overall educational program.¹ Individual students receive reasonable and necessary accommodations, including adjustments and aids, based on specific information and assessment data documented by a qualified professional.

II. DEFINITIONS

1. PERSON WITH A DISABILITY is:

any person who (i) has a physical or mental impairment which substantially limits one or more major life activities; (ii) has a record of such impairments; or (iii) is regarded as having such impairment.²

2. OTHERWISE QUALIFIED PERSON WITH A DISABILITY is:

an individual with a disability who meets the academic and technical standards requisite to admission and participation in the law school's educational program and activities.³ The qualifications for participating in the law school's educational program include, but are not limited to, the ability to understand, analyze, apply and communicate legal concepts.

III. ADMISSIONS POLICY AND PROCEDURES

The Law School does not discriminate on the basis of disability. Information provided during the admissions process concerning an applicant's disability shall be provided on a voluntary basis and shall be kept in accordance with state and federal laws regarding confidentiality.

1. LSAT scores

An indication by Law School Admissions Services (LSAS) that an applicant took the LSAT under accommodated conditions shall not be used as the basis for discrimination. The scores received

¹ 29 USC §794, Section 504 states in pertinent part: No otherwise qualified individual . . . , shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

² 34 C.F.R. §104.3(j). The terms "Persons with Disabilities," "Handicapped Persons," "Disabled Persons" are used interchangeably to mean "Handicapped Person" as defined under Section 504 of the Rehabilitation Act. See also the Americans with Disabilities Act of 1990, P.L. 101-336, July 26, 1990, Section 3(2) (definition of disability).

³ 34 C.F.R. §104.3(k)(3).

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on such tests shall be treated the same as any unaccommodated scores by the Admissions Committee. The Law School policy is to view nonstandard testing conditions as necessary and reasonable accommodations which have been afforded only after proper evaluation by LSAS and do not result in unfair advantage or inflated scores.

2. Documentation of the Disability

Applicants who wish to have their disability considered as a factor in the admissions process, must identify the disability and provide an explanation of why it is a factor at the time of application. If the applicant wishes the disability to be considered as a factor, it may be necessary for the applicant to provide appropriate documentation of the disability.

3. Reconsideration

It is not the Law School's practice to reconsider applications that have already been rejected, unless there was information that was not available at the time of the application through no fault of the applicant. For that reason, applicants are advised to make the disability known at the time of application if they wish to have the disability taken into account in the application process. In some cases, it may be necessary for the applicant to provide documentation supporting the disability and its impact on academic performance.

4. Information on the Disability Retained in Applicant's File

Information and letters of reference will be retained in student files unless the student indicates they do not wish them to be. Applicants who do not wish to have their disability considered, may wish to make that fact known to those people who provide letters of reference for them.

5. Applicants Not Wishing to Self-Identify in the Application Process

Students who are accepted for admission are advised in their fall memorandum to contact the Assistant Dean for Student Affairs as soon as possible regarding disabilities that might require accommodations. Accepted applicants are strongly encouraged to identify disabilities requiring accommodations early to allow adequate time for evaluating documentation, for designing the specific accommodation, and for arranging scheduling in barrier free classrooms. Early requests for accommodations are more easily granted; last minute requests for accommodations may not be able to be obliged because of the time required to make such arrangements.

IV. ENROLLED STUDENTS

1. Identifying the Need for Accommodations

Students with disabilities who require accommodations must make those needs known to the Assistant Dean for Student Affairs as soon as possible. Students are responsible for making these needs known in a timely fashion and for providing appropriate documentation and evaluations in appropriate cases. Students should not assume that because their application to law school indicates

POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

the presence of a disability that this information is known to the Office of Student Affairs. The Assistant Dean for Student Affairs has authority to decide whether accommodations will be granted in individual cases. A student who is denied accommodations may appeal the denial to the Dean of the Law School, whose decision is final.

Students who do not require accommodations need not make their disabilities known. The information on the student's disability and accommodations is treated as confidential information under applicable federal, state, and university laws and policies and is only provided to individuals who are privileged to receive such information on a need to know basis. Faculty members who are advised of a disability are advised that this information is confidential.

In some cases where only minor accommodations are required (such as requesting to sit in the front row because of a visual or hearing impairment), the student should feel free to simply make a request of the faculty member. If requests for minor accommodations are not responded to adequately, the student should make the request of the Assistant Dean for Student Affairs.

2. Accommodations

The Law School will timely provide reasonable accommodations, including academic adjustments and auxiliary aids, as necessary to ensure students with disabilities access to the school's services, programs and activities. Accommodations will not be provided if they fundamentally alter the nature of the program or if they would be unduly burdensome either financially or administratively. Students requesting accommodations should identify their needs as early as possible to the Assistant Dean for Student Affairs.

3. Verification of Physical Disabilities

A student with a physical disability must provide professional verification certified by a licensed physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other professional health care provider who is qualified in the diagnosis of the disability. The verification must reflect the student's present level of functioning of the major life activity affected by the disability. **The assessment must provide data that support the request for the particular academic adjustment sought.** The student shall provide the verification documentation to the Assistant Dean for Student Affairs. The cost of obtaining the professional verification shall be borne by the student.

If the initial verification is incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, the Law School shall have the discretion to require supplemental assessment of a physical disability. The cost of and responsibility for the supplemental assessment shall be borne by the student.

4. Verification of Learning Disability

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A student with a learning disability must provide professional testing and evaluation results which reflect the individual's present level of processing information and present achievement level. The cost of and responsibility for obtaining the professional verification shall be borne by the student.

Documentation verifying the learning disability must:

(A) be prepared by a professional qualified to diagnose a learning disability, including but not limited to a licensed physician, learning disability specialist, or psychologist;

(B) include the testing procedures followed, the instruments used to assess the disability, the test results, and a written interpretation of the test results by the professional;

(C) reflect the individual's present level of functioning in the achievement areas of: reading comprehension, reading rate, written expression, writing mechanics and vocabulary, writing, grammar, and spelling; and

(D) reflect the individual's present level of functioning in the areas of intelligence and processing skills.

The assessment must provide data that support the request for the particular academic adjustment sought. In the event that a student requests an academic adjustment or accommodation that is not supported by the data in the assessment, or if the initial verification is incomplete or inadequate to determine the extent of the disability, then it is incumbent on the student to obtain supplemental testing or assessment at the student's expense.

If the Law School requires an additional assessment for purposes of obtaining a second professional opinion as opposed to supplemental assessment, then the Law School shall bear any cost not covered by any third party payor.

5. Verification of Temporary Disability

Students seeking accommodations on the basis of a temporary disability must provide documentation verifying the nature of the condition, stating the expected duration of the condition, and describing the accommodations deemed necessary. Such verification must be provided by a professional health care provider who is qualified in the diagnosis of such conditions. The assessment of verification of disability must reflect the student's current level of disability, and shall be no older than 60 days. The cost of obtaining the professional verification shall be borne by the student.

If the initial verification is incomplete or inadequate to determine the extent of the disability and appropriate accommodations, the Law School shall have the discretion to require supplemental assessment of the temporary disability. The cost of the supplemental assessment shall be borne by the student.

V. FACILITIES ACCESS

POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

1. Architectural Issues

The Whittier Law School facility is on one single floor and is completely accessible to all.

2. Parking

Ample handicapped parking spaces are available in the campus parking lots.

3. Ramped Entrances

All entrances are ramped with handrails.

4. Classrooms

All classrooms are accessible by ramps and handrails. Students with special classroom needs should speak to the Assistant Dean about classroom scheduling.

5. Library

The Library collection is on a single floor. Seating and book storage are designed for wheelchair accessibility. Students with special needs should speak to a member of the Library professional staff for assistance.

6. Restrooms

All restrooms are equipped for access for the disabled.

VI. ACADEMIC DISMISSAL AND READMISSION

Students who are academically dismissed sometimes raise a disability as the basis for the academic difficulty. The burden is on the student to clarify why the disability was not previously brought to the attention of the administration if it had not been; to explain why accommodations were not requested; or to explain why accommodations that had been provided were not adequate.

Readmission petitions should be discussed with the Assistant Dean for Student Affairs. The Dean of the Law School and the Academic Standards Committee consider and decide such petitions.

VII. BAR EXAMINATION AND CAREER COUNSELING

Bar Examination

Law students with disabilities who believe they will require accommodations in taking the Bar examination should inquire early in their legal education as to what will be necessary to obtain accommodations. Information on how to contact Bar examiners in all states is available from the Assistant Dean for Student Affairs. Many state boards of bar examiners will request that the law

POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

school provide information on accommodations received during law school. Such information will be provided upon the law school's receipt of appropriate documentation/authorization from the student.

Career Counseling

The Career Services Office provides assistance to all students and does not discriminate on the basis of disability. Students who believe that an employer using the services of the Career Services Office has discriminated on the basis of disability should bring that to the attention of the Director of Career Services.

VIII. GRIEVANCES

Students who request accommodations from faculty or staff members and who believe that such accommodations have been impermissibly denied or who believe that they have been discriminated against on the basis of their disability should bring this matter to the attention of the Assistant Dean for Student Affairs. If the Assistant Dean is unable to resolve the matter informally, or if the student is dissatisfied with the resolution, the student may petition the Academic Standards Committee. Appeals from decisions of the Academic Standards Committee may be brought as provided in the Rules and Regulations of the Law School.

GUIDELINES FOR DOCUMENTATION OF REQUESTS FOR DISABILITY ACCOMMODATIONS

**ALL DOCUMENTATION MUST BE DATED,
SIGNED, AND ON LETTERHEAD OF AN
APPROPRIATE PROFESSIONAL**

I. Students with Physical, Sensory and Health-Related Disabilities

In order to ensure the provision of reasonable and appropriate accommodations and services for students with physical, sensory and health-related disabilities, current and comprehensive documentation of their condition is required. This documentation should include the following-

1. Specification of the diagnosis;
2. Date of last contact with student;
3. Statement as to the "major life activities", impacted by the student's impairment(s) and level of severity (e.g.-the student has limited use of her hand and can only write at a speed of 10% of the average).
4. Description of the student's functional limitations in a college/university setting (i.e. how does the impairment significantly limit a major life activity in an educational setting).
5. Recommendations regarding *effective* accommodations to equalize the student's educational opportunities at the post-secondary level.

This documentation should be dated within the last five (5) years and after the student's eighteenth (18th) birthday.

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II. Students with Psychiatric Disorders

In order to ensure the provision of reasonable and appropriate accommodations and services for students with physical, psychological or mental disorders, current and comprehensive documentation of their condition is required. This documentation should include the following:

1. Specification of the diagnosis (i.e. DSM-IV Diagnosis);
2. Date of the Diagnosis and date of last contact with student;
3. Statement as to the severity of the impairment (e.g. use of the Global Assessment of Functioning Scale Score);
4. Description of the student's functional limitations in a college/ university setting (i.e. how does the impairment significantly limit a major life activity in an educational setting).
5. Recommendations regarding effective accommodations to equalize the student's educational opportunities at the post-secondary level;
6. Recitation of the instruments and procedures used to make a diagnosis.

This documentation should be dated within the last five (5) years and after the student's eighteenth (18th) birthday.

III. Students with Temporary Disabilities

In order to ensure the provision of reasonable and appropriate accommodations and services for students with temporary disabilities, current and comprehensive documentation of their condition is required. This documentation should include the following:

1. Specification of the nature of the condition;
2. Date of last contact with student (should be within 60 days);
3. Assessment of current level of disability and description of the student's functional limitations in a college/university setting (i.e. how does the impairment significantly limit a major life activity in an educational setting);
4. Recommendations regarding effective accommodations to equalize the student's educational opportunities at the post-secondary level.

IV. Students with Learning-Disabilities

The following professionals are deemed appropriate and qualified to provide a diagnosis of learning disabilities: Clinical Psychologist**, Neuropsychologist**, Educational or School Psychologist**, Educational Diagnostician, Learning Disabilities Specialist, Educational Therapist. (**must be licensed)

POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

The testing for learning disability must be comprehensive. For the purposes of diagnosis, more than one assessment device should be administered, and they must be appropriately normed, reliable and valid. The testing must address the following:

- Cognitive abilities
- Information Processing - sensory/perceptual, conceptual/cognitive, eye-hand coordination, language, attention and memory
- Academic achievement - written expression, oral expression and language skills, reading (decoding and comprehension), mathematics (computation and problem solving)
- Study skills/Strategies - problem solving and decision making abilities, organizational skills
- Social/Emotional Development - interpersonal and communication skills, self image, family history and relationships

The documentation must identify a significant discrepancy between academic achievement and ability, or an intra-cognitive discrepancy not attributable to other disabling conditions to environmental deprivation. The assessment should measure the student's specific strengths and weaknesses and report how the student's disability has interfered with educational achievement.

Recommendations for services and/or accommodations must be supported by the diagnostic data.

TESTS:

It should be kept in mind that when choosing a test battery, the technical aspects of each test must be considered. This includes the test's reliability, validity, and whether it is standardized with norms available for the adult population. Again, the professional judgment of the evaluator is the key to a strongly documented diagnosis. The following lists of tests are provided as a guide to assessment appropriate for the adult population. It is not intended to be all-inclusive and will vary with the needs of the individual being evaluated.

1. Aptitude/Cognitive Ability

1. *Wechsler Adult Intelligence III* (including IQ, Index and scaled scores)
or
2. *Woodcock-Johnson Psycho-educational Battery, Revised Part I: Tests of Cognitive Ability*
or
3. *Stanford-Binet Intelligence Scale (4m Ed.)*
or
4. *Kaufman Adolescent and Adult Intelligence Test*

POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

or

5. *Detroit Test of Learning Aptitude -A (DTLA-A)*

Please note: *The Slossen Intelligence Test* and the *Kaufman Brief Intelligence Test* are primarily screening instruments and should not be considered comprehensive measures of aptitude/cognitive ability.

AND

2. Achievement

- *Woodcock Johnson Psychoeducational Battery, Revised Part II: Tests of Achievement*
- or*
- *Wechsler Individual Achievement Test (AT)*
- or*
- *Scholastic Abilities Test for Adults (SATA)*
- and*
- *Nelson-Denny Reading Test* (timed and untimed; given in conjunction with one of the above to further document reading abilities and reading rate)

Please note: *The Wide Range Achievement Test: Third Edition (WRAT-3)* and the *Peabody Individual Achievement (PIAT, PLAT-R)* are not comprehensive measures of academic achievement and should not be used as sole measures in this area.

AND

3. Information Processing

Information from subtest, index and/or cluster scores on one or more of the following measures:

WAIS-III (for example, Working Memory; Perceptual Organization; Processing Speed)

or

Woodcock Johnson Psychoeducational Battery Tests of Cognitive Ability (for example, tests 1-14, or cluster scores for Auditory Processing; Visual Processing; Short Term Memory; Long Term Memory; Processing Speed)

or

Wechsler Memory Scale III

or

Swanson Cognitive Process Test (S CPT)

or

Test of Adolescent/Adult Wordfinding (TA WF)

or

The Detroit Tests of Learning Aptitude-Adult (DTLA-A)

or

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Other neuropsychological instruments that measure verbal and nonverbal cognitive processing, memory, rapid automatized naming and/or phonological processing.

This documentation should be dated within the last five (5) years and after the student's eighteenth (18th) birthday.

V. Students with Attention Deficit/Hyperactivity Disorder

The following professionals are deemed appropriate and qualified to provide a diagnosis of Attention Deficit/Hyperactivity Disorder (AD/HD): Clinical Psychologist, Neuropsychologist, Psychiatrist (must be licensed).

An applicant warranting an AD/HD diagnosis must meet basic DSM-IV criteria including:

1. Sufficient number of symptoms (delineated in DSM-IV) of inattention and/or hyperactivity-impulsivity that have been persistent and that have been "maladaptive." The exact symptoms should be described in detail.
2. Evidence that symptoms of inattention and/or hyperactivity-impulsivity were present during childhood.
3. Evidence indicating that current impairment from the symptoms is present in two or more settings. There must be clear evidence of clinically significant impairment within the academic setting. However, there must also be evidence that these problems are not confined to the academic setting.
4. A determination that the symptoms of ADHD are not a function of some other mental disorder (such as mood, anxiety, or personality disorders; psychosis, substance abuse, low cognitive ability, etc.).
5. Indication of the specific **ADAM diagnostic subtype; predominantly** inattentive type, hyperactive-impulsive type, or combined type.

This documentation should be dated within the last five (5) years and after the student's eighteenth (18th) birthday.

General AD/HD evaluation guideline considerations:

1. Self-report of current and past problems is insufficient to establish a basis for reliable ADHD diagnosis. Although an in-depth interview is the essential feature of any ADHD evaluation, other information should be examined to provide a comprehensive evaluation, including interviews with significant others and examination of past school records, evaluation reports, job evaluations, transcripts, etc. How this information supports ADHD diagnosis should be fully described.

POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

2. AD/HD evaluation is primarily based on in-depth history consistent with a chronic and pervasive history of ADHD symptoms beginning during childhood and persisting to the present day. The evaluation should provide a broad, comprehensive understanding of the applicant's relevant background including family, academic, social, vocational, medical, and psychiatric history. There should be a focus on how ADHD symptoms have been manifested across various settings over time, how the applicant has coped with the problems, and what success the applicant has had in coping efforts. There should be a clear attempt to rule out a variety of other potential explanations for the applicant's self-reported AD/HD difficulties.
3. Objective personality/psychopathology tests are not essential if not indicated. However, they can be helpful to describe the applicant's emotional status and rule out other psychological problems. If not used, there should be a clear explanation why they were not deemed necessary to rule out other potential explanations for reported AD/HD symptoms.
4. ADHD questionnaires and checklists (Wender-Utal, BAADS, etc.) are helpful to quantify self-reported ADHD symptoms, but can not be used to the exclusion of interview and collateral information describing and documenting past and current symptoms.

SEXUAL HARASSMENT POLICY

School Statement of Philosophy

Whittier Law School is proud of its tradition of a collegial working and educational environment in which all individuals are treated with respect and dignity. Each individual has the right to work and learn in a professional atmosphere which promotes equal opportunities and prohibits discriminatory practices, including sexual harassment. At Whittier Law School sexual harassment, whether verbal, physical or environmental, is unacceptable and will not be tolerated.

Definition of Sexual Harassment

For purposes of this policy, sexual harassment is defined as unwelcome or unwanted conduct of a sexual nature (verbal or physical) when: 1) submission to or rejection of this conduct by an individual is used as a factor in decisions affecting grading, hiring, evaluation, promotion or other aspects of employment or education; or 2) this conduct substantially interferes with an individual's employment or education or creates an intimidating, hostile or offensive work or educational environment.

Examples of sexual harassment may include, but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; verbal abuses of a sexual nature; graphic, verbal commentary of a sexual nature about an individual's body, sexual prowess or sexual deficiencies; leering, whistling, touching, pinching, assault, coerced sexual acts or sexually suggestive or sexually insulting, obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures. However, nothing in this paragraph shall be construed to expand the definitions contained in the previous paragraph of this section.

This behavior is unacceptable in the workplace and in the academic environment itself and in other work-related or School-related settings such as business trips, School-sponsored and business-related social events.

This policy is not intended to reach comments made during the course of classroom discussions where the comments do not constitute clear, pervasive and severe harassment, unless those comments are clearly outside of the realm of the classroom discussion.

Individuals Covered Under the Policy

This policy covers all employees (administrators, support staff, staff members, adjunct professors and instructors) faculty members and students. Whittier Law School will not tolerate, condone or allow sexual harassment, whether engaged in by fellow employees, supervisors, faculty, students or by non-employees who conduct business with this School. The School encourages reporting of all incidents of sexual harassment, regardless of who the offender may be.

SEXUAL HARASSMENT POLICY

Reporting a Complaint

While Whittier Law School encourages individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome, the School also recognizes that power and status disparities between an alleged harasser and a victim may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, the following steps should be followed in reporting a sexual harassment complaint:

1. Notification of the Title IX Coordinator and Appropriate Staff

Individuals who believe they have been subjected to sexual harassment should report the incident to one of the following: the Associate Dean of Academic Affairs, the Assistant Dean of Student Affairs, who is the Title IX Coordinator, responsible for contacting the Dean, or they may report the incident to the person specifically designated by the Dean (the "Dean's designate"). The purpose of having several persons to whom complaints may be made is to avoid a situation where an employee or student is faced with complaining to the person, or a close associate of the person who would be the subject of the complaint.

A staff member also may choose to report the complaint to his/her supervisor. The supervisor may attempt to resolve the complaint in an informal manner; however, no record will be kept of informal resolutions of complaints. A supervisor who has not had special training in dealing with sexual harassment complaints is strongly encouraged to consult one of the persons listed in the previous paragraph before taking action. If the complaint cannot be resolved informally, the supervisor shall refer the matter to the Associate Dean, the Title IX Coordinator or the Dean's designate for appropriate investigation under this policy. Except as provided in subsection 2, "Obligation to Report", any complaint not made to one of these three individuals shall not be considered a formal complaint (unless a complaint has been referred to an alternative investigator by the Dean, as provided below).

The Title IX Coordinator may be contacted as follows:

Assistant Dean of Student Affairs
WHITTIER LAW SCHOOL
3333 Harbor Boulevard
Costa Mesa, California 92626-1501
(714) 444-4141, X278

Any complaint made to or referred to the Associate Dean, the Title IX Coordinator or to the Dean's designate shall be considered a formal complaint and shall be investigated pursuant to this policy. A complaint made to any other School employee shall be considered an informal complaint.

SEXUAL HARASSMENT POLICY

In the event that a complaint of sexual harassment is made directly to the Dean, and if the Dean is not the immediate supervisor of the complainant, the Dean should refer the matter to the complainant's supervisor (or the victim's supervisor, if the complainant is not the victim and the alleged harasser is not the supervisor). If the complainant prefers, the complaint shall be referred to the Associate Dean, the Title IX Coordinator or the Dean's designate. If good cause is shown why the complaint should not be referred to one of the three individuals named above, the Dean may, with the consent of the complainant, designate an investigator for the complaint. This procedure is intended to preserve the Dean's role in the appeals process.

Anyone who has observed sexual harassment or retaliation should report it to one of the individuals designated above. A complaint need not be limited to someone who was the target of harassment or retaliation.

2. Obligation to Report

If an individual reports an incident of alleged sexual harassment to a member of the faculty or staff, the latter may have an obligation under law to report the matter to the School administration. In particular, if the faculty or staff member believes that the report constitutes a serious incident of sexual harassment, then the incident must be reported to an appropriate member of the School administration, notwithstanding the refusal of the alleged victim to report the incident.

3. Description of Misconduct

An accurate record of objectionable behavior or misconduct is needed to resolve a formal complaint of sexual harassment. Informal complaints, not reduced to writing, may be resolved informally but no record of such informal resolution shall be kept.

Verbal reports of sexual harassment must be reduced to writing by either the complainant or the individual(s) designated to receive complaints, and be signed by the complainant. Individuals who believe they have been or currently are being harassed should maintain a record of objectionable conduct in order to effectively prepare and corroborate their allegations.

While Whittier Law School encourages individuals to keep written notes in order to accurately record offensive conduct or behavior, the School hereby notifies all people covered by this policy that, in the event that a lawsuit develops from the reported incident, the complainant's written notes may not be considered privileged information, and therefore, may not be confidential.

SEXUAL HARASSMENT POLICY

4. Timeframe for Reporting and Investigating Complaints

Whittier Law School encourages a prompt reporting of complaints so that rapid response and appropriate action may be taken. However, due to the sensitivity of these problems and because of the emotional toll such misconduct may have on the individual, no limited timeframe will be instituted for reporting sexual harassment complaints. Late reporting of complaints will not in and of itself preclude this School from taking remedial action.

When a formal complaint has been made, the person to whom the complaint has been made shall notify the complainant and the victim (if the complainant is not the victim) in writing of the preliminary findings as soon as possible, but in no event later than 20 academic days after the filing of the complaint. If a hearing is to be held, the accused will also receive a copy of the complaint. The hearing will be scheduled no less than five nor more than 20 academic days after notification of the preliminary findings. Written notification of the results of the hearing shall be made to the accused, the victim and the complainant within five academic days after the hearing.

5. Protection Against Retaliation

The School will not in any way retaliate against an individual who makes a report of sexual harassment nor permit any faculty member, administrator, employee or student to do so. Retaliation is a serious violation of this sexual harassment policy and should be reported immediately. Any person found to have retaliated against another individual for reporting sexual harassment will be subject to the same disciplinary action provided for sexual harassment offenders (see "Resolving the Complaint" below).

Investigating the Complaint

Formal investigations will only be made of formal complaints.

1. Confidentiality

Only those who have an immediate need to know, including the individual to whom the report is made, the alleged target of harassment or retaliation, the alleged harasser(s) or retaliator(s) and any witnesses will or may find out the identity of the complainant. All parties contacted in the course of an investigation will be advised that all parties involved in a charge are entitled to respect and that any retaliation or reprisal against an individual who is an alleged target of harassment or retaliation, who has made a complaint or who has provided evidence in connection with a complaint is a separate actionable offense as provided below. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances. This applies whether the complaint is formal or informal.

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2. Identification of Investigators

Formal complaints will be investigated promptly by the person to whom they are reported. If the person to whom a formal complaint has been reported believes it is more likely than not that sexual harassment or retaliation has occurred, he/she will refer the matter to the appropriate review committee.

3. Investigation Process

In pursuing the investigation, the investigator will try to take the wishes of the complainant, and the victim, if the victim is not the complainant ("complainant/victim") under consideration, but should thoroughly investigate the matter as he/she sees fit, keeping the complainant informed as to the status of the investigation. Steps to be taken in the investigation include:

- Confirm name and position of the complainant/victim.
- Identify the alleged harasser.
- Thoroughly ascertain all facts that explain what happened. Questions should be asked in a non-judgmental manner.
- Determine frequency/type of alleged harassment and, if possible, the dates and locations where alleged harassment occurred.
- Find out if there were witnesses who observed the alleged harassment.
- Ask the individual how he/she responded to the alleged harassment.
- Determine whether the harassed individual consulted anyone else about the alleged harassment and take note of who else knows and their response to the disclosure.
- Develop a thorough understanding of the professional relationship, degree of control and amount of interaction between the alleged harasser and complainant/victim. (Was the person the alleged victim's professor? Does the person control compensation, terms of employment, grades or

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promotions? Do these individuals work in close proximity to one another and/or on the same projects?).

- Determine whether the alleged harasser has carried out any threats or promises directed at the complainant/victim.
- Ask the complainant/victim if he/she knows of or suspects that there are other individuals who have been harassed by alleged harasser.
- Determine whether the complainant/victim has informed a supervisor of the situation. What response, if any, did complainant/victim receive from these individuals?
- Ask complainant/victim what action he/she would like the School to take as a consequence of the harassment.
- When first interviewing the alleged harasser, remind him/her of the School's policy against retaliation for making a complaint of sexual harassment.

Resolving the Complaint

1. Findings of the Investigator and Informal Resolutions

After due investigation, the investigator may attempt to resolve the matter by mutual consent of the accused and the accuser. If the accused is a student, then the disposition may include any sanction provided in Article VII of the Code of Student Conduct.

Upon completing the investigation of a sexual harassment complaint, the School will communicate its preliminary findings and intended actions to the complainant and alleged harasser.

If the investigator finds that no harassment occurred, the complainant may appeal this decision to another named investigator. The appeal must be in writing and must be submitted within five academic days of the notification of the finding. The decision of the second investigator will be final.

If the investigator finds that it is probable that harassment occurred, the investigator shall refer the matter to the appropriate review committee. If the investigator determines that it is not probable that harassment occurred, this finding shall be communicated to the complainant in an appropriately sensitive manner, and to the alleged harasser. A confidential record of the complaint and the finding of no probable harassment shall be kept in a confidential file separate from any personnel or student files kept for any other purpose. Unless there is another allegation of harassment against the same accused within six months, all such records concerning the accused shall be destroyed.

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(Destruction shall be by the person with custody of the records.) No revelation of these records shall be made except as required by law.

Failure to cooperate with a School-sponsored investigation of a sexual harassment charge may be immediately and severely sanctioned.

2. Review Committees

Upon a finding by the investigator that harassment probably occurred, the matter shall be turned over to the appropriate review committee for a hearing. If the allegation is against a student, the appropriate committee shall be the Code of Student Conduct Hearing Board ("Hearing Board"). If the allegation is against a faculty member who is not an adjunct, the appropriate committee shall be a committee appointed for this purpose by the Law School Faculty Governance Committee and shall be composed of three members of the tenure track faculty of the Law School or two members of the tenure track law faculty and one member of the tenure track faculty of Whittier College. In all other cases, the review committee shall consist of the Associate Dean of Academic Affairs, the Title IX Coordinator (Assistant Dean of Student Affairs) and a faculty member appointed by the Governance Committee. In the event of a recusal, the remaining two members shall choose the third member from the faculty or staff of the Law School or Whittier College.

If the review committee is the Hearing Board, it shall conduct its proceedings in accordance with the Code of Student Conduct, except as otherwise provided in this policy. Other review committees shall conform their procedures as nearly as possible to those specified in Article V of the Code of Student Conduct, except as otherwise specified in this policy.

In cases involving faculty members or employees, the Faculty Governance Committee shall make its appointments as soon as feasible.

All proceedings of the review committees shall be closed to the public, except by consent of all parties and the chair of the review committee. The review committee shall consider the facts of each case *de novo* and is not bound by any findings of the investigator. If the review committee decides in favor of the accused, it shall communicate that fact to the investigator, and a record shall be kept of the matter. Such records shall be destroyed in six months if no new allegations are made against the accused. These records shall be kept confidential in the manner provided in subsection 1. above. If the review committee finds that harassment occurred, a record shall be kept of the matter as described in "Maintaining a Written Record of the Complaint" below.

3. Sanctions

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Individuals found to have engaged in misconduct constituting sexual harassment will be disciplined, up to and including discharge. Appropriate sanctions will be determined by the appropriate hearing body. In addressing incidents of sexual harassment, the School's response, at a minimum, will include reprimanding the offender and preparing a written record. If the harasser is an employee, action may include: referral to counseling, withholding of a promotion, reassignment, temporary suspension without pay, financial penalties or termination. If the harasser is a student, sanctions may include any appropriate sanction enumerated in the Code of Student Conduct including suspension or disqualification from the School. If the harasser is a faculty member, the committee appointed by the Governance Committee will report its findings and recommendations for sanction to the Personnel Committee and the Dean. Sanctions may include any of the sanctions listed for employees above and may also, if appropriate, include a recommendation for revocation of tenure.

Although the School's ability to discipline a non-student or non-employee harasser is limited by the degree of control, if any, that the School has over the alleged harasser, any employee, faculty member or student who has been subjected to sexual harassment should file a complaint and be assured that action will be taken.

4. False Accusations

If an investigation results in a finding that the complainant falsely accused another of sexual harassment knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions, including the possibility of termination of employment if an employee or faculty member, or suspension or disqualification if a student.

5. Appeals Process

If either party directly involved in a sexual harassment investigation is dissatisfied with the outcome or resolution, that individual has the right to appeal the decision. The dissatisfied party should submit his/her written comments in a timely manner to the Dean of the Law School, but in no case more than two weeks after communication of the review committee's decision to him/her, unless substantial new evidence, not reasonably available at the time of the hearing, is the basis of the appeal. If the appeal is based on new evidence, the Dean may request that the review committee hold a new hearing upon a finding that (i) the evidence was not reasonably available to the party at the time of the hearing and (ii) the new evidence would be likely to materially affect the outcome of the hearing. If the Dean reverses the decision of the review committee on the grounds of procedural error, then the review committee shall conduct a new hearing on the matter. If the Dean reverses on the grounds of substantive error, that ruling must be made on the basis of the record before the review committee, except in cases of new evidence not reasonably available at the time of the hearing. In cases of substantive error, the Dean may request that a new hearing be conducted and, if the accused is a staff member or

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employee, may request that the Governance Committee make new appointments to the review committee for the hearing. If the Dean reverses a finding of no harassment but does not request a new hearing, he/she shall direct the review committee to conduct a hearing on the issue of appropriate sanctions. The new sanctions decision shall be appealable to the Dean. The Dean's decision shall be communicated in writing to the parties and the chair of the review committee. It shall specify the grounds for the decision.

Maintaining a Written Record of the Complaint

Except as otherwise provided in this policy, the School shall maintain a complete written record of each complaint and how it was investigated and resolved; provided, however, that if a review committee or the investigator decides that this policy was not violated then the accused shall have the option to make the decision public. Written records shall be maintained in a confidential manner in the office of the Associate Dean.

Written records in cases where harassment was found will be maintained for five years from the date of the resolution unless new circumstances dictate that the file should be kept for a longer period of time.

Education and Training

All persons charged with investigating or hearing cases of alleged sexual harassment shall receive training about prevention and detection of sexual harassment. A copy of this Sexual Harassment Policy will be distributed to all Whittier Law School faculty, employees and students. A copy of the policy will also be posted in the student lounge and on the faculty and employee bulletin boards. In addition, each new employee, faculty member and student will receive a copy of the policy as part of their orientation materials.

Conclusion

Whittier Law School has developed this policy to ensure that all its employees and students can work and learn in an environment free from sexual harassment. The School will make every effort to ensure that all its students and personnel are familiar with the policy and know that any complaint received will be thoroughly investigated and appropriately resolved.

Effective Date

This policy shall be effective as of June 1, 1993.

STUDENT EDUCATION RECORDS POLICY

The following information is provided to Whittier Law School students in conformity with Sections 99.6 and 99.7 of Title 34 of the Code of Federal Regulations, which set forth the rights of students regarding access to their education records under the Family Educational Rights and Privacy Act, (F.E.R.P.A.), 20 U.S.C. §1232(g) (Supp. IV, 1974).

Right to Inspect Education Records

Each Whittier student shall have the right to inspect and review his or her education records. The word "student" includes any person who has attended Whittier Law School and for whom the law school keeps education records. The word "student" does not include an applicant for admission to the law school. The term "education records" means records that are directly related to a student and that are maintained by the law school or by a party acting for it. "Education records" do not include the following:

- (1) Records of instructional, supervisory and administrative personnel and educational personnel who aid them if such records are possessed solely by their maker and are revealed or accessible to no one except the maker and one who temporarily performs the maker's duties.
- (2) Records of a law enforcement unit of Whittier Law School if education records maintained by the law school are not disclosed to personnel of the law enforcement unit, and if the records of the law enforcement unit are maintained apart from education records, maintained solely for law enforcement purposes and disclosed to no one but law enforcement officials of the same jurisdiction;
- (3) Records regarding an employee of Whittier Law School if the employee is not employed because he or she is a student and if records are made and kept in the normal course of business, relate solely to the individual in his or her capacity as an employee and are not available for any other purpose;
- (4) Records regarding a student if such records are created or kept by a physician, psychiatrist, or other recognized professional or paraprofessional acting in a professional capacity; if the records are created, kept, or used only in the treatment of the student and disclosed only to individuals providing the treatment; and if the records can be personally reviewed by a physician or other appropriate professional of the student's choice. "Treatment" does not include remedial educational activities or activities that are part of the instructional program at Whittier Law School; and
- (5) Records that contain only information regarding a person after he or she is no longer a student at Whittier Law School. Alumni accomplishments are examples of such information.

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Types and locations of education records maintained by Whittier and the law school officials responsible:

<u>Record Type</u>	<u>Location of Records</u>	<u>Individual Responsible</u>
Academic Transcripts	Registrar's Office	Registrar
Admission Applications	Registrar's Office	Registrar
Financial Aid Records	Financial Aid Office	Director of Financial Aid
Placement Records	Office of Career Services	Director of Career Services
Alumni Records	Alumni Relations Office	Director Alumni Relations and Development
Records of Discip. Proceedings	Asst. Dean of Student Advising	Asst. Dean of Student Advising

All of the records enumerated above may be reviewed by contacting the appropriate offices at the Whittier Law School. The law school is located at 3333 Harbor Boulevard, Costa Mesa, California 92626-1501.

Procedures for reviewing education records

A student wishing to review his or her education records must submit a written request to the office that maintains the records which the student desires to inspect. The student will be notified by mail when his or her education records are available for inspection. Students should allow five business days for processing of such requests.

If, upon review of his or her student records, a student has questions or requires clarification about any item listed in the student record, the student should direct such inquiries to the school official who is responsible for maintenance of the records in question. Students have a right to a response from the law school to reasonable requests for explanations and interpretations of the records.

Limitations on the Student's Right to Inspect

A student may not review portions of his or her education record which contain information about students other than the requesting student. Whittier may, in the discretion of the Dean, withhold the release of the following information contained in the education record:

1. financial records, including any information those records contain concerning the parents of the student;
2. Confidential letters and confidential statements of recommendation placed in the student's education records before January 1, 1975, if the recommendations were solicited with written

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assurance of confidentiality or sent and retained with a documented understanding of confidentiality, and if the recommendations are used only for their specifically intended purposes; and

3. Confidential letters and confidential statements of recommendation placed in the student's education records after January 1, 1975, regarding admission to an educational institution, regarding an application for employment, or regarding the receipt of honorary recognition; but only if the student has waived his or her right to review those recommendations. Such waivers are valid only if made in conformity with the requirements set forth in the section entitled **Student Waiver of FERPA Rights**, below.

Obtaining copies of records

There is no fee for inspection of education records; however a fee of \$.15 per page will be charged for copies of any records from the file. Whittier Law School reserves the right to withhold release of copies of a student's education record if the student has an outstanding student account balance with the law school. Under no circumstances shall Whittier deny a student a copy of his or her educational record if failure to do so would effectively prevent the student from exercising his or her right to inspect and review his or her educational record.

Procedure for requesting amendment of education records

If a student believes that the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights, the student may request the amendment of his or her education record.

A student seeking such an amendment must submit a petition to the Associate Dean for Academic Affairs outlining the student's objections to the record and providing sufficient evidence to support the requested amendment.

If the Associate Dean decides not to amend the record as requested, the student shall be promptly advised of this decision and will have a right to a hearing. The student may, at the student's own expense, be assisted or represented by an attorney at such a hearing, notwithstanding any contrary provision of the Code of Student Conduct. Further details regarding hearing requirements are detailed at 34 CFR §§99.21 and 99.22.

If, after such a hearing, the law school decides not to amend the student's record, the student shall have a 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 law school.

Release of information contained in the student's education record to third parties

Only the Academic Deans of Whittier Law School and the various custodians of Whittier Law School education records may authorize disclosure of personally identifiable information, other than directory information, from the education records of the Whittier Law School. Except as otherwise noted herein, the law school must obtain the student's written consent before disclosing personally identifiable information from the student's education records. Such consent must be signed and dated

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by the student, and it must list the following information: the records to be disclosed, the purposes of disclosure and the party or class of parties to whom the records may be disclosed. If a disclosure requiring consent is made, the law school must, upon request, provide to the student a copy of the record disclosed.

The law school may disclose personally identifiable information from a student's education records without the student's consent if the disclosure is made:

- (1) To administrative or instructional officers of Whittier Law School whenever it is proper to the performance of the officers' duties. Such duties include, but are not limited to: academic counseling, career planning, Professor recommendations, Academic Standards Committee review, Code of Student Conduct Proceedings, hiring of teaching assistants and research assistants, and assignment of tutors.
- (2) To officials of other schools in which a student seeks or intends to enroll. The Law School must, upon request, give the student a copy of the transferred record and an opportunity for a hearing that satisfies the requirements set forth in 34 CFR §§ 99.21 and 99.22. If a Whittier Law School student is enrolled in, or receives services from, more than one school, the schools may disclose to each other information from the student's education records without the student's consent, provided that the requirements of this paragraph are met.
- (3) To authorized representatives of the Comptroller General of the United States, the Secretary of the Department of Education, and state and local educational authorities. The information disclosed must be necessary to audit and evaluate Federal or State supported education programs or to enforce or comply with federal legal requirements related to those programs. Unless the student has given written consent to the disclosure, specifically identifying the information to be disclosed, the parties to whom disclosure is permitted, and the purpose of the disclosure; or unless federal law specifically authorizes the collection of personally identifiable information; data collection by the officials as described in this paragraph must be protected in a way that precludes personal identification of students and their parents by persons other than those officials. Personally identifiable data used for the purposes described herein must be destroyed when no longer needed for audit, evaluation, enforcement, or compliance;

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- (4) In connection with financial aid for which a student has applied or which the student has received. For this purpose, personally identifiable information may be disclosed only as may be necessary for such purposes as determining eligibility for or the amount of financial aid, determining the conditions to be imposed regarding financial aid, or enforcing the terms or conditions of financial aid. "Financial aid" means a payment of funds or a payment in kind of tangible or intangible property to a person when such payment is conditioned on the person's attendance at an educational agency or institution;
- (5) To state and local officials to whom information is specifically required to be reported or disclosed by state statutes adopted before November 19, 1974;
- (6) To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive tests, to administer student aid programs or to improve instruction. For this purpose, the studies must be conducted in a way that will not permit the personal identification of students and their parents by persons other than representatives of the organization, and the information must be destroyed when no longer needed for the purposes for which the study and the study was conducted. "Organizations" include, but are not limited to, federal, state and local agencies and independent organizations;
- (7) To accrediting organizations for their accrediting functions;
- (8) To parents of dependent students, as defined in section 152 of the Internal Revenue Code of 1954;
- (9) To comply with a judicial order or lawfully issued subpoena if the law school makes a reasonable effort to notify the student of the order or subpoena before compliance unless the disclosure is in compliance with, 1) a Federal grand jury subpoena; or 2) a law enforcement subpoena.
- (10) To the student himself or herself; or to appropriate parties in an emergency if the information is necessary to protect the health or safety of the student or other persons;
- (11) Information designated as directory information. The following information is so designated: The student's name, local address and telephone number, permanent address and telephone number, e-mail address, participation in officially recognized activities, student photo, degrees and awards received, including Dean's list, honor roll and graduation honors, dates of attendance and anticipated date of graduation.
- (12) To an alleged victim of any crime of violence, as that term is defined in section 16 of title 18, United States Code, of the results of any disciplinary proceeding conducted by Whittier Law School against the alleged perpetrator of that crime with respect to that crime.

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- (13) To the Attorney General of the United States or to his designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes specified in sections 2332b(g)(5)(B) and 2331 of Title 18, U.S. Code.

Limitations on Rediscovery

The law school may disclose personally identifiable information from a student's education records only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without prior written consent of the student. The officers, employees, and agents of a party who receives information under these terms may use the information, but only for the purposes for which the disclosure was made.

If the party receiving the information under these terms desires to make further disclosures of the information on behalf of Whittier Law School, that party must seek the prior consent of the Dean. In order for the reconveyance of the information to be approved, various requirements set forth at 34 CFR § 99.22 (b) (1) and (2) must be met. Except for the disclosure of directory information, the law school must inform the party to whom a disclosure is made of these rediscovery limitations.

Record of Disclosures

For each request for, and each disclosure of, personally identifiable information from a student's education records, the law school must maintain a record of the parties who requested or obtained the information and their legitimate interest in it. The record of disclosure must be kept with the student's education records as long as the records are maintained. The record of disclosures may be inspected by the student, by the law school official who is responsible for the custody of records and by his or her assistants, and by auditors appointed by law school administration or state or federal educational authorities to review the recordkeeping procedures of the law school.

EXCEPTIONS: The law school need not maintain a record of disclosure made directly to the student, disclosures of directory information, disclosures to school officials for legitimate educational purposes, or disclosures pursuant to a student's written consent if the consent is specific with respect to the parties to whom the disclosure is to be made.

Grievance Procedure

Whittier students have recourse to a grievance procedure if they feel that Whittier has failed to comply with the requirements of F.E.R.P.A. Students have the right to file a complaint with the U.S. Department of Education under 34 CFR §§ 99.63 and 99.64. Written complaints may be filed with the Family Policy Compliance Office, U.S. Department of Education, Washington, D.C. 20202-4605.

Student Waiver of FERPA Rights

A student may waive any of his or her rights under FERPA or the regulations enacted pursuant to the Act. A waiver may be made regarding specified classes of education records, persons or institutions. A waiver must be in writing and signed by the student.

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An applicant for admission to, or a student in attendance at, the law school may waive his or her right to review confidential recommendations (statements or letters) regarding:

- (1) the student's admission to Whittier Law School or to another educational institution,
- (2) an application for employment, or
- (3) the receipt of honorary recognition.

If a student has waived his or her rights to review confidential recommendations or statements, Whittier Law School shall, upon request, furnish to the student the names of the individuals who provided the letters and statements of recommendation; and shall use the letters and statements of recommendation only for the purposes for which they were intended.

A student may revoke his or her waiver to confidential recommendations or statements with respect to any actions occurring after the revocation. Such revocations must be in writing.

Retention of student records

Whittier Law School reserves the right to destroy from time to time any and all records that it maintains pertaining to a student, except to the extent that the law requires otherwise.

Records of third party disclosures of student information shall be kept as long as the education records to which they pertain are kept, with the exception of those records for which Whittier is not required to keep a record of access, (listed above under the section entitled **Record of Disclosures**). Whittier Law School shall maintain explanations placed in the education records by a student after a hearing as part of the student's records as long as the record or its contested part is kept by the law school. Additionally, the law school may not destroy any education records if there is an outstanding student request to review them.

Policy publication

Whittier Law School students have a right to obtain a copy of this policy. This policy will be distributed to students annually at the beginning of each academic year. Additional copies of this policy are available upon request from the Registrar's Office.

**WHITTIER LAW SCHOOL POLICY REGARDING
DISCLOSURE OF STUDENT INFORMATION**

It is the policy of Whittier Law School to release certain limited items of information about enrolled students to any interested party. These items of information are known collectively as "directory information". Whittier Law School considers the following categories of information to be directory information:

Student name; addresses; telephone numbers; e-mail address;
dates of attendance; anticipated date of graduation; degrees
and awards received, including Dean's List, Honor Roll and
graduation honors; student photo; and law school activities
participated in by the student.

No other items of student information will be disclosed to any persons or entities outside of Whittier Law School without the written consent of the student, except for certain categories of outside persons or entities specifically exempt by federal law. These exceptions are listed in Whittier Law School's "Student Education Records Policy" which is distributed to students annually and available in the Registrar's Office.

Under the provisions of the Family Educational Rights and Privacy Act of 1974, students have the right to instruct Whittier Law School to withhold even the "directory information" listed above. In order to instruct the Law School to withhold "directory information", a student must complete the "Request to Prevent Disclosure of Directory Information" portion at the bottom of this form and submit it to the Registrar's Office.

****A NEW FORM MUST BE COMPLETED EACH ACADEMIC YEAR.****

Please consider very carefully the consequences of any decision by you to withhold any category of "directory information." Should you decide to inform the Law School not to release any or all of this "directory information," any future requests for such information from non-Whittier Law School persons or entities (including student government) will be refused.

The Law School will honor your request to withhold any of the categories of information listed above but cannot assume responsibility to contact you for subsequent permission to release them. Regardless of the effect upon you, the Law School assumes no liability for honoring your instructions that such information be withheld.

REQUEST TO PREVENT DISCLOSURE OF DIRECTORY INFORMATION

Please mark the box and sign below to indicate your instructions that the Law School not disclose your directory information during the current academic year:

Do not release any "directory information" about me. I understand that I must fill out a new "Request to Prevent Disclosure" form at the beginning of each academic year in order to have directory information withheld.

Name _____

ID# _____

Signature _____

Date _____

CRIME AWARENESS AND SECURITY

The following policies are articulated in compliance with the Crime Awareness and Campus Security Act (The Jeane Clery Act) of 1990.

Whittier Law School students, staff, and faculty each play a significant role in combating campus crime. Any person observing any action which he or she feels to be unlawful or detrimental to the community's welfare should immediately bring it to the attention of the Law School Administration and/or the Director of Facility Management.

The Director of Facility Management at the law school is available weekdays from 9:00 a.m. to 6:00 p.m. at (714) 444-4141, extension 422. After 6:00 p.m. weekdays and during weekends, the on-campus Security Officer may be contacted from the Law Library front desk or cell phone (714)308-4423.

Security Arrangements

Whittier Law School has a patrolling security guard service on duty while the Campus is open for access, excepting holidays when the building is closed.

The Security Officers have the authority to identify any person on campus, and to issue parking tickets. All persons on Campus must present identification when asked to present for identification purposes. Failure by any individuals to provide identification, may result in a request by Security to the individual, to vacate the premises. The Security Officers do not have the authority to apprehend or arrest persons. In such cases the local law enforcement will be contacted and will take jurisdiction over the matter.

Minor offenses involving Law School rules or regulations committed by Law School students will be referred to the Dean for Student Advising, and be adjudicated accordingly.

Major Offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local law enforcement authority. Minor offenses involving visitors to the Law School may also be reported to the local law enforcement authorities.

Students are encouraged to lock their car doors, sign up for a locker, and invest in personal property insurance. While the law school will make reasonable efforts to protect students' property, it is not liable for loss, theft, or damage of any property belonging to students.

The Whittier Law School Incident Log is located at the Security desk located in the Law Library lobby. The log may be viewed upon request during campus hours.

Whittier Law School participates in the Business/Police Partnership Program which unites the business community and property owners with the Costa Mesa and Santa Ana Police Departments through an educational program maximizing law enforcement community oriented policing efforts.

Campus Access

Whittier Law School is a private campus. During Access hours, the Law School will be open to students, faculty and staff. Access is by Identification Card access and key. All students, faculty and staff must carry identification at all times when on campus, and must present such identification upon request of any

CRIME AWARENESS AND SECURITY

Law School Authority, Security Officer, and/or Law Enforcement Authority.

All other guests, invitees, and contractors, are by limited access in most areas. All guests, invitees, and contractors must show identification to any Law School Authority, Security Officer, and/or Law Enforcement Authority, upon request. Failure by any individuals to produce identification, may result in a request by authority to the individual, to vacate the premises.

Crime Awareness Programs

Whittier Law School does not currently have any Crime Awareness programs in place at this time.

Off-Campus Activity

Whittier Law School does not currently have off-campus student organizations.

How to Report a Crime on Campus

Immediately contact the Security Officer at [Cell (714) 308-4423] or (714) 444-4141, extension "0", the operator will dispatch the Officer to your location, Monday through Friday from 8:00 a.m. to 6:00 p.m.

After 6:00 p.m. or on a weekend, please report it to the Library personnel either in person or by phone [(714) 444-4141 (ext.480 or 482)]. The Library personnel will dispatch the Officer to your location.

If the library is closed, go to the security desk in the Library Foyer. Pick up the "Red Phone" located on the wall, the phone will dial automatically. Wait for the Officer to answer the phone and then advise.

If you observe any crime or incident, do not leave campus before reporting it.

Alternatively, you may call the Costa Mesa Police Department at (714) 754-5280. **FOR CRIMES IN PROGRESS OR OTHER EMERGENCIES DIAL "9-1-1"**

Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Facility Management and Security, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through the college e-mail system to students, faculty, staff and postings on campus bulletin boards.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Facility Management Office and Security may also post a notice on the campus-wide digital signage providing the community with more immediate notification. Additionally, in such instances, a copy of the notice may be posted on all building entrance doors. Anyone with information warranting a timely warning should report the circumstances to the Facility Management [(714) 444-4141, extension 422] and Security [(714)308-4423], or in person at the Facility Management Office or Security Desk at the Law Library Foyer.

CRIME AWARENESS AND SECURITY

SEXUAL OFFENSE POLICY

Whittier Law School will not tolerate sexual offenses under any circumstances. Sexual offenses are defined as any sexual act against another person, forcibly or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. These include forcible rape, forcible sodomy, forcible oral copulation, forcible penetration with an object, and forcible fondling. Sexual offenses also include acts of unlawful, non-forcible sexual intercourse such as incest and unlawful sex with a minor. Any act defined as a sexual offense by the California Penal code is considered a sexual offense at Whittier Law School. The act of voyeurism, defined by the California state Penal Code in section 647 k, is also considered a sexual offense at Whittier Law School. Any Whittier Law School student, faculty member or staff member who commits a sexual offense will be subject to the Law school disciplinary procedures, which depending on the nature of the offense can result in suspension, expulsion, or termination of employment. Further, those who commit a sexual offense may additionally be subject to prosecution by external authorities.

Reporting Sexual Offenses

Students, who are victims of a sexual offense, are encouraged to notify Whittier Law School Security Officers, Dean of Students, and Administrative staff. Students also have the option to notify the Costa Mesa Police Department and the option to be assisted by campus authorities in notifying these authorities.

Students who have been raped or sexually assaulted should try to preserve all physical evidence. They should not wash, use the toilet, or change clothing, if doing so can be avoided. If oral contact took place, one should not smoke, eat, drink, or brush one's teeth. If one changes clothes, all clothing worn at the time of the attack should be placed in a paper bag, not plastic. Medical attention should be sought as soon as possible to assess any physical injuries, prevent sexually transmitted diseases or pregnancy, and collect important evidence in the event legal action is taken.

By federal law, incidents of sexual assault that are known to any member of the staff or faculty of Whittier Law School must be reported to the Director of Facilities. This report is for statistical purposes and contains only the nature of the incident and the location. No names are involved, unless the victim chooses to make such a report.

Students who are victims of a sexual offense are further encouraged to seek appropriate medical attention and to get help and support such as counseling.

California's sexual offense registry can be found at www.meganslaw.ca.gov

SOURCES OF ASSISTANCE:

Security Officer	(714) 308-4423 CELL (714) 444-4141 ext. "0" (714) 444-4141 ext. 480, 482
Costa Mesa Police Department	(714) 754-5280 or 911
Dean for Student Advising	(714) 444-4141 ext. 278
Director of Facility Management	(714) 444-4141 ext. 422 (714) 308-4413 CELL
CSP, Sexual Assault Victim Services	(714) 957-2737 24 hours

CRIME AWARENESS AND SECURITY

Law School Disciplinary Procedures

Allegations of sexual offenses by students will be adjudicated through the Law School Dean's Appointees following the procedures outlined in Whittier Law School Code of Student Conduct section of the policy manual. Violators are subject to sanctions outlined in this manual, up to and including suspension and expulsion from the Law School.

Allegations of sexual offenses by faculty members will be adjudicated through the Dean of the Law School. Allegations of sexual offenses by staff members will be adjudicated through the Director of Business and Human Resources following the Whittier College Employee Handbook. Allegations made against faculty members or staff members are subject to the applicable provisions and procedures of their contracts, which include, but may not be limited to, provisions related to disciplinary and discharge actions.

In any disciplinary action, the accuser and the accused are entitled to the same opportunities to have others present during the proceedings. Both the accuser and the accused shall be informed of the outcome of any formal proceedings. If the person claiming to have been offended requests a change in academic or work arrangements as a result of the alleged offense, reasonable efforts will be made to accommodate such requests.

Disclosure of Crime Statistics

The Facility Management Office prepares a report to comply with the Jeanne Cleary Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website at <http://www.law.whittier.edu/pdfs/cstudents/Whittier-Law-School-Policies-2009-2010.pdf>. You will also be able to acquire copies from the Facility Management Office and Security Desk. This report is prepared in cooperation with the local law enforcement agencies surrounding the law school campus.

Campus crime, arrest and referral statistics include those reported to the Costa Mesa Police Department, Santa Ana Police Department, designated campus officials, and other law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses and is not required by law.

Each year the Annual Crime Statistics Report is revised and included in the Whittier Law School (WLS) Policies Manual. The manual is available to all faculty, staff, and students. All first year students receive hard copies of the WLS Policies manual. Each year thereafter the WLS Policy manual is available on line at <http://www.law.whittier.edu/pdfs/cstudents/Whittier-Law-School-Policies-2009-2010.pdf> , or can receive a hard copy from most administrative offices upon request. Copies may also be requested from the Facility Management Office [714-444-4141, ext. 422] and Security [714-308-4423].

Confidential Reporting Procedures

If you are a victim of a crime and do not want to pursue action within the Law School System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Facility Management, Dean for Student Advising [714-444-4141, ext 283], or

CRIME AWARENESS AND SECURITY

designee of Security can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the Law School can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this matter are counted and disclosed in the annual crimes statistics for the institution.

Whittier Law School strongly encourages all persons to report crimes to Law Enforcement Authorities.

CRIME AWARENESS AND SECURITY

***Public Property Statistics are incomplete as of 7/27/10. Law Enforcement statistics have not been entered. Report will be revised as soon as Law Enforcement statistics are available. The report will be updated before October 1, 2010.**

WHITTIER LAW SCHOOL CRIME STATISTICS

<u>Year</u>	<u>On Campus 07 08 09</u>	<u>Residence Halls 07 08 09</u>	<u>Non Campus 07 08 09</u>	<u>Public Property 07 08 09</u>
Crimes				
Murder & Non-Negligent	0 0 0	0 0 0	0 0 0	0 0 0
Manslaughter	0 0 0	0 0 0	0 0 0	0 0 0
Negligent Manslaughter	0 0 0	0 0 0	0 0 0	0 0 0
Forcible Sex Offenses	0 0 0	0 0 0	0 0 0	0 0 0
Non-forcible Sex Offenses	0 0 0	0 0 0	0 0 0	0 0 0
Robbery	0 0 0	0 0 0	0 0 0	0 0 0
Aggravated Assault	0 0 0	0 0 0	0 0 0	0 0 0
Burglary	0 0 0	0 0 0	0 0 0	0 0 0
Motor Vehicle Theft	0 0 0	0 0 0	0 0 0	0 0 0
Arson	0 0 0	0 0 0	0 0 0	0 0 0
Liquor Law Violations	0 0 0	0 0 0	0 0 0	0 0 0
Drug Law Violations	0 0 0	0 0 0	0 0 0	0 0 0
Illegal Weapons Possession	0 0 0	0 0 0	0 0 0	0 0 0
Hate	0 0 0	0 0 0	0 0 0	0 0 0

CRIME AWARENESS AND SECURITY

CAMPUS SAFETY

The law school is committed to maintaining a safe working environment for faculty, staff and students.

Accidents are caused by unsafe conditions, unsafe acts, or both, and may result in physical disability, lost earnings, damaged equipment, and lost services. The policies of the law school are designed to promote safe working conditions. Every employee is responsible for immediately reporting unsafe conditions to their supervisor and the Director of Facilities on the law school campus. Every effort will be made to remedy problems as quickly as possible.

The law school is inspected thoroughly for health and safety reasons on a regular basis by the Facility Management Office. All employees of Whittier Law School have been provided with forms to report any noticed safety issues or dangerous conditions on the law school campus. Maintenance personnel follow up with safety concerns in and around the law school on a daily basis. Lighting is inspected nightly by campus security patrols and whenever a Maintenance Department request for inspection and replacement is received.

In case of an accident involving a personal injury, students must notify the Facility Management Office and/or Security immediately. First Aid treatment for all minor injuries sustained at the law school may be obtained at the law school Facility Management Office. Additionally, there are first aid stations located in each building. Injuries other than very minor ones should be cared for by an approved medical facility, staffed and equipped to handle emergencies. Medical treatment and transportation will be arranged through the Facility Management and/or Security.

Alcoholic Beverages

The possession, sale or the furnishing of alcohol on the Law School campus is governed by the Whittier Law School Alcohol Policy and California state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control (ABC). However, the enforcement of alcohol laws on-campus is the primary responsibility of the Whittier Law School Administration. The Law School campus is a “Drug Free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Costa Mesa Police Department. Violators are subject to Law School disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the WLS Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior WLS Administration approval. Organizations or groups violation alcohol/substance policies or laws may be subject to sanction by the WLS Administration.

Illegal Drugs

The WLS campus is a “Drug Free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under

CRIME AWARENESS AND SECURITY

both state and federal laws. Such laws are strictly enforced by the WLS Administration and Local Law Enforcement. Violators are subject to WLS disciplinary action, criminal prosecution, fine and imprisonment.

Policy on Substance Abuse

Policies on substance abuse can be found in the Whittier Law School Policy Manual, section N – Drug Policy and section O – Alcoholic Beverage Policy.

POLICY ON FIREARMS, WEAPONS, AND EXPLOSIVES

It is Whittier Law School policy and California Law that any and all firearms are strictly prohibited on Law School property. Also prohibited is any ammunition in the presence of a firearm or without the presence of a firearm. Under California Penal Code, section 626.9, any person who brings or possesses a firearm upon the grounds of, or within 1000 feet, of any public or private school is guilty of a felony which is punishable by imprisonment. The only persons excepted from the policy are city, state, and federal peace officers and licensed armored vehicle guards.

In addition, Whittier Law School policy prohibits any and all types of destructive/explosives devices of all classes [see California Health and Safety Code sections 12000-12007] on Law School property. “Explosives” includes, but is not limited to, any explosives as defined in Section 841 of Title 18 of the United States Code. “Destructive device” means, but not limited to, any projectile containing any explosive or incendiary material or any chemical substance, bomb, facsimile bomb, grenade, explosive missile or similar device or any launching device. “Explosive devices” means, but is not limited to, any substance, or combination of substances, the primary common purpose of which is detonation or rapid combustion. Prohibited materials include, but are not limited to: dynamite, nitroglycerine, black powder, propellant explosives, detonation primers, blasting caps, commercial boosters, snappers, poppers, firecrackers and fireworks. Violations of this policy are punishable by fines and/or imprisonment.

It is also a violation of Whittier Law School policy and California Law for any person, except as defined under California Penal Code section 626.10, to bring or possess any dirk, dagger, ice pick, or knife having a fixed blade longer than two and one half (2-1/2) inches on any Law School property. In addition, no person shall display, fire, discharge, shoot or operate, or assist or participate in the displaying, firing, discharging, shooting, or operating of any air gun, gas-operated gun, spring gun, sling, slingshot, bow and arrow, paint pellet gun, laser gun, or other device designed or intended to discharge, or capable of discharging any missile or light ray on Law School property [see California Penal Code sections 244-245]. Violations of this policy are punishable by fines and/or imprisonment.

Violation of Federal Law, California Law, and Whittier Law School policy on firearms, weapons, and explosives are adjudicated by city, state, and federal authority. Any violation that might be deemed an infraction of the Law School policy will be adjudicated through the Law School Dean’s Appointees following the procedures outlined in the Whittier Law School Code of Student Conduct. Violations are subject to sanctions outlined in the Student Conduct Code, up to and including suspension and expulsion from the Law School.

DRUG POLICY

It is the policy of Whittier Law School to promote a safe, healthy, and productive environment for all students and employees, including faculty and staff.

The Drug-Free Schools and Communities Act Amendments of 1989 require that as a condition of receiving funds or any other form of financial assistance under any federal program, Whittier Law School must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

Whittier Law School presents the following information for your knowledge and in promotion of healthy lifestyles:

1. Student and Employee Policies and Conduct

(a) **Students:** The Whittier Law School Code of Student Conduct and Alcoholic Beverage Policy are contained in this Policy Manual. Violation of Whittier Law School's Alcoholic Beverage Policy or Drug Policy, including violations of California State laws or regulations regarding the use of alcohol or drugs, may constitute a violation of the Code of Student Conduct. Law School disciplinary hearings may be instituted against a student charged with violation of the Code of Student Conduct. Violators are subject to disciplinary sanctions up to, and including, suspension or expulsion.

(b) **Employees:** The unlawful sale, offer for sale, purchase, transfer, use, manufacture or possession of controlled substances by employees on Law School premises or while on Law School business is prohibited. Further, the use of any legally obtained drug, including alcohol, to the point of intoxication or influence adversely affecting the employee's job performance, is prohibited. As a condition of employment and continued employment, all employees of Whittier Law School are required to adhere to this policy.

An employee who is convicted of a criminal drug statute violation occurring in the workplace must, within five days after conviction, notify Whittier Law School of such conviction by informing the appropriate personnel representative. Persons who are not employees of Whittier Law School, but who perform work for their benefit (such as independent contractors, temporary employees provided by agencies, visitors engaged in joint project development, etc.) are required to comply with this policy. Violation by such persons is likely to result in their being barred from the workplace, even for a first offense.

Legal Sanctions: State Laws and Regulations

California state laws and regulations regarding alcoholic beverages are found in the California State Constitution, the California State Business and Professional Code, and the California State Penal Code. Violations of these laws and regulations are punishable by fines and imprisonment. Where vehicles are involved, violations may be additionally punishable by loss of driving privileges.

California state laws on drug abuse provide for stringent penalties for illegal possession, sale, transportation or administration of any narcotic drug, more stringent penalties for those convicted of previous narcotics offenses than for first offenders, and extremely stringent penalties for those who in any way involve minors in the use of narcotics. A person is subject to prosecution also if he or she illegally

DRUG POLICY

uses or is under the influence of narcotics, or if he or she knowingly visits a place where illegal narcotic use is occurring. Marijuana is covered by similar laws, and there is an additional prohibition against the cultivation or processing of this drug in California. The barbiturates and amphetamines, called "restricted dangerous drugs" in the California Narcotic Act, are similarly covered. Penalties for those convicted of illegal possession, sale, transportation or administration of these drugs are severe. LSD and related hallucinogenic drugs are also on the list of dangerous restricted drugs, and their use for other than authorized research is prohibited by California law.

A criminal record as a drug user, or even an arrest for narcotics law violation, may cause serious, long range harm to the user of drugs by barring employment or educational opportunities where both the criminal record and the label of "drug user" may preclude his or her consideration.

The same act or series of acts, under appropriate circumstances, can subject the offender to separate prosecutions under federal, state and local laws.

In addition to the penalties mentioned above, upon conviction the court may require payment of restitution, performance of community service work, participation in counseling or other treatment programs, and/or the imposition of appropriate restrictive conditions.

Conviction of a second or subsequent DUI, or for trafficking in controlled substances, may result in forfeiture of motor vehicle, aircraft, watercraft or other property used in the commission of the offense. Criminal conviction does not relieve the offender of any civil liability for damages which resulted from the same act or series of acts.

2. Drug/Alcohol Counseling and Treatment

Personal counseling is available through the Dean of Students. Students are strongly encouraged to seek resource help for drug and alcohol problems, either through the Office of the Assistant Dean or by calling the Orange County Alcohol and Drug Abuse Services numbers listed below:

Assistant Dean Carnahan	(714) 444-4141 ext. 283
Orange County Health Care Agency	
Drug & Alcohol Services	(714) 480-6660

3. Institutional Disciplinary Sanctions

The Law School will impose appropriate sanctions on those individuals found to be in violation of the Standards of Conduct, as set forth in Section 1 above.

ALCOHOLIC BEVERAGE POLICY

The Whittier Law School is concerned with the health, safety and welfare of all members of its community. The School of Law has a responsibility to fulfill its educational mission by living within the law, and by promoting awareness of the potential dangers of alcohol abuse, and, for those who choose to drink, by encouraging the responsible use of alcohol.

The possession and consumption of alcoholic beverages on the Whittier Law School campus and at Law School-sponsored events is governed by appropriate state and municipal laws and is further governed by Law School regulations. All persons, regardless of age or status, are governed by these laws and regulations in their official capacity as well as in personal conduct. The Law School expects that individuals and groups shall act within these laws and Law School regulations and in doing so will engage in responsible drinking behavior, and, if applicable, will follow responsible hosting guidelines.

Alcohol and the Law

The Law School's policy with respect to alcoholic beverages is in accord with the state and municipal laws of California and the city of Costa Mesa. The possession and consumption of alcoholic beverages on campus, or at events sponsored by the Law School or a Law School-recognized group (regardless of location of event) is governed by the laws of the city and state where the possession and consumption occurs. In most instances, this will be in the state of California and city of Costa Mesa. These laws apply regardless of the state or country from which a person has come or in which the person maintains official residence.

Relevant laws are found in the California State Constitution, the California State Business and Professional Code, the California State Penal Code and the Costa Mesa Municipal Code. It is the responsibility of the server or consumer of alcoholic beverages to be aware of, and abide by, all state laws and local ordinances, as well as applicable Whittier Law School regulations. These statutes and regulations are summarized and highlighted here for general use, and may not cover all situations. The statutes are available at the Library.

In addition, the Law School expects that every individual and any recognized student organization will follow the Law School regulations regarding the use of alcoholic beverages (including wine and beer) as set forth below or as communicated to the community from time to time. As it is impossible to anticipate every situation that could involve alcohol, this list should not be considered to be all-inclusive. For clarification of this alcohol policy and what activities fall under its jurisdiction, contact the Office of the Assistant Dean for Student Affairs.

Applicable Provisions of State and Municipal Laws

1. The purchase, possession or consumption of any alcoholic beverages (including beer and wine) by any person under the age of 21 is prohibited.
2. It is not permissible to provide alcohol for anyone under the age of 21.
3. Selling, either directly or indirectly, any alcoholic beverages (including beer and wine), except under the authority of a California Alcoholic Beverage Control Board license, is prohibited. This includes selling glasses, mixes, ice, tickets for admission, etc.

ALCOHOLIC BEVERAGE POLICY

4. Serving alcohol to an intoxicated person is prohibited.
5. Serving alcohol to someone to the point of intoxication is prohibited.
6. The manufacture, use or provision of a false state identification card, driver's license, certificate of birth or baptism is prohibited.
7. Being drunk and disorderly in public view is prohibited.
8. Driving a motor vehicle or a bicycle while under the influence of alcohol is prohibited.
9. Possessing an alcoholic beverage in an open container in a motor vehicle or bicycle is prohibited, regardless of who is driving or whether one is intoxicated.

Whittier Law School Regulations

1. Violation of any of the above provisions of state or municipal laws constitutes a violation of the Law School's policy requiring compliance with such laws.
2. Student-Sponsored Events. All organizations and individuals, who sponsor events at/for the Whittier Law School, are responsible for knowing and abiding by Law School policy concerning the possession and use of alcoholic beverages and must assume responsibility for both. The organization sponsoring the social event, its officers and individual members and guests will be held accountable for knowing and observing this policy as well as the laws of the State of California pertaining to alcoholic beverages.
 - a. Supervision. Organizations sponsoring a social event at which alcoholic beverages are to be served must have the event registered by a supervisor who will serve in the capacity of host. This person must be a member of the sponsoring organization. He/she will, in the name of the organization, assume overall responsibility for the event. An organization serving alcoholic beverages or permitting the same should employ means to assure that only persons of legal drinking age, who are not intoxicated, are being served.
 - b. Supervisory Agreement. This supervisory responsibility must be undertaken by one or more persons of legal age willing to sign a supervisory agreement with the Law School for that purpose. The number of persons required to act in this capacity may vary somewhat depending upon the nature of the facility to be used, and the anticipated size of the event. The names of these persons must be provided by the sponsoring organization and must be acceptable to the Dean or the Dean's designee. The person serving in this capacity may be a member of the Law School's faculty or staff, an alumnus, a student of legal age, or other persons acceptable to the Dean or the Dean's designee.
 - c. Non-alcoholic beverages should be served and made available without charge.
 - d. Those individuals who serve alcohol must be 21 years of age or older.

ALCOHOLIC BEVERAGE POLICY

3. Further Rules and Regulations. The Whittier Law School shall be empowered to establish such additional rules and regulations as may be necessary and appropriate for the implementation of this policy.

EARTHQUAKE PREPAREDNESS

In the event of an earthquake your safety is the paramount concern of the Law School administration and faculty. We strongly urge that you take the following steps to prepare for an earthquake.

Please keep the following items in your car in the event that an earthquake strikes while you are en route to the school, or in the event that it becomes necessary for you to walk home from the Law School:

1. A comfortable pair of walking shoes and socks,
2. At least one quart of water,
3. A small amount of food with a long shelf life, such as granola bars,
4. A flashlight,
5. Batteries for the flashlight, preferably still in their original packaging,
6. A first aid kit,
7. A small amount of money, including several quarters for phone calls,
8. A list of work and home phone numbers of family members, including at least one out-of-state number which you and your in-state family members have agreed to use as a rendezvous number,
9. A detailed map of the area, and
10. A space blanket or light jacket.

These items are most conveniently stored in a backpack or carry bag. Other items which may be helpful include: a transistor radio and batteries, an umbrella or other rain gear, toilet paper and a blanket.

If an earthquake strikes while you are in the school:

1. Do not panic.
2. Get away from windows, mirrors, and bookshelves.
3. Get under a desk or table.
4. Cover your head.
5. Hold on to the desk or table.

When the shaking stops or slows:

1. Leave, as calmly as possible, by the nearest exit.
2. If you are in a crowd leave your book bag or backpack behind.
3. Watch for broken glass and live electrical wires.
4. Assemble on the front lawn of the school if it is safe to do so. Stay away from the building, overhead wires, and poles or trees which might fall.
5. If you decide to leave, be sure to tell a faculty or staff member who you are and that you are leaving.

If you are not at the Law School when an earthquake strikes but wish to know whether the school has been closed, call (714) 444-4141, extension 100 no sooner than two hours after the earthquake.

U.S. LEGAL STUDIES LL.M. PROGRAM

General Requirements:

Students admitted to the U.S. Legal Studies LL.M. program are required to successfully complete 24 credit hours to receive the degree. Topics in American Law and American Legal Research & Writing are required courses.

Eligible Courses:

LL.M. candidates may enroll in any course offered in the regular J.D. curriculum. Limited enrollment courses are open to U.S. Legal Studies LL.M. candidates only if space is available after all J.D. program students have the opportunity to enroll. The Dean or a faculty member appointed by the Dean will provide academic advice and will approve the LL.M. schedules.

Completion of Program:

Students may pursue the U.S. Legal Studies LL.M. program on either a full-time or a part-time basis. On a full-time basis, students are expected to complete the program in one academic year (two full-time semesters). On a part-time basis, students will be allowed to take up to five years to complete the degree.

Grading:

LLM grades will be officially recorded in alpha-numeric form in the manner set forth below:

95 – 100	A's
90 – 94	A –
85 – 89	B +
80 – 84	B's
77 – 79	B –
Below 77	Incomplete Grade (See Below)

Any LL.M. student evaluated to receive a grade below 77 will be given an interim grade of “Incomplete” and offered the following options:

- 3) To repeat the course (at no additional fee). An LL.M. student who repeats a course and receives a grade of 77 or better will have only the higher grade count toward his or her cumulative GPA; or
- 4) At the discretion of the professor and in consultation with the program director to retake the final examination or alternatively write a paper in lieu of the final examination. This grade will be recorded as the grade for the course.

Academic Probation and Disqualification:

Academic Probation

- Students who receive one failing grade in any semester in residence, whether full-time or part-time, will be placed on academic probation.
- A full-time student on academic probation will be required to complete a 12-unit semester with no failing grades to return to good academic standing.
- A part-time student on academic probation will be required to complete a six-unit semester with no failing grades to return to good academic standing.

U.S. LEGAL STUDIES LL.M. PROGRAM

Academic Disqualification

- A student on academic probation who does not return to good academic standing in the next semester will be academically disqualified and dismissed from the program.
- If a student receives more than one failing grade in any semester in residence, whether full or part-time, the student will be academically disqualified and dismissed from the program.
- A disqualified student is allowed to appeal for reinstatement to the Academic Standards Committee.

Exams

Students enrolled in the U.S. Legal Studies LL.M. program will receive time-and-a-half to complete their exams. In addition, students whose native language is not English and who received their undergraduate degree at a university in which classes are conducted in a language other than English shall be permitted to use an approved Foreign Language-English Dictionary during exams. LL.M. students must seek approval of their dictionary from the Associate Dean of Student Services. In addition, they must see the Office of Student Advising to arrange for exam accommodations.

Tuition and Fees:

Tuition for the U.S. Legal Studies LL.M. program is charged at the prevailing per unit rate.

Bar Admissions

For those LL.M. students wishing to gain admission to the State Bar of California, requirements for attorneys admitted in jurisdictions outside of the United States and for foreign educated law students may be obtained on the State Bar of California website at www.calbar.ca.gov or in the Registrar's Office. Bar application forms for registering as a law student, determination of moral character, and the general bar exam are also available on the State Bar of California website. Information regarding bar admissions requirements for other states is available on the American Bar Association (ABA) website, www.abanet.org/legaled, or in the Registrar's Office.

STUDENT COMPLAINTS

A. Reporting a Complaint

Whittier Law School wishes to hear any student concerns about significant problems that directly implicate the school's program of legal education and its compliance with the ABA's Accreditation Standards. Any student having such a concern should submit it in writing to the Assistant Dean of Student Affairs.

B. Resolving the Complaint

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

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

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

C. Appeal Process

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

D. Maintaining a Written Record of the Complaint

The Law School shall maintain a complete written record of each complaint and how it was investigated and resolved. Written records shall be maintained in a confidential manner in the Office of the Assistant Dean for Student Affairs.

STUDENT COMPLAINTS

E. Protection Against Retaliation

The Law School will not in any way retaliate against an individual who makes a complaint under this section, nor permit any faculty member, administrator, employee or student to do so.

F. Not Exclusive Complaint Policy or Procedure

Please note that the Whittier Law School Policy Manual contains separate sections pertaining specifically to Sexual Harassment complaints and those complaints that may fall within the parameters of the Code of Student Conduct. Jurisdiction over any student complaint is not exclusive to any single, or combination of, Law School Policies.

TRANSFER AND VISITING STUDENTS

Assessment Criteria for Transfer Credit

The Assistant Dean for Student Affairs will assess possible transfer credit based upon a review of the official transcript submitted to our Office of Admissions by the ABA accredited law school from which a student seeks to transfer. Additional information, such as applicable course descriptions from the student's current law school, may be requested in order to assist in the assessment of possible transfer credit.

A maximum of 30 hours of course credit from another ABA law school may be transferable to Whittier Law School. Transfer credit will not be granted for any units/courses in which the applicant received less than a "C" or equivalent grade, based upon the grading scale of the law school from which you seek to transfer. The Whittier Law School transcript will reflect the student's transfer credits only as units. A transfer student's cumulative grade point average at Whittier Law School will not include the grade point average the student earned at a prior school. Only the grades earned at Whittier Law School will count toward the cumulative grade point average at Whittier Law School. Moreover, once a student transfers to Whittier Law School only the Whittier Law School cumulative grade point average will determine the student's academic status and good standing. Once admitted, in order for a transfer student to qualify for good academic standing at Whittier Law School, the transfer student must achieve a cumulative grade point average (CGPA) of at least a 2.5 at the end of the second semester in residence at Whittier Law School.

Inquiries concerning transfer status should be directed to the Office of Admissions. Admission decisions are made in late July or early August. Transfer students assume the risk of losing credits if, in the opinion of the Law School, the course(s) are incompatible with Whittier's required curriculum. Whittier Law School reserves the right to refuse any part of, or all, transfer credits for advanced standing. The amount of credit an accepted applicant will receive at Whittier for completed first-year work will not exceed 30 semester units (48 quarter units).

Visiting Students

Students currently enrolled in other ABA-accredited law schools may be admitted to Whittier Law School as visiting students for a single term or an academic year.

To be considered, students must apply to the Office of the Registrar. Visiting students are not considered candidates for degrees from Whittier Law School.

Visiting students are also encouraged to get involved in student life at Whittier and are eligible to join any student organization. However, visiting students cannot participate on the law journals or moot court.