

**WHITTIER LAW SCHOOL  
POLICIES  
2017-2018**



**WHITTIER**  

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**LAW SCHOOL**  

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**ORANGE COUNTY, CALIFORNIA**

**Fall 2017  
Spring 2018  
Summer 2018**

**3333 Harbor Boulevard  
Costa Mesa, California 92626**

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# TUITION AND FEES

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**Tuition and fees are due on or before the first week 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 unless a payment plan has been approved. Please address all questions and concerns in regards to possible balance to Whittier Law School Business Office – 714/ 444-4141 ext.288.

**1. Payment in Full**

Students may make payment at the students' counter, located in Building 4 of Whittier Law School, by cash, money order, cashier's check, personal check or credit card (Visa & MasterCard only). Payments can also be made by phone, e-mail or via mail with credit card information. 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 **\$35.00** 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).

**2. 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 website at **my.whittier.edu**. In order for an online tuition payment to be processed as timely, it must be paid through the online system on or before the first day of the semester.

**3. 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. Per Federal Student Aid (FSA) guidelines, a student who incurs a late fee will not be able to use financial aid funds to cover the charge. The late fee must be paid prior to the release of any funds received. Loan funds received 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 received. Loan checks received under both Whittier Law School and the student's name will be deposited into the student's account. In order to comply with the Federal Direct Loan (DL) regulations, please note that within Twenty One (21) calendar days' time frame, disbursements and excess cash must be:

- a. Re-disbursed to eligible students, or
- b. Returned to the Department of Education

**Note:** Refund checks must be picked-up within 5 business days of notification as per Federal Direct Loan requirements.

**4. 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

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semester. Continuing students who wish to use an installment plan should apply prior to the start of any new semester by filling out WLS' Student Payment Agreement. 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.

A student who is more than fifteen (15) days delinquent on a scheduled installment, twice in any semester, must immediately pay the remaining balance in full and may not be entitled to a deferred payment arrangement in subsequent semesters.

## **5. Outstanding Balances**

Tuition and fees are due on or before the first day of class for each semester. If at any time there is a balance remaining on the student's account, the following measures will be implemented:

- a. Requests for Transcripts, grades and/or diplomas will be denied.
- b. Parking Sanctions may be applied (deactivation of parking card).
- c. Students will be ineligible to register for classes for any subsequent semester.
- d. The Law School will 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. Warning of this will occur if delinquency exists (2) weeks prior to the last day of classes in any semester. After warning is given and delinquency continues, a note will be placed in student file.
- e. In the event a tuition or fee balance remains **two (2)** weeks prior to the last day of classes in any semester, the student will be administratively withdrawn from all classes. Upon administrative withdrawal from classes, students are ineligible to take final exams or receive credit for any class from which they have been withdrawn. Three days prior to being administratively withdrawn, notice shall be sent by the Associate Dean for Student & Alumni Engagement via electronic mail to the student's Law School-issued email account.
- f. Students who have an outstanding balance are ineligible to apply for an Emergency Loan.

## **6. Satisfactory Academic Progress (SAP)**

According to Whittier Law School's academic policy, students are required to maintain satisfactory academic progress (SAP) every semester that they are enrolled. With the exception of 1L students, readmitted 1L students, and students who have been reinstated on year-long probation, a student must maintain a cumulative grade point average of 2.40 or higher each semester in order to uphold SAP. Students who are *not* maintaining SAP are ineligible for an emergency loan. These students should also be mindful of any financial obligation in regards to payment when applying for a summer program through Whittier Law School (including study abroad), as stated on each program's application.

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## 7. **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.288.

## 8. **Tuition refund policy**

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

### a. **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.

### b. **Summer**

100% prior to the first day & during the first two weeks of the semester

NO REFUND will be made after completion of the *second* week.

c. **At any time:** 100% if student voluntarily withdraws within ten days after notice is sent (via email) that student has been placed on academic notice.

## 9. **Voluntary options**

A few voluntary options are offered to Whittier Law School students. Forms can be found on-line under: [www.law.whittier.edu](http://www.law.whittier.edu).

a. **Tuition Insurance.** Participation in the Sallie Mae voluntary tuition refund is entirely optional for WLS students. The links to the online info for Tuition Insurance can be found on the Admissions FAQ page:

<https://www.law.whittier.edu/index/apply/admissions-faq/>

<https://www.law.whittier.edu/index/apply/orientation/>

# FINANCIAL AID

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## 1. **Applying for Financial Aid**

Financial aid is made available to all students with concerns in regards to paying for their education. There are several types of financial aid awards offered at Whittier Law School. Students must re-apply for financial aid each year. To qualify for financial aid, students must:

- a. File the Free Application of Federal Student Aid (or FAFSA). The FAFSA only applies to students who are U.S. citizens, permanent residents, or eligible non-citizens. The FAFSA can be filed online at <http://www.fafsa.ed.gov>. Applicants must have an FSA ID in order to complete the FAFSA process. Please note that the FSA ID is used each year for filing, signing the FAFSA electronically and to access FAFSA records online. Whittier Law School's Title IV school code is **E00480**.
- b. Complete the **Continuing/Entering Student Financial Aid Application**. These applications allow Whittier Law School's Office of Financial Aid to review and verify each student's information. To access either form, please visit the Office of Financial Aid, or retrieve the document online via the "[Documents and Forms](#)" section of the Whittier Law School Office of Financial Aid website.
- c. Complete the **Non-Tax Filer Statement** as proof of exemption from filing federal income tax return. Note that this requirement is only for students who are not planning on filing taxes for the previous calendar year. Students who filed for an extension on their tax return may provide a copy of the tax extension form and W-2s to the Office of Financial Aid. Copy of actual tax transcript must be submitted to the Office of Financial Aid by November 1<sup>st</sup> 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 tax transcript to the Office of Financial Aid).

## 2. **Cost of Attendance**

Whittier Law School uses a standard single budget based upon a flat rate which applies to all part-time students taking 8-10 units and all full time students taking 12-15 units. This budget is called the cost of attendance. Besides tuition and fees, the cost of attendance also allows for a modest and reasonable standard cost of living during enrollment. For the purpose of aid verification, the cost of attendance is based on a nine-month period for fall and spring semesters only (the summer term is not included). The cost of attendance is subject to change upon the new fiscal year. Students who are enrolled in a part-time program and who are taking more than 10 units or are enrolled in a full-time program and are taking more than 15 units are required to submit a Service Request form to the Office of Financial Aid in order to receive additional funding. This form is available from the Office of Financial Aid. The cost of attendance for the 2016-2017 Academic Year is listed below:

# FINANCIAL AID

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<b>Fall &amp; Spring</b>	<b>Full-Time (12-15 Units Flat Rate)</b>	<b>Part-Time (8-10 Units Flat Rate)</b>
Tuition and Fees	\$44,870*	\$30,080*
<b>Living Expenses</b>		
Books/Supplies	\$1,768	\$1,768
Room and Board	\$16,866	\$16,866
Personal Expenses	\$3,788	\$3,788
Transportation	\$3,514	\$3,514
Health Care Insurance	\$2,500	\$2,500
Loan Fees	\$1,884	\$1,884
<b>Cost of Attendance</b>	<b>\$75,190</b>	<b>\$60,400</b>

\*Includes \$500 General Administrative Fees

Please note part-time students who are enrolled in 8-10 units and full-time students who are enrolled in 12-15 units are charged flat rate tuition for that term as set forth above. Full-time students wishing to take 16 or 17 units and part-time students wishing to take 11 units will be charged an additional \$1,479, the 2017-18 per-unit cost, for each additional unit.

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

### 3. Summer Session

Summer session may not be offered, but if it is, the cost of attendance for summer session is calculated separately as it may involve multiple on-campus and abroad programs. 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 Office of Financial Aid for correct procedures and actual cost of attendance for all summer programs.

A minimum enrollment of 3 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" application to the Office of Financial Aid, 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 before/after traveling lodging, weekend excursions, personal or leisure spending, etc. are not allowed in the budget. It is advisable to bring extra funds for these expenditures.

# FINANCIAL AID

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## 4. 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 fall 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.

## 5. 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
<b>Full-Time</b>	12 – 15 units	3-6 units	No petition necessary
	16-17 units	7 units	Must petition to the Associate Dean of the Law School; see page 32, Section 10 Class Load and Attendance, part b
<b>Part-Time</b>	8 – 10 units	3–6 units	No petition necessary
	11 units	7 units	Must petition to the Associate Dean of the Law School; see page 32, Section 10 Class Load and Attendance, part b
<b>Half-Time</b>	6-7 units	3 units	No petition necessary

## 6. In-School Financial Budget

The Higher Education Opportunity Act of 2008 indicates the use of a budget calculator to estimate students' education and living expenses while in school. A budget calculator assists students and their families with recognizing 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.

### a. 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>.



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## b. **In- School Financial Budget**

Budget calculators 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 cost of attendance applies to all students and it is not negotiable for any student's personal living style.

## 7. **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 non-need-based awards. Financial aid awards are given in the following descending order:

- a. Institutional aid (scholarships and/or fellowships)
- b. External financial assistance from a student's family, employer, independent agency, etc.
- c. Federal campus-based aid such as work-study
- d. Federal direct unsubsidized Stafford loans
- e. Federal direct Graduate PLUS loans
- f. 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 Office of Financial Aid. Failure to do so will result in the adjustment and/or cancellation of financial aid awards.

## 8. **Financial Aid Programs**

- a. **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. Scholarship aid can only be applied towards tuition cost.
- b. Third year and fourth year students, receiving financial aid, should note that Whittier Law School does not provide financial assistance in the form of Stafford Unsubsidized and Graduate PLUS loans for courses which will place a student over 89 units (minimum required to graduate depending on catalog year) for their final semester. The only exception to this rule is for any units that are degree requirements. Please note that concentrations and certificates are optional; they are not included as a degree requirement. Please plan your schedules in advance and accordingly.
- c. The federal work-study (FWS) program is a federally funded and need-based student work program that provides employment opportunities for education expenses. Students are allowed to work 20 hours a week or less during enrollment. Federal work-study is part of a student's financial aid and earnings are processed by hours worked on a biweekly schedule.

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d. 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.

- i. For law students, the DL program offers two types of loans: Unsubsidized Stafford and Grad-PLUS. 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 of allowing the interest to capitalize during enrollment, grace, and deferment periods. Students may borrow up to \$20,500 of the unsubsidized Stafford loan per academic year. The annual interest rate is fixed at 6.0% and a standard repayment schedule is 10 years; though, longer repayment schedules are available.

ii. *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 7.0% 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.

iii. *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 debt 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/co-signer 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 Office of Financial Aid cannot process a Grad-PLUS loan and private/alternative loan concurrently.

iv. *Important- Federal DL Fees*

The ED charges a loan fee on both Direct Stafford and Grad-PLUS Loans. Loan fee is set at 1.069% (.066% effective October 1<sup>st</sup>, 2017) of the principal amount of the

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unsubsidized Stafford loans, and at 4.272% (4.276% effective October 1<sup>st</sup>, 2017) of the loan amount for the Grad-PLUS loans. The ED/government (not the school) will **deduct** this fee proportionately each time a loan disbursement is made.

v. *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 direct 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

The chart below summarizes the DL loans and their characteristics:

	Direct Unsubsidized Loans	Graduate PLUS Loans
<b>Eligibility</b>	Must file FAFSA; No need required	Must file FAFSA; No need required
<b>Annual Limit</b>	\$20,500	Up to the Cost of Attendance
<b>Interest Rate</b>	6.0% (fixed)	7.0% (fixed)
<b>Loan Fees</b>	1.068% 1.066% (effective October 1 <sup>st</sup> , 2017)	4.272% 4.264% (effective October 1 <sup>st</sup> , 2017)
<b>Aggregate Limits (include <u>ALL</u> unpaid federal loans)</b>	\$138,500	Up to the Cost of Attendance minus all other aid received
<b>Credit History</b>	No	Evaluate by ED; No adverse credit allowed; Option for endorser/co-signer
<b>Master Promissory Note/Loan Application</b>	Once	Once without endorser; every loan with endorser
<b>Estimated Debt</b>	\$62,500 - \$82,000	\$168,920
<b>Maintain Satisfactory Academic Standard</b>	Yes	Yes
<b>Repayment / Grace Period</b>	Begins 6 months after graduation, enroll for less than half-time, or cease of enrollment	Begins <b>60 days</b> after full disbursement of funds; qualifies for in-school deferment
<b>Repayment Terms</b>	10 years; longer periods are available and subject to eligibility	10 years; longer periods are available and subject to eligibility
<b>Repayment Options</b>	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.
<b>Prepayment</b>	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
<b>Loan Consolidation</b>	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.

# FINANCIAL AID

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ED – Phone

1-800-848-0979

1-800-848-0979

e. **Private/Alternate 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 Whittier 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. Credit reporting agencies include:

- |                             |                |  |
|-----------------------------|----------------|--|
| 1. Equifax                  | 1-800-685-1111 | <a href="http://www.equifax.com">www.equifax.com</a>   |
| 2. Experian                 | 1-888-397-3742 | <a href="http://www.experian.com">www.experian.com</a> |
| 3. Trans Union Credit Corp. | 1-800-888-4212 | <a href="http://www.tuc.com">www.tuc.com</a>           |

In addition, 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 update 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 Office of Financial Aid does not apply, guarantee, or approve any private/alternative loans.

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f. **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.

g. **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 session and may not be extended beyond the next registration period or graduation. Students may borrow up to \$500 at a time and may only request one emergency loan per calendar year. A minimum of one business day is required to process the emergency loan and all applications must be submitted to the Office of Financial Aid for approval. Please refer to the Business Office for more information about obtaining an emergency loan.

h. **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 Office of Financial Aid will provide him/her with instructions on additional documents required to satisfy the process

i. **Aid Awards and Confirmation**

The 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: changes units of enrollment, provides incorrect data, and/or changes financial situation.

- 1) **Continuing Students:** As paper financial aid packaging and award notices are no longer available, continuing students are required to check their emails 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. Students are recommended to follow the online instructions carefully.
- 2) **New Students:** Whittier Law School will not have any New Students in 2017-2108.
- 3) The direct loan program is used for all students at Whittier Law School. There are two types of federal direct loans for law students – Unsubsidized Stafford and Graduate PLUS. Students who borrow both loans must submit a Master

# FINANCIAL AID

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Promissory Note for each loan type. Please follow the instructions carefully in order to avoid unfinished or pending Master Promissory Note. Your online Master Promissory Note will NOT be sent to Whittier Law School for certification if it is incomplete.

## **9. 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:

- Receive a copy of their signed Master Promissory Note
- Receive a disclosure statement
- Receive a 6-month grace period
- Prepay all or part of their loan without penalty
- Obtain deferments and/or forbearance if eligible
- Receive a written notice if their loan is sold to third party
- Obtain proof of repaying loan in full

Borrowers have responsibilities to repay their loans as indicated on the Master Promissory Note whether or not they complete or are satisfied with their education or employment, read all correspondence from their lender, notify their lender within ten days if they change their name, address, phone number, drop below half-time status, withdraw or transfer from school, and/or change their graduation date, and complete an electronic exit interview before leaving school.

## **10. Loan Entrance/Exit Counseling Requirements**

Regulations mandate the Office of Financial Aid to provide guidance about federal loans (unsubsidized Stafford and Graduate PLUS) to all students borrowing financial aid loans at Whittier Law School. All financial aid students are required to complete the online counseling. For more information, please contact the Office of Financial Aid.

## **11. Federal Direct Loan Repayment**

A standard repayment period for unsubsidized Stafford and Graduate PLUS loans are scheduled for ten 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 unsubsidized Stafford loans is fixed at 6.0% and 7.0% for the Graduate PLUS loans, and monthly repayment amounts are calculated to the nearest dollar. Direct loan borrowers will make payments through the direct loan servicing center. Direct loan borrowers can view and pay their bills online using their FAFSA PIN at [www.dl.ed.gov](http://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 complete a financial aid electronic exit counseling session to learn more about repayment plans and responsibilities in repayment. The Office of Financial Aid will provide the graduates with more information as mandated by regulations. Students that do not complete exit counseling prior to the

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deadline set forth by the Office of Financial Aid are at risk of receiving a student hold placed on their student account.

## **12. Loan Certification Policy**

The loan certification process at Whittier Law School is in accordance with the Department of Education standards. It is a goal of the Office of Financial Aid 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.

## **13. To be eligible for federal loans, a student must:**

- a. Be a U.S. citizen, national, permanent resident, or eligible non-citizen
- b. Be enrolled in at least half-time (six or more units)
- c. File the FAFSA or Renewal FAFSA for the need analysis report
- d. Not have defaulted on or owe a refund to any previous federal aid program
- e. Maintain satisfactory academic performance (SAP).

## **14. Timeline for Processing Loans**

- a. Certification of loan funds via the Office of Financial Aid at Whittier Law School generally takes two to three business days.
- b. The Department of Education/Servicing Guarantors require two to five business days to verify loan certification of unsubsidized Stafford loans and three to fifteen days to verify loan certification of Graduate PLUS loans.
- c. For students requiring private loans, banks/lenders require anywhere from three to thirty days to verify certification of private loans.
- d. Disbursements are posted to student accounts one to three business days after receiving verification from the Department of Education/Servicing Guarantors/banks/lenders.
- e. The loan aid refund check is available during the first week of instruction. For more information, please contact the Business Office.

## **15. 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 Department of Education (or the lender for private loans) upon the release of loan funds to the school. The Office of Financial Aid does not issue disclosure statements of student loans.

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## **16. 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 Whittier Law School in a single installment once a semester within 10 days prior to the first day of the semester or the enrolled program. The Office of Financial Aid will notify students of the arrival of their loan proceeds. The Office of Financial Aid requires three business days to post loan funds to student's account before the Business Office can process tuition payments 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 Office of Financial aid is prohibited from conducting any cash transactions on a student's account. Thus, students must contact the Business Office for any information related to tuition due, fees charged, and/or refunds of their financial aid loan funds.

## **17. Changes in Enrollment Status Affect 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 funding. The Office of Financial Aid will report the student's less than half-time status of enrollment to the Department of Education. Students who change enrollment status to less than 6 units may have their loan grace period begin. For additional information or questions, please contact the Office of Financial Aid.

## **18. Financial Aid Policy on Withdrawal/Leave of Absence**

Students who withdraw from Whittier Law School prior to completing 60% of the enrollment period for which they received financial aid will be subject to both the institutional refund policy and the federal Return of Title IV Funds policy. Unsubsidized Stafford and Graduate 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 Office of Financial Aid for more information on this mandatory federal calculation before making a final decision regarding withdrawal or a leave of absence.

## **19. 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 unsubsidized Stafford and Graduate PLUS loans a student has earned as of the date he/she withdraws from Whittier Law School. 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 Department of Education. Unearned funds will be returned first to repay the unsubsidized Stafford loan and then the Graduate PLUS loan up to the total of the net amount disbursed from each award.



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By regulations, both Whittier Law School and the borrower 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 Whittier Law School returns unearned aid to the Department of Education on behalf of a student. The Business Office will then bill the student for the difference between the amount returned to the Department of Education and the amount of refund a student is eligible to receive under the Whittier Law School refund policy (if applicable). If the disbursed loan amount is 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.

Upon receiving a notice of the return of loans aid, a student is required to contact the Business Office in regards to any balance due. As mentioned above, regulations prohibit the Office of Financial Aid 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 Business Office.

## **20. Other Matters Affecting Financial Aid**

A student bears the responsibility to inform the Office of Financial Aid of all external financial assistance he/she may receive during enrollment. Upon notice, the Office of Financial aid 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. The return of any fund proceeds will go back to their original sources.

## **21. Satisfactory Academic Progress as it relates to Financial Aid**

Satisfactory Academic Progress (SAP) is a criterion for eligibility in the federal direct loan and other private loan programs. This means all financial aid students are required to successfully remain in good academic standing in order to obtain federal and private loans. The Whittier Law School Academic Rules and Regulations define 'good academic standing' as maintaining a minimum cumulative grade point average (CGPA) of 2.40. With the exception of 1L students, readmitted 1L students, and students who have been reinstated on year-long probation, students must maintain a CGPA of 2.4 each semester.

The Office of Financial Aid is required to evaluate most students' academic progress after every semester to determine eligibility. When a student fails to meet academic standards (or SAP), he/she 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 the student does not make SAP at the end of the Financial Aid Warning period, a student loses his/her Title IV aid eligibility immediately and will be placed on Financial Aid Suspension.

The Office of Financial Aid will annually evaluate academic progress of 1L students, readmitted 1L students, and students who have been reinstated on year-long probation. SAP will not be evaluated after the fall semester. Rather, SAP will be evaluated after spring semester grades have been published, and these students will be placed on Financial Aid Suspension if their CGPA is not 2.40 or higher.

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- a. **Exemption:** Students who are placed on Financial Aid Suspension are given a one-time appeal to the Office of Financial Aid 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 (and student's CGPA is 2.40 or higher).
- b. **SAP Appeal for Reassessment of Financial Aid Eligibility:** All petitions for financial aid appeal must include the following: a detailed explanation for failing SAP standards (e.g. illness, death in the family, involuntary military leave, or other extenuating circumstances) and 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. 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 do not qualify as extenuating circumstances:**

- i. The difficulty of a class/course;
- ii. The teaching method or dislike of a professor/instructor;
- iii. Issues with personal debts;
- iv. Length of time out-of-school since last attended;
- v. Promises to perform better in the future; or
- vi. Dropping a course to avoid a bad grade

By regulations, the financial aid SAP appeal process is a distinct process that pertains specifically to financial aid eligibility. It is independent from Whittier Law School policies or that of any policy that is governed by Whittier Law School. **This means that students may be allowed to continue enrollment but may not be eligible to obtain federal aid funds.** Students that are on financial aid suspension and are 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, student's GPA, degree completion rate (the length of time a student is expected to complete their program), resolution of extenuating circumstances, and an explanation of the semester in which a student failed to meet academic standards.

c. **Appeal Decisions**

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

- i. 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

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- the assigned semester. Students who are on Financial Aid Probation after the fall semester are strongly discouraged from enrolling in a summer program of study (including one of the summer abroad programs). For more information, please contact the Office of Financial Aid.
- ii. Denied – Denial of the appeal means a student is not eligible for additional financial aid funds until they have raised their cumulative GPA to at least 2.40.
  - iii. 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

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## 1. **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 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; to determine honor status upon graduation and to ensure compliance with standards of applicable accrediting bodies.

## 2. **Interpretation of The 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.

## 3. **Good Academic Standing**

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

- a. To be in good academic standing, a student (both full-time and part-time) must have a cumulative grade point average (CGPA) of at least 2.40 at the end of the second semester and each subsequent semester, including summer, except as provided in Sections 3b and 7(c) (year-long probation). All CGPAs are truncated to the hundredth decimal point.
- b. Students who transfer to the law school after one year at another ABA approved law school have only one semester to reach the requisite 2.40 CGPA and will not be placed on academic notice prior to disqualification.

## 4. **Academic Notice (Does not pertain to transfer students)**

- a. 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.
- b. A student whose grade point average is less than 2.40 at the end of his/her first semester of course work at Whittier Law School shall be placed on academic notice.
- c. The Registrar shall notify the student of his/her academic status. The Registrar shall place a copy of the academic notice letter in the student's file; and the notice shall permanently appear on the face of the student's transcript.
- d. Students on academic notice are not eligible to run for office in any school-related organization.

# ACADEMIC RULES AND REGULATIONS

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## 5. Disqualification

- a. A student shall lose good academic standing, and shall be disqualified from further attendance at the law school, if:
  - i. his/her CGPA is below 2.40 at the end of the second semester (for transfer students it is the end of the first semester) or any subsequent semester, including summer thereafter. A student who loses academic standing shall be disqualified regardless of whether the student was ever placed on Academic Notice; OR
  - ii. while on academic probation a student fails to comply with the terms of probation. (See “Academic Probation,” Section 7)
- 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.
- c. **Procedures after Disqualification**

Students who are ultimately disqualified from the law school have the following options:

  - i. Petition for reinstatement. (See “Reinstatement and Probation,” Section 6a.)
  - ii. Apply for admission to another accredited American Bar Association law school as a first-year student. Students should contact the admissions office for each individual school for more information.
  - iii. Apply for admission to a non-accredited American Bar Association law school as a first-year student. Students should contact the admissions office for each individual school for more information.
  - iv. Notice of academic disqualification will remain permanently on the transcript and students are responsible for reporting their academic disqualification to appropriate bodies.

## 6. Reinstatement and Probation

- a. **Standards for Reinstatement**

In order for an academically disqualified student to be reinstated on academic probation, a student must demonstrate, by clear and convincing evidence, each of the following:

  - i. That the student was faced with extraordinary circumstances;
  - ii. That there is a causal connection between these extraordinary circumstances and the student's performance in law school;
  - iii. 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
  - iv. That the student has the ability, willingness, and capacity to achieve acceptable law school performance standards.
- b. **Petitions for Reinstatement**

Any petition for reinstatement must be in writing, no longer than 1,250 words in length (excluding supporting documentation), and address each of the standards for reinstatement outlined in “Reinstatement and Probation, Standards for Reinstatement,”

# ACADEMIC RULES AND REGULATIONS

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Section 6ai-iv. The petition must be delivered via email or a hard copy to the Associate Dean for Student & Alumni Engagement no later than the date set forth in the letter of disqualification. The Academic Standards Committee will review and consider the petition for reinstatement in accordance with “Reinstatement and Probation,” Section 6.

## c. **Grants and Denials of Petitions for Reinstatements**

- i. A student disqualified from further attendance at the law school under the operation of this Section remains disqualified pending the outcome of his/her petition for reinstatement. However, students should continue to attend classes pending a final decision.
- ii. A student whose petition for reinstatement is granted shall be reinstated on academic probation, according to the applicable terms set forth in “Academic Probation,” Section 7a-h. If a petition for reinstatement is denied by the Academic Standards Committee, the student has a right to appeal to the Dean of the law school as outlined in “Academic Standards Committee Oversight: Student Petitions,” Section 8d-f.
- iii. A student whose appeal for reinstatement is finally denied by the Dean is disqualified from further attendance at the law school. (See “Disqualification, Procedures after Disqualification,” Section 5c.)

## 7. **Academic Probation**

- a. 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.
- b. To be restored to academic good standing, the student must raise his/her CGPA to a level sufficient to meet the good standing requirements, which is a 2.40.
- c. 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 2.40 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.
- d. A student on probation shall not be permitted a semester course load in which seminar or practical skills course units are greater than one-half of the total course units for the semester.
- e. 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.
- f. A student who fails to meet all applicable terms of academic probation is disqualified from further attendance at the law school.
- g. The Registrar shall notify the Academic Standards Committee of those students who have complied with, and those who have failed, their terms of probation.

# ACADEMIC RULES AND REGULATIONS

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- h. The Academic Standards Committee is responsible for overseeing the effective administration of and compliance with the terms and procedures for probation set forth in this section. The Academic Standards 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 Academic Standards Committee may waive one or more of the terms of probation which otherwise apply automatically to a student placed on probation.

## **8. 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 other student petitions, submitted in due course to the Associate Dean for Student & Alumni Engagement, also may require Committee attention and resolution. In all 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. Unless the Committee asks to meet with a student, Committee membership shall remain anonymous.
- c. Any decision of the Committee to deny a student petition which substantially adversely affects a student's academic standing may be appealed by that student to the Dean. The student's appeal must be in writing, and must be delivered via email or in person to the Associate Dean for Student & Alumni Engagement within five business days, or as otherwise noted in the petition denial letter, 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 outcome of its review.
- 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.

# ACADEMIC RULES AND REGULATIONS

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## 9. Grading and Grade Normalization

### a. General Grading Policy

Grading Scale: Final published course grades and interim published course grades (as defined in “Interim Grades,” Section 9di) for all courses shall be issued according to the following scale of point values:

A	3.6 to 4.0
B	3.0 to 3.5
C	2.5 to 2.9
C-	2.3 to 2.4
D	1.8 to 2.2
F	1.7
W/F	1.6

The highest possible final published course grade on the grading scale is an "A" having a value of 4.0 points. The lowest possible final published course grade is an "F" having a value of 1.70 points. Students receive a Withdraw/Fail (W/F), having a value of a 1.60, when they fail to meet the requisite attendance requirements or if they fail to sit for the final examination. (See “Class Load and Attendance, Attendance and Class Participation,” Section 10c and “Examination Rules, Missed Exams,” Section 18.)

All CGPA calculations are determined by truncating to the hundredth decimal point.

### b. Anonymous Grading for Written Examinations

In order to ensure objectivity, an anonymous grading system is used for all midterm and final 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 any way before final published course grades are issued may constitute a violation of the Code of Student Conduct.

### c. Final Published Course Grades

- i. The final published course grades for all required and California bar-tested courses, except for (a) Lawyering Skills 1, 2, and 3, (b) the Legal Mind, (c) Bar Exam Fundamentals I and II (formerly known as Legal Methods I and II), and (d) the Academic Success Practicum shall be determined primarily on the basis of student performance on a sequestered, written final examination. The grade on the final examination shall constitute at least 50% of the student's final published course grade for that course, before adjustment for class participation as provided in “Grading and Grade Normalization, Final Published Course Grades,” Section 9civ, 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. (In two-semester



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- courses the 50% sequestered, written final examination requirement may be met by sequestered, written final exams in the two semesters totaling at least 50% of the final grade.) The instructor for a course may take into account certain additional factors in determining a student's final published course grade, including normalization rules, as provided in "Grading and Grade Normalization, Grade Normalization," Section 9g, 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 provided in "Grading and Grade Normalization, Final Published Course Grades," Section 9ciii-v.
- ii. 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 "Grading and Grade Normalization, Final Published Course Grades," Section 9cv. 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.
  - iii. 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 "Class Load and Attendance, Attendance and Class Participation," Section 10c.
  - iv. An instructor may, without notice, reduce or increase a student's final published course grade (not including interim first year grades) by 0.1 point based upon the student's class participation or attendance. This grade adjustment is not appealable. A participation point may be added to or subtracted from published interim first year course grades provided the maximum effect on the final published course grade does not exceed 0.1 point. The adjustment provided in this subparagraph is the maximum adjustment for ordinary class participation except as provided in "Grading and Grade Normalization, Final Published Course Grades," Section 9cv. This limit does not apply to (1) upper-level courses not required for graduation with twenty or fewer enrolled and (2) Lawyering Skills 1, 2, and 3.
  - v. Notwithstanding "Grading and Grade Normalization, Final Published Course Grades," Section 9cii-iv. An instructor with notice may reduce a student's final published course 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 Student & Alumni Engagement, for decision by the Academic Standards Committee as set forth in "Academic Standards Committee Oversight: Student Petitions," Section 8.

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## d. **Interim Published Course Grades**

### i. *In general*

Interim published course grades, rather than final published course grades, are issued at the end of the first semester of two-semester courses, except as otherwise provided for Constitutional Law I and II, Lawyering Skills 1 and 2, Legal Analysis Workshop I and II, and Bar Exam Fundamentals I and II (formerly known as Legal Methods I and II). A student's interim published course 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 published grade for the course. At the end of the second semester of a two-semester course, a final published course grade will supersede the interim published course grade; the interim published course grade will still appear on the student's transcript, but only the final published course grade will be included thereafter in calculating the student's CGPA. Interim published course grades are not subject to the normalization requirements of this section; however, the final published course grades which supersede interim published course grades for a course are subject to normalization as set forth in "Grading and Grade Normalization," Section 9g.

### ii. *Withdrawal from a two-semester course after first semester*

If a student's interim published course grade is less than 2.40, it will be included as a semester grade in all determinations of the student's academic status until it is displaced by a final published course grade. If the interim published course grade is equal to or greater than 2.40, it will not be included in any determination of the student's academic status made after withdrawal from the course.

## e. **Retaking of Courses and Failing Grades**

### i. *Failing Grades—In general*

Any final published course 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 grades shall be included in all CGPA calculations, but only the course units earned when the student passes the course will count toward the graduation requirement.

### ii. *Failing Grades in Required courses*

If a student receives a failing final published 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. Grade values from both courses, even after the student repeats the course, will be counted into the final CGPA calculation, but only the course units earned when the student passes the course will count toward the graduation requirement.

# ACADEMIC RULES AND REGULATIONS

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### iii. *Mandatory Retaking of Upper-Division Required Courses*

Except as otherwise provided, students (both full-time and part-time) who have a CGPA below a 3.00 (i.e., at a 2.99 or below) at the end of their first two semesters in residence at Whittier Law School\*\* must thereafter re-take any upper-division required doctrinal course in which they receive a final published course grade of 2.7 or below (i.e., below a 2.8), and must achieve a grade above a 2.7 (i.e., a grade of 2.8 or higher) in each such course upon re-taking it, or they will be ineligible for graduation. **Note:** This requirement is separate and apart from the requirement that students remain in good academic standing by maintaining an *overall* CGPA of 2.4 or above after their second semester and each semester thereafter.

As of Fall 2016, the courses subject to this requirement—for both full-time and part-time students—are: Business Associations, Constitutional Law I, Constitutional Law II, Criminal Procedure, Evidence, Legal Analysis Workshop I (previously referred to as “Lawyering Skills 4”), Legal Analysis Workshop II (previously referred to as “Legal Analysis Workshop”), and Professional Responsibility. It does *not* apply to Lawyering Skills 3, which is subject to the general provision for failing courses in 9.e.i and 9.e.ii above, or Bar Exam Fundamentals I or II (previously known as Legal Method I or II; for those students required to take the course).

Any course to be repeated pursuant to this section should be repeated at the earliest possible time; if the grade is a failing grade of 1.7, it must be repeated at the earliest possible time, unless the Academic Standards Committee agrees to a postponement of the requirement.

Grade values from both the original taking and re-taking(s) of such course(s) will be reported on the student’s transcript and averaged into the final CGPA calculation, but only the course units earned when the student receives a grade of 2.8 or higher in the course(s) will count toward the graduation requirement.

#### *Illustration*

Student has a CGPA of 2.88 at the end of her 1L year, and so Student is subject to the rule of mandatory re-takes for upper-division required doctrinal classes. In Fall 2016, Student takes 3-unit Criminal Procedure, and earns a grade of 2.6. Student must re-take Criminal Procedure. In Summer 2017, Student re-takes Criminal Procedure and earns a grade of 3.2. The grade of 3.2 will appear on the transcript, and Student will earn 3 units in Summer 2017. An averaged Criminal Procedure grade of 2.9 ( $[2.6+3.2=5.8]/2$ ) will be factored into the student’s CGPA at a weight of 3 units. The original Criminal Procedure grade of 2.6 earned in Fall 2016 will remain on Student’s transcript, reflected as a “2.6A,” but will be weighted at zero units.

**\*\*For transfer students:** For students who transfer to Whittier Law School from another institution, determination of their eligibility to be subject to the requirements of this section will be based on their Whittier Law School GPA after their first semester in residence at Whittier Law School.

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iv. *Mandatory Retaking of 1L courses*

- (a) Except as otherwise provided, students (both full-time and part-time) who have a CGPA between 2.40 and 2.49 at the end of their first two semesters in residence at Whittier Law School must re-take any doctrinal course in which they received a final published course grade of 2.4 or below, and must achieve a grade of 2.6 or higher in each such course upon re-taking it, or they will be ineligible for graduation.
- (b) This requirement applies to doctrinal courses taken in the first two semesters in residence at Whittier Law School.
- (c) This requirement is separate and apart from the requirement that students remain in good academic standing by maintaining an *overall* CGPA of 2.4 or above after their second semester and each semester thereafter.
- (d) Any course to be repeated pursuant to this section should be repeated at the earliest possible time.
- (e) Grade values from both the original taking and re-taking(s) of such course(s) will be reported on the student's transcript and averaged into the final CGPA calculation, but only the course units earned when the student receives a grade of 2.6 or higher in the course(s) will count toward the graduation requirement. [See *Illustration* in 9.e.iii, above.]

v. *Voluntary Retaking of Required Courses*

Except where students are required to re-take courses, all students may, at their option, re-take any required doctrinal course in which they received a final published course grade below a 2.8 (i.e., a 2.7 or below). In other words, all students may, at their option, re-take any first-year required doctrinal course in which they received a final published course grade below a 2.8; and students who have a CGPA at 3.00 or above at the end of their first two semesters in residence at Whittier Law School (or at the end of their first semester in residence if they are a transfer student) may, at their option, re-take any upper-division required doctrinal course in which they received a final published course grade below a 2.8.

As of Fall 2016, the courses subject to this section—for both full-time and part-time students—are: Business Associations, Civil Procedure I and II, Constitutional Law I, Constitutional Law II, Contracts, Criminal Law, Criminal Procedure, Evidence, Legal Analysis Workshop I (previously referred to as “Lawyering Skills 4”), Legal Analysis Workshop II (previously referred to as “Legal Analysis Workshop”), Professional Responsibility, Real Property, and Torts. It does *not* apply to Lawyering Skills 1, 2, or 3, Legal Mind, or Bar Exam Fundamentals (previously known as Legal Method I or II; for those student from whom the course is required).

*Illustration 1:*

At the end of the first year, Student has a CGPA of 2.9. That student *may* re-take any first-year required doctrinal class in which s/he received between a 1.8 and 2.7, but *must* retake any upper-division required doctrinal course in which s/he earns a grade of 2.7 or lower.

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## *Illustration 2:*

At the end of the first year, Student has a CGPA of 3.1. That student *may* re-take any first-year required doctrinal class in which s/he received between a 1.8 and 2.7, and also *may* retake any upper-division required doctrinal course in which s/he earns a grade of 2.7 or lower.

Grade values from both the original taking and re-taking of any such course will be averaged into the final CGPA calculation, but only the course units earned when the student re-takes the course will count toward the graduation requirement. [See *Illustration* in 9.e.iii above].

## vi. *Tuition and Class Status Effects of Retaking Courses*

If a student retakes a required doctrinal course because s/he received a failing grade of 1.7, or a grade of 1.6 due to a Withdraw/Fail, the student will be required to pay tuition for the first retaking of the course, and each retaking thereafter. (Similarly, a student who fails any other course will be required to pay tuition for any retake.)

If a student retakes a required doctrinal course for any other reason, s/he will *not* be required to pay tuition for the course the first time s/he re-takes the course. If a student is required to re-take a course two or more times based on inability to achieve the requisite grade during the first re-take, the student will be required to pay tuition to retake the course for each subsequent re-take attempt.

Students who re-take a required course on a voluntary basis are not permitted to re-take that course more than once.

If a student retakes one or more courses in a given semester, and the student is not required to pay tuition for retaking the course(s), the units for the retaken course(s) will *not* be counted for purposes of determining the student's financial aid status. However, in no event may any student take more than the maximum number of units allowed in a given semester.

## *Illustration A*

Student received a grade of 2.6 in Criminal Law in Spring 2017, and chooses to re-take it in Spring 2018. Student would have otherwise taken 9 units in Spring 2018, but with the retake of 3-unit Criminal Law would be at 12 units. At 9-units, Student would have been at part-time status and would have paid part-time flat-rate tuition. Typically, a student taking 12 units would be at full-time status and so would pay full-time flat rate tuition. However, because Student is *not* paying tuition to retake Criminal Law, Student will be deemed to remain at part-time status and so will only pay part-time flat-rate tuition for Spring 2018.

## *Illustration B*

Student received a grade of 2.6 in Criminal Law in Spring 2017, and chooses to voluntarily re-take it in Spring 2018. Student would have otherwise taken 15

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units in Spring 2018, but with the retake of 3-unit Criminal Law would be at 18 units. However, under no circumstances may a student take more than 17 units in a semester, and so Student must either drop another course in Spring 2018 or retake Criminal Law in a different semester.

vii. *Failing interim published grade in a two-semester course*

If a student receives an interim failing published course 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 published course grade will not be included in such calculations once the final published course grade is received, and the final published course grade shall then have the weight of the total number of units in two semesters.

viii. *Bar Exam Fundamentals (formerly known as Legal Methods) grading*

Students who pass Bar Exam Fundamentals I are not required to take Bar Exam Fundamentals II. Students who do not pass Bar Exam Fundamentals I, but whose work quality did not warrant receiving a failing grade, will show a grade of "I" for Incomplete on their transcripts pending their grade in Bar Exam Fundamentals II. If these students pass Bar Exam Fundamentals II, their grade for Bar Exam Fundamentals I will be converted to a "P" for Pass, and they will receive credit for both courses. If a student does not pass Bar Exam Fundamentals II, they will receive a grade of "F" for Fail for Bar Exam Fundamentals I and II, will not be given credit for either semester, and will have to retake Bar Exam Fundamentals I in the fall semester of their third year. (Note: Students in these instances may need to earn one or more credits during the Summer semester and/or Winter session in order to fulfill the required total number of 87 or 89 units (as applicable depending on their year of matriculation to graduate on schedule)).

f. **High Pass/Pass/No Credit/Fail Grades**

This subsection applies to independent study projects, teaching assistantships, research assistantships and all courses designated as "non-graded" courses. All such projects and courses shall be graded as set forth in this subsection. Student performance in such courses and projects shall be graded "high pass" for work performed equivalent to 3.6 or above, "pass" for work performed equivalent to between 2.5 and 3.5, "no credit" for work performed equivalent to between 1.8 and 2.4, and "fail" for work performed equivalent to 1.7. Student transcripts shall show the "high pass," "pass," "no credit" or "fail" grade. Grades received in non-graded courses are not included in the calculation of a student's CGPA. Students receiving a "high pass" or "pass" grade shall be awarded credit toward graduation for the project or class, and students receiving a "no credit" or "fail" grade shall not be awarded credit toward graduation for the project or class. This section does not apply to the Academic Success Practicum, for which a student receives (1) no units separate from the doctrinal class(es) to which the Practicum is linked, and (2) "credit" or "no credit," based solely on attendance.

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g. **Grading and Grade Normalization Effective Fall 2016**

Final published course grades must conform to normalization standards established by distribution and mean or median requirements, with distinctions made between first-year doctrinal courses, first-year Lawyering Skills courses, upper-level courses required for graduation, upper-level courses not required for graduation with twenty-one students or more enrolled, and upper-level courses not required for graduation with twenty students or fewer enrolled. For the purposes of this section, “First - Year Doctrinal Courses” for both full time and part time students shall mean: Civil Procedure, Contracts, Criminal Law, Property, and Torts, regardless of whether those courses are taught in a one-semester or two-semester format.

i. *Distribution*

a. First-Year Doctrinal Courses

Final published grades for First-Year Doctrinal courses shall conform to the following distribution:

3.6-4.0	0-10%
3.0-3.5	15-25%
3.0-4.0	15-30%
2.3-2.9	35-65%
1.8-2.2	20-35%
1.7	0-10%
1.7-2.2	20-35%

b. Upper Division Courses Required for Graduation, Except Lawyering Skills 3

Upper Division courses required for graduation, except for Lawyering Skills 3, shall conform to the following distribution:

3.6-4.0	10-30%
3.0-3.5	25-50%
3.0-4.0	40-70%
2.3-2.9	20-60%
1.8-2.2	0-20%
1.7	0-10%
1.7-2.2	0-20%

ii. *Course Mean*

a. First-Year Lawyering Skills Courses. The mean for final published course grades for Lawyering Skills 1 and 2 (formerly Legal Writing I and II) shall be standardized with the range of 2.85 to 3.10 points.

b. Upper Division Courses Not Required for Graduation, greater than 20 students enrolled. The mean for final published course grades for upper division courses that are not required for graduation, with greater than 20 students enrolled, shall be standardized with the range of 2.90-3.30 points.

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## iii. *Course Median*

Upper Division Courses Not Required for Graduation, 20 or fewer students enrolled, and Lawyering Skills 3. The distribution and mean average requirements set forth in “Grading and Grade Normalization, Grade Normalization,” Section 9gi and ii, tend to be distortive when applied to the small size and unique work product of the typical seminar or to classes with 20 or fewer students. Therefore, final published course grades for these classes will only require normalization by use of a median, not a mean. Final published course grades for these classes must reflect a median of between 2.90 and 3.40 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 published course 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 published course grades.

**Chart of Normalization**

<b>Type of Course</b>	<b>Grading Standards</b>	<b>Final Exam Requirements</b>
First-Year Doctrinal Courses	Distribution: 3.6-4.0 0-10% 3.0-3.5 15-25% 3.0-4.0 15-30% 2.3-2.9 35-65% 1.8-2.2 20-35% 1.7 0-10% 1.7-2.2 20-35%	Must have a sequestered, anonymous written examination worth at least 50% of final grade
Lawyering Skills 1 & 2	Mean 2.85-3.1 for final course grade	
Upper Division Courses Required for Graduation, except for Lawyering Skills 3	Distribution: 3.6-4.0 10-30% 3.0-3.5 25-50% 3.0-4.0 40-70% 2.3-2.9 20-60% 1.8-2.2 0-20% 1.7 0-10% 1.7-2.2 0-20%	Must have a sequestered, anonymous written examination worth at least 50% of final grade
Upper Division Courses Not Required for Graduation, greater than 20 students enrolled	Mean of 2.9-3.3 for final course grade	If course is bar tested, must have a sequestered, anonymous written examination worth at least 50% of final grade



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Upper Division Courses Not Required for Graduation, 20 or fewer students enrolled, and Lawyering Skills 3	Median of 2.9-3.4 for final course grade	If course is bar tested, must have a sequestered, anonymous written examination worth at least 50% of final grade
Enumerated P/F and any other “non-graded” courses	Scale of High Pass /Pass /No Credit /Fail	None

**h. 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.

**i. Grade Changes**

Final published course grades will not be changed except in the case of a documented clerical or computational error. If a faculty member believes he/she made a clerical or computational error in a student’s final published course grade, he/she must submit a written petition with documentation to the Academic Standards Committee ("ASC"). Students who believe a clerical or computational error has been made may not petition ASC directly unless the student can demonstrate that the faculty member is unavailable or unwilling to consider a student’s request. Any student petition seeking to change a grade due to clerical or computational error must be submitted to ASC within ten days of the publication of the final course grade. A grade change will become effective only after the faculty member's or student's petition has been approved by ASC.

**j. Grade Penalties**

Grade penalties given by the Academic Standards Committee related to final exam issues will be applied to the final exam grade and not the final published course grade.

**k. Class Rank and Graduation Cohorts**

Class rankings are computed after fall and spring semesters based on cumulative grade point averages. Grade point averages are calculated to the hundredth decimal place but are not rounded. Students are then ranked according to their graduation cohort. All students that are expected to graduate during the same academic year are considered to be in the same graduation cohort.

**The following lists the breakdown of how cohorts are defined for ranking purposes for the 2016-2017 academic year:**

**Cohort 1:** All 1L Part Time Students (graduating Fall 2019, Spring 2020, Summer 2020)

**Cohort 2:** All 1L Full Time Students and all 2L Part Time Students (graduating Fall 2018, Spring 2019, Summer 2019)

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**Cohort 3:** All 2L Full Time Students and all 3L Part Time Students that are not graduating during the current academic year (graduating Fall 2017, Spring 2018, Summer 2018)

**Cohort 4:** All 3L Full Time Students, all 3L Part Time Students and all 4L Part Time Students that are set to graduate during the current academic year (graduating Fall 2016, Spring 2017, or Summer 2017)

In the event that a 3L Full Time Student or a 4L Part Time student is not graduating during the current academic year, these students will be ranked in Cohort 3, with all 2L Full Time Students and all 3L Part Time Students that are not graduating during the current year.

Students who place in the 50th percentile or below of their cohort are not ranked.

## Graduation Cohorts:

	Fall 2016	Spring 2017	Summer 2017	Fall 2017	Spring 2018	Summer 2018	Fall 2018	Spring 2019	Summer 2019	Fall 2019	Spring 2020	Summer 2020
Cohort 1										X	X	X
Cohort 2							X	X	X			
Cohort 3				X	X	X						
Cohort 4	X	X	X									

### 1. Dean's List and Honor Roll

Students must have accumulated at least 19 units toward graduation to be eligible to be on the Dean's List or the Honor Roll. Students shall be placed on the Dean's List if his/her semester GPA is 3.0 or greater for any semester a student takes a minimum of eight (8) units. Students shall be placed on the Honor Roll if his/her cumulative GPA is 3.0 or greater at the end of a semester. Both the Dean's List and Honor Roll will appear as notations on student transcripts.

## 10. Class Load and Attendance

### a. Schedule of Classes

- i. 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 an average of 15 units per semester. A regular schedule in the Part-Time Program is a four-year course of study (plus two summers) and ordinarily consists of an average of 10 units per semester. A student must acquire 87 units for graduation if the student matriculated before Fall 2014, or 89 units if the student matriculated in Fall 2014 or afterward.

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- ii. It is each student's responsibility to ensure they have taken an adequate number of units each semester to meet graduation requirements.
  - iii. Students who are interested in changing from Full-Time to Part-Time may do so with approval of the Associate Dean of Student & Alumni Engagement. Students who wish to change from Part-Time to Full-Time may do so only after they have completed their first year of law school with approval of the Associate Dean for Student & Alumni Engagement.
- b. **Semester Unit Limitations**
- i. *For students who entered Whittier Law School prior to Fall 2014:* A student who wishes to take 17 units in the Fall or Spring semester must have at least a 3.0 CGPA and state a persuasive reason for the need to take an overload in a Petition to the Academic Standards Committee.
    - a. Students may not take more than six units during the on-campus summer session. In exceptional circumstances, seven units may be taken with approval from the Associate Dean for Academic Affairs.
  - ii. *For students who entered Whittier Law School in Fall 2014 and later:* For Fall and Spring, a standard unit load is an average of 15 units per semester for full-time students and an average of 10 units per semester for part-time students. For students electing to take summer school, the maximum number of units is 6.
    - a. Students who wish to take an "overload" during the Fall or Spring semester of 16 or 17 units as full-time students or 11 units as part-time students, or 7 units during the Summer, must submit an overload petition to the Associate Dean for Academic Affairs. The form to petition for an overload is available at <https://www.law.whittier.edu/index/forms/overload-request>.
      - i. 1Ls are only eligible to petition for an overload if they have a 2.8 cumulative GPA or above at the time of petitioning.
      - ii. 2Ls will generally have their petitions granted only if they have a 3.0 cumulative GPA or above at the time of petitioning.
  - iii. Under no circumstances may a student take more than 17 units in the Fall or Spring Semester.
- c. **Attendance and Class Preparation**
- i. 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. Unexcused absences may result in grade penalties pursuant to "Grading and Grade Normalization, Final Published Course Grades," Section 9c. A student who is absent from more than 20% of the class hours in any given course may be disqualified from further attendance at that course, and the student may be ineligible to take the final examination. Instructors shall notify the Associate Dean for Student & Alumni Engagement when a

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- student has had started to have a number of absences that could result in disqualification under this rule. A student may petition the Associate Dean for Student & Alumni Engagement for a waiver of the disqualification based upon a showing of good cause for the absences and an assurance of no future absences.
- ii. 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 "Grading and Grade Normalization, Final Published Course Grades," Section 9c, still apply.
  - iii. 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.
  - iv. If good cause for the absences is not found by the Associate Dean for Student & Alumni Engagement, 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. Students will receive a W/F in Pass/Fail classes, but the 1.6 will not be calculated into the student's GPA. If good cause for the absences is found by the Committee, then it shall determine the student's status.
  - v. Due to the condensed nature of the four day winter intersession courses, students are required to attend every class. Failure to attend any class will result in a grade of W/F for the course.
- d. **Recording of Classes**
- i. The term "instructor" (as used in this rule) means anyone who is employed to teach a class at Whittier Law School.
  - ii. Students are not permitted to record classroom sessions by use of tape recorders or other recording devices, except as provided in this rule.
  - iii. 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).
  - iv. 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 such as the Americans with Disabilities Act. 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.
- e. **Employment Limitations**
- Full time students may not engage in employment for more than twenty hours per week in any semester in which the student is enrolled in more than twelve class hours. Full time students are discouraged from engaging in any outside employment during their first year of law school.

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## 11. Residency Requirements, Graduation Eligibility, Requirements and Honors

### a. Residency Requirement

A student is required to complete the course of study for the J.D. degree no earlier than 24 months and, except in extraordinary circumstances, 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.

### b. 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 matriculated before Fall 2014, or 89 units if the student matriculated in Fall 2014 or afterward, if the student is in good academic standing at the end of that semester and has completed all degree requirements.

#### i. *Pass/Fail/No Credit Courses*

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.

#### ii. *Semesters in Residence*

To be eligible to graduate, 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 shall apply to units taken in summer sessions of at least seven weeks duration:

- 4 or more 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

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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 Associate Dean for Student & Alumni Engagement 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.

iii. *Student Responsibility to Verify Eligibility to Graduate*

All students are individually responsible for ascertaining whether they have sufficient units to graduate and whether they have successfully completed all coursework required for graduation, as well as any other degree requirements.

c. **Degree Requirements**

The degree of Juris Doctor is conferred upon all students who have (1) satisfactorily completed the course of study prescribed by the law school, (2) accumulated 87 units for graduation if the student matriculated before Fall 2014, or 89 units if the student matriculated in Fall 2014 or afterward, (3) are in good academic standing, and (4) have no outstanding grades or other degree requirements (including concentration or certificate requirements) pending. “Satisfactorily completed” means that students have complied with all academic rules contained herein.

For students entering before the Fall 2014 semester, the following courses are required for graduation:

- Business Associations
- Civil Procedure
- Constitutional Law I and II
- Contracts I and II
- Criminal Law
- Criminal Procedure
- Evidence
- Legal Analysis Workshop I (formerly Lawyering Skills 4) and Legal Analysis Workshop II
- Legal Methods I & II \*
- Lawyering Skills 1, 2, 3, 4
- Professional Responsibility
- Property I and II
- Torts I and II

For students entering the Fall 2014 semester or after, the following courses are required for graduation:

- Business Associations
- Civil Procedure I and II (or Civil Procedure)

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- Constitutional Law I and II
- Contracts (or Contracts I and II)
- Criminal Law
- Criminal Procedure
- Evidence\*\*
- Experiential Module (3 units, fulfilled by clinic, externship, or course designated as experiential.)
- Legal Analysis Workshop I (formerly Lawyering Skills 4) and Legal Analysis Workshop II\*\*\*
- Bar Exam Fundamentals\* (formerly known as Legal Methods I and II\*)
- Legal Mind
- Lawyering Skills 1, 2, 3
- Professional Responsibility
- Property (or Property I and II)
- Torts (or Torts and II)

\*Students with a Cumulative GPA between a 2.4 and a 2.92, inclusive, after the end of their second semester, must take Bar Exam Fundamentals I and II (formerly known as Legal Methods I and II). Students may exempt themselves from the requirement of taking Bar Exam Fundamentals II if the instructor determines that they have performed at a satisfactory level by the conclusion of Bar Exam Fundamentals I. Students who ultimately fail Bar Exam Fundamentals I and II at the end of their second year receive a "F" and must retake the course.

\*\* Students entering in Fall 2016 or later must take Evidence in experiential form. Sections satisfying this experiential requirement are designated on the course schedule.

**Please Note:** Neither Evidence nor Civil Procedure will fulfill the separate upper-division experiential module requirement. Courses satisfying this requirement will be designated on the course schedule.

\*\*\* For all graduates, Legal Analysis Workshop I must be taken in their penultimate semester, and Legal Analysis Workshop II must be taken in a student's final semester.

Information about specific coursework required for graduation is contained on the law school's website.

## d. **Graduation Application**

All students must apply to the Registrar's Office to graduate. Applications are emailed to each eligible student the semester before graduation and can also be found in students' individual my.whittier.edu accounts. Students risk delaying their graduation status and not being able to participate in the Commencement Ceremony if they do not fill out the application on time.

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e. **Latin Honors**

i. For Fall, Spring and Summer graduates in a graduation cohort (see breakdown of cohorts in “Grading and Grade Normalization, Class Rank and Graduation Cohorts, Section 9k”), preliminary class rank and Latin Honors for the Commencement Program are calculated after the fall semester. Final rank and Latin Honors will be calculated after the spring semester based upon all course work for which students have been issued final published course grades. Final Latin Honors will be listed on students’ diplomas. Fall graduates do not receive final diplomas, class rank or Latin Honors until after the spring semester. Summer graduates’ class rank and Latin Honors are based on all final published course grades after the spring semester (summer coursework will not be included in class rank or Latin Honors).

ii. Cum laude, magna cum laude, and summa cum laude honors shall be awarded to those students who meet the following criteria:

Summa cum laude – Top 5% of Students;

Magna cum laude – Top 6-15% of Students;

Cum laude – Top 16-25% of Students.

f. **Graduation Requirement to Take the Bar Exam**

Students wishing to sit for the July Bar Examination must complete all graduation requirements by the end of the preceding Spring semester. Students enrolled to earn any units, have outstanding or incomplete grades, or who still must complete any other graduation requirements during the Summer semester will not be eligible to sit for the July Bar Examination offered during that same year. December graduates typically take the February Bar. Students who complete their graduation requirements with the Winter Intersession will not be certified to sit for the February Bar. Rather, they will be certified to sit for the July Bar Examination.

g. **Participation in Graduation Ceremony**

i. Whittier Law School holds an annual graduation ceremony at the conclusion of the Spring semester. Students who complete their graduation requirements during the Spring semester, or during the Fall semester or Winter Intersession immediately preceding the graduation ceremony, may participate in the Spring graduation ceremony.

ii. Students enrolled the Summer semester immediately following the Spring graduation ceremony may participate in the ceremony only if they will have completed their graduation requirements by the end of the Summer semester in compliance with normal enrollment policies.

iii. All students maintain the responsibility to monitor and confirm their graduation status.



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## 12. Externships, Clinics, Teaching Assistants, Independent Study, Research Assistants, and Visiting off Campus

### a. Externships

- i. A maximum total of ten (10) units of externship will count toward graduation requirements.
- ii. Of those ten (10) units, six (6) units may be earned in paid externships, meaning externships for which the student is also receiving monetary compensation. A student may obtain more than six (6) units for a paid externship, but only with permission from the Externship Director. In considering the request, the Director should review the entire experience of the student at the externship and be satisfied that it has been a valuable placement that provides substantial lawyering experience.
- iii. Students who have completed one academic year of study and at least 19 units are eligible to enroll in an externship. All externship placements are subject to the approval of the Externship Director.
- iv. 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).
- v. Students must enroll in a minimum of two (2) units for any externship.
- vi. Students are required to spend fifty-six (56) hours at the externship placement for each unit of externship credit earned.

### b. Clinics

- i. A maximum total of six (6) units of Clinic will be counted toward graduation requirements.
- ii. The Clinic: Children's Advocacy and Clinic: Special Education require a minimum of two (2) units to be taken in an individual semester. The Advanced Clinic: Children's Advocacy and Advanced Clinic: Special Education may be taken for one (1) unit.
- iii. Students are required to spend fifty-six (56) hours at the Clinic or in service of the Clinic for each unit of credit earned.

### c. Independent Study

- i. All supervising professors for Independent Studies must be full-time faculty members of Whittier Law School. Independent Study is subject to prior approval of the professor and of the Associate Dean for Academic Affairs.
- ii. Students who wish to enroll in an Independent Study must obtain an Independent Study Petition Form from my.whittier. The petition must be signed by the Associate Dean for Academic Affairs. Students must present the signed petition at the Registrar's Office.
- iii. Students may earn no more than three (3) units for independent study in any one semester. In practice, independent studies for more than two (2) units are rarely granted.

# ACADEMIC RULES AND REGULATIONS

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## d. **Teaching and Research Assistants**

- i. Students enrolled for credit as a Teaching Assistant or Research Assistant are required to work a minimum of fifty-six (56) hours to receive one unit of credit. An instructor may require a student Teaching Assistant or Research Assistant to work more than fifty-six (56) hours to receive this credit; however, an instructor may not require a student to work more than sixty-six (66) 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.
- ii. 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.
- iii. A student who is a Teaching Assistant for two courses in the same semester must work a minimum of fifty-six (56) 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. **Visiting Off Campus**

- i. 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 Associate Dean for Student & Alumni Engagement.
- ii. A maximum total of six (6) units from courses taken at other law schools after matriculation at Whittier will be counted toward graduation requirements.
- iii. Credit will be granted for work only that is officially recorded by the host institution and recorded on an alpha numeric grading scale. The grade must meet the minimum standard for a passing grade at Whittier Law School, which is a C equivalent or higher.
- iv. For all courses taken at another law school the Whittier record will reflect that a student has "passed" or "failed" a course. Units earned while visiting at another law school will not count as part of the Whittier cumulative grade point average.
- v. A student may not receive credit for a course at another law school that is substantially similar to a course that the student has already taken at Whittier Law School.
- vi. Required courses and California Bar tested courses cannot be taken at another law school after matriculation at Whittier Law School.
- vii. Whether a course taken at another law school may be used to satisfy the requirements of Whittier Law School's certificate or concentration programs is within the discretion of the Director of the certificate or concentration.

## 13. **Study Abroad Programs**

- a. A maximum total of six (6) units from other law schools' summer abroad programs will be counted toward graduation requirements per Visiting Off Campus above.

# ACADEMIC RULES AND REGULATIONS

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- b. A maximum total of eight (8) units from Whittier Law School 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) per Visiting Off Campus above.
- 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). See "Visiting Off Campus," Section 12e.

## 14. Dropping and Adding Courses

- a. Within the first week of any semester, 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 first week of any semester, 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 Associate Dean for Student & Alumni Engagement for good cause. A recommendation as to the disposition from the instructor of the course involved will be given due regard by the Associate Dean for Student & Alumni Engagement, 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.
- d. Unlike in other sessions, students must add or drop a course in Winter Intersession *prior* to the first class meeting.
- e. Withdrawing from a class after the first week of any semester could subject a student to the Whittier Law School Refund Policy and Title IV regulations.
- f. Failure to take the regular examination in a course, without permission to withdraw, will result in the assignment to the student of a Withdrawal/ Failure which shall be entered upon his or her record at a numerical grade of 1.60. Petitions to the Academic Standards Committee must go through the Associate Dean for Student & Alumni Engagement as outlined in "Academic Standards Committee Oversight; Student Petitions," Section 8.
- g. Student may not withdraw from any required course except by a petition granted by the Associate Dean for Student & Alumni Engagement for good cause.
- h. 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), "Changing Status," Section 15 below applies.

# ACADEMIC RULES AND REGULATIONS

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## 15. 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 Associate Dean for Student & Alumni Engagement. A student can change from part time to full time only after completing their first full year of classes. A student can only change from full time to part time with permission from the Associate Dean for Student & Alumni Engagement. Changing status may affect a student's expected graduation date. See "Class Rank and Graduation Cohort," Section 9k.

## 16. 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 Associate Dean for Student & Alumni Engagement for good cause.
- b. 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 cause.
- 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 may 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.
- e. 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 may be changed to a "W," and the student may be required to repeat the entire course when the student returns from the leave of absence. In any course where a final grade is given, the student may not repeat the class upon returning from the leave of absence.

## 17. 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 Associate Dean for Student & Alumni Engagement for good cause.
- b. 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.
- c. If a student indicates his or her intent to withdraw from Whittier Law School, but does not complete a withdrawal form, Whittier Law School will provide written notice that the student must formally withdraw within five (5) business days. After the end of the five (5) day period, the student will be administratively withdrawn from Whittier Law School.
- d. 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.
- e. Students withdrawing from school will be subject to the Whittier Law School Refund Policy and Title IV regulations.

# ACADEMIC RULES AND REGULATIONS

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- 18. Examination Rules (this section applies to any Whittier Law School administered exam (including midterm and final examinations))**
- a. **Definitions**
- i. The term "professor" means any faculty member or course instructor.
  - ii. The term "proctor" means any person (staff member or other) who supervises the administration of an exam.
- b. **General Examination Rules**
- i. The proctor shall make every effort to ensure that the students in an examination room start the exam simultaneously and finish the exam simultaneously.
  - ii. 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.
  - iii. 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.
  - iv. 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.
  - v. Violations of provisions iii. or iv. 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 the Associate Dean for Academic Affairs ("Academic Dean") or Academic Dean's designee during the examination. The student should be instructed that he may explain his/her position to the Academic Dean or Academic Dean's designee. If such Dean determines the alleged 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 alleged violation would, if true, be flagrant, then the Dean's designee shall proceed in accordance with the Code of Student Conduct.
  - vi. No student will be permitted to leave the exam room during the last 10 minutes of the exam. (This ensures that the room is quiet for the duration of the examination.)
  - vii. Students may not go to their locker during an exam.
  - viii. Only one student may leave the exam room to go to the restroom at a time.
  - ix. Students may not talk to anyone except the exam proctor inside or outside of the classroom once the exam has started.
  - x. Under no circumstances should a student contact the professor to report an issue with an exam and/or exam administration. In doing so, the student may compromise his or her anonymity. Such issues should be raised with the proctor, who will contact the instructor and/or the Academic Dean or Academic Dean's Designee, as applicable.

# ACADEMIC RULES AND REGULATIONS

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## c. **Examination Format**

- i. Examinations may be answered by writing in bluebooks, using the ExamSoft program, or marking Scantron forms as appropriate. Occasionally a faculty member will direct students to answer on the examination itself.
- ii. 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. The Law School does not and cannot guarantee that the Examsoft program will operate successfully on each student's laptop at the time of the examination, and students should be prepared to write their examination answers by hand if necessary.
- iii. Exam identification numbers are the only identifier that should be included on exams so as not to compromise anonymity during the grading process.

## d. **Authorized Materials**

- i. The school will provide students sitting for examinations with bluebooks, scratch paper, and Scantron forms as appropriate.
- ii. 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. These students must contact the Academic Dean prior to the exam.

## e. **Unauthorized Materials**

- i. The professor shall give students 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."
- ii. Students shall not have the unauthorized material near them during the exam. Unauthorized materials include materials accessible by a laptop being used for ExamSoft, but which are not permitted. 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.) All bags and/or backpacks must be placed against the wall of the exam room away from student workspace.
- iii. Electronic devices, other than laptop, keyboards and mice, may not be brought into the exam room. This includes but is not limited to devices capable of recording, transmitting, or otherwise interfering with the exam, cell phones, iPods, MP3 players, cameras, and digital or tape recorders. If you have been approved to use a calculator for an exam, it must be a standalone calculator. Cell phones or devices with calculator applications are prohibited.
- iv. Hats, hoods, and watches may not be worn during an exam. Religious headgear is acceptable. All articles of loose clothing must be tucked in.

# ACADEMIC RULES AND REGULATIONS

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f. **Distribution and Collection of Authorized Materials/Examination Questions**

The proctor shall not distribute examination questions, bluebooks, scratch paper, and scantron forms to the students until the students' desks and adjacent areas have been cleared of all unauthorized material. The proctor is required to collect all examination questions, 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.

g. **Action of Proctors Who Observe Misconduct**

- i. The first priority of a proctor who suspects misconduct should be to stop the misconduct and to preserve evidence, while minimizing disruption to any student (including the accused) who is taking the exam.
- ii. The proctor should request students observed communicating (e.g., talking, gesturing) to stop communicating. The proctor should quietly ask a student suspected of cheating to give the proctor the notes, papers or other materials suspected of having been 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.
- iii. When gathering evidence or quieting students during the examination, the proctor should be careful to try not to disrupt or alarm any student.
- iv. After the proctor has stopped the misconduct and preserved the evidence, the proctor should notify the Academic Dean or Academic Dean's Designee of the problem that has arisen. If possible, the Academic Dean or Academic Dean's Designee should be available when the accused student completes the exam to interview the accused student, as described below.
- v. The proctor or the Academic Dean or Academic Dean's Designee 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 proctor to the Dean's designee who handles disciplinary matters pursuant to the Code of Student Conduct.
- vi. 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 in the room or accompany the proctor to another room, in order to confer with the Academic Dean or Academic Dean's Designee. The proctor should make this request to the student privately, out of the hearing of other person.
- vii. If the student refuses to stay to meet with the Academic Dean or Academic Dean's Designee, he/she cannot be 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.
- viii. The Academic Dean or Academic Dean's Designee should interview the accused student privately, giving him/her a chance to explain the suspicious conduct and to provide relevant evidence. The Academic Dean or Academic Dean's Designee 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

# ACADEMIC RULES AND REGULATIONS

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- Academic Dean or Academic Dean's Designee, at his/her discretion, may forward the information to the Dean's designee who handles disciplinary matters pursuant to the Code of Student Conduct.
- ix. 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**
    - i. There shall be at least one proctor assigned to each examination room for final exams.
    - ii. During the administration and collection of the exams, proctors shall take reasonable steps to preserve the anonymity of the student.
  - i. **Special Examination Administration**

Upon the approval of the Administration a student may be allowed to take examinations under special circumstances to accommodate a disability. Please contact the Law School's ADA Coordinator and see the ADA Testing Accommodation Procedures in "Policy for Students and Applicants with Disabilities"
  - j. **Missed Examinations**

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 calculation purposes will be computed as the numerical grade of 1.6, unless approval to take a make-up examination or grade of "W" is granted.
  - k. **Make-up Examinations scheduled in advance of the regularly scheduled exam day**
    - i. If a student believes, in advance of the day of an examination, that he or she will be 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 Academic Dean 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.
    - ii. A student's examination schedule consisting of three examinations which start and end within a 24-hour period constitutes an approved excuse to reschedule one final examination; two examinations in one day or within one 24-hour period is not an approved excuse.
    - iii. Whenever possible, make-up examinations will be scheduled 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.



# ACADEMIC RULES AND REGULATIONS

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- l. Make-up Examinations scheduled on or after the regularly scheduled exam day**
  - i. 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 Academic Dean and Registrar to inform them of the student's inability to sit for the examination.
  - ii. The student is responsible for taking a make-up examination as soon as possible. The Registrar will schedule such make-up examination.
  - iii. Within 24 hours of the end of the make-up examination, the student shall submit a written petition to the Academic Dean requesting that the make-up examination be graded. 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.
  - iv. Approved excuses are limited to situations involving personal illness or injury, a family emergency of a serious nature, or other emergencies of a serious nature. Job-related excuses are not approved excuses.
  - v. 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.
  
- m. Tardiness During Exams**
  - i. In the event a student shows up for an exam no more than 30 minutes after the exam has started, the student is allowed to sit and take the exam, but s/he will not be allotted additional time to complete the exam.
  - ii. If a student shows up for an exam more than 30 minutes after the exam has started, the student is responsible for taking a make-up examination as soon as possible, including immediately upon arrival on campus. The Registrar will schedule such make-up examination.
  - iii. Within 24 hours of the end of the make-up examination, the student shall submit a written petition to the Academic Dean requesting that the make-up examination be graded. 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.
  
- n. Petitions regarding make-up exams**
  - i. When a petition regarding any make-up exam is submitted to the Academic Dean, the Academic Dean 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 0.1 – 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."
  - ii. Grade penalties will be applied only to the grade for the exam and not the overall grade for the course.

# ACADEMIC RULES AND REGULATIONS

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- iii. The student may appeal the Academic Dean's decision to the Academic Standards Committee.
  
- o. **Applicability of the Rules**  
These rules shall apply to mid-term and final examinations unless otherwise indicated. The Code of Student Conduct (Honor Code) does apply to all examinations.

# PARKING POLICY

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1. **Speed limit**  
Speed limit on campus is 5 m.p.h.
2. **Liability**  
Whittier Law School is not responsible and assumes no liability for fire, theft, damage, or loss to any vehicle or its contents while located on campus.
3. **Parking Access**
  - a. Student and Visitor parking on the Whittier Law School campus parking lot is by paid parking access card 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.
  - b. Alumni receive free parking as long as they maintain their Whittier Law School Student Identification card. Inactivity of Identification 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.
  - c. Visitor parking fees for Fall semester and Spring semester is \$120.00 per semester. Visitor parking fee for Summer semester is \$100.00 per semester.
  - d. A semester period is from the first day of the semester until the first day of the following semester.
4. **Disabled Parking Privileges**  
Only drivers authorized by the State of California to have a disabled placard may park in a disabled parking space.
5. **Animals in Motor Vehicles**
  - a. No person shall leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal.
  - b. The Costa Mesa Animal Control will be notified immediately if any animals are found in unattended motor vehicles.
  - c. Please contact Security (714) 308-4423 immediately if an animal is left unattended in a motor vehicle.
6. **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

# PARKING POLICY

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## 7. **Enforcement procedures**

### **a. Violation and penalty schedule**

- i. Parking prohibited (Penalty -- \$35.00):
- ii. 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.
- iii. 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.
- iv. Overnight parking prohibited (penalty -- \$20.00):  
Overnight parking without prior authorization is prohibited.
- v. Disabled parking violation (penalty -- \$250.00):  
Only those individuals who have secured a disabled placard are authorized to park in disabled spaces.
- vi. Expired meter (penalty -- \$20.00)  
Parked over 1 hour/30 minute visitor (penalty -- \$20.00):
- vii. Timed visitor parking areas are for Administrative Office visitors only.

### **b. Payment of penalty**

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.

### **d. Towing and immobilization of vehicles**

- i. 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.
- ii. 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

# PARKING POLICY

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- or immobilized must pay the costs of towing and storage or an immobilization fee.  
The vehicle immobilization fee is \$25.00.
- iii. 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

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## **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](http://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](http://www.abanet.org/legaled).

## **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](http://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.

# CODE OF STUDENT CONDUCT

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## **1. 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.

## **2. ARTICLE 2 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.

## **3. ARTICLE 3 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.

## **4. ARTICLE 4 PROSCRIBED CONDUCT**

### a. General Standards of Conduct

- i. The California Code of Professional Conduct (amended).

### b. Specific Conduct Rules and Regulations

- i. A student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article 6:
  - 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;
  - 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 Non-Discrimination and Sexual Misconduct Policies, Alcohol and Drug Policy and Rules and Regulations Regarding Examinations;

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- 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;
  - I. Influencing or attempting to influence another person to commit an abuse of the student conduct process.

## 5. ARTICLE 5 PROCEDURE

Except as provided in the Whittier College Policy on Non Discrimination found at [http://www.whittier.edu/sites/default/files/media/campuslife/student\\_life\\_division/for%20Student%20Conduct%20Policy/PDF\\_StudentLifeDivision\\_StudentConductPolicy\\_PolicyOnNondiscrimination.pdf](http://www.whittier.edu/sites/default/files/media/campuslife/student_life_division/for%20Student%20Conduct%20Policy/PDF_StudentLifeDivision_StudentConductPolicy_PolicyOnNondiscrimination.pdf) and the Sexual Misconduct Policy found at <https://www.whittier.edu/policies/nondiscrimination> and <https://www.whittier.edu/policies/sexualmisconduct/procedures>, disciplinary proceedings for violation of this Code shall be as follows:

### a. Initiation of Disciplinary Actions

- i. 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. The Dean's Appointee shall notify the accused student of the charge as soon as practical.
- ii. 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 6. 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



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- sanction. The record shall be placed in the student's permanent file and treated according to the procedures described in Article 7, Sections b, c, d. Such an administrative disposition shall be final and there shall be no subsequent proceedings
- iii. 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.
  - iv. 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 Composition**

This Board affords a person accused of violating this Code an opportunity for a hearing. The Hearing Board shall be composed of one non-voting member, (the Dean's Appointee), and three or five voting members with there being one more faculty member than student member. These Members shall be selected as follows:

- i. *Student Members:*

At the beginning of his or her term, the SBA President proposes 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.
- ii. *Faculty Members:*

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.
- iii. *Chair:*

The Dean shall appoint the Chair of the Hearing Board from its membership.

## c. **Function of the Hearing Board**

- i. The Hearing Board shall:
  - 1) Review written charges of violation(s) of the Code;
  - 2) consider the level of intent of the alleged conduct;
  - 3) make findings of fact regarding the alleged violation(s);
  - 4) determine whether the facts constitute a violation of the Code;
  - 5) determine the sanctions, if any, to be assessed for violation of the Code.

## d. **Duties, Disqualifications, and Replacement of Board Members**

- i. Members must be present at meetings of the Board and remain throughout the proceedings unless disqualified or excused.
- ii. A voting member of the Board should disqualify himself or herself in a proceeding in which his or her impartiality might reasonable be questioned, including but not limited to instances where:
  - 1) he or she has a personal bias or prejudice concerning the accused party;
  - 2) he or she has confidential knowledge of the disputed evidentiary facts regarding

# CODE OF STUDENT CONDUCT

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- the matter in dispute;
    - 3) 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;
    - 4) there is a familial relationship between the member and the accused.
  - iii. A member disqualified under d.ii. 1 - 4 above 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).
- e. **Responsibilities of the Chair**  
The Chair's only responsibility, beyond the responsibilities of the other members of the Hearing Board, is to preside over the hearings.
- f. **Jurisdiction of the Hearing Board**
- i. The Board shall hear matters of individual or group violations, unless the accused student waives the right to a hearing by the Board (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.).
  - ii. 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.
  - iii. Pending a hearing or action of the Board, the Dean or the Dean's Appointee may take temporary disciplinary action against an accused student to ensure the safety and well-being of members of the law school community or preservation of law school property to ensure the student's own physical or emotional safety and well-being, or 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.
- g. **Hearing Rules and Procedures**
- i. *Hearing Rules*
    - 1) Pursuant to Article 5, "Procedure, Initiation of Disciplinary Action," Section a.iv., 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 5, "Procedure, Initiation of Disciplinary Action," Section a.ii.
  - ii. *Hearing shall be conducted by the Hearing Board according to the following guidelines:*
    - 1) Except as provided, 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.
    - 2) Admission to the hearing shall be at the discretion of the Chair or the Dean's Appointee.
    - 3) In hearings involving more than one accused, the Chair may permit the hearings

# CODE OF STUDENT CONDUCT

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to be conducted separately.

- 4) 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.
- 5) Pertinent records, exhibits and written statements may be admitted as evidence for consideration by the Hearing Board at the discretion of the Chair.
- 6) Procedural questions are subject to the final decision of the Chair of the Hearing Board. The Hearing Board's determination shall be made on the basis of clear and convincing evidence that the accused student violated the Code.
- 7) In proceedings governed by the Code, the Hearing Board is not bound by the formal rules of evidence.
- 8) In no case shall the accused be denied the right to know and confront his or her accuser. If, however, 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.

### iii. *Rights of Victims*

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 alleging that he or she has been the victim of misconduct, that individual is entitled to certain rights in the hearing process. (For rights of complainants involving discrimination and sexual misconduct, including sexual harassment, see the Whittier college Non-Discrimination and Sexual Misconduct Policies found at <https://www.whittier.edu/policies/nondiscrimination> and <https://www.whittier.edu/policies/sexualmisconduct/procedures> respectively.)

- 1) 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 the alleged victim's input is sought during the disciplinary process, the judgment of the case is the responsibility of the Dean's Appointee or Hearing Board. If an alleged victim decides to withdraw a complaint, the Law School may proceed with the case on the basis of other testimony.
- 2) Alleged victims are entitled to the following:
  - A. To meet with the Dean's Appointee, who will discuss the various aspects of the disciplinary process;
  - B. to submit a written account of the alleged incident;
  - C. to be informed of the date, time, and location of a hearing;
  - D. 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;
  - E. to be present to hear all the testimony and to hear the determination and

# CODE OF STUDENT CONDUCT

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imposition of penalties, if any;  
F. to be called upon as a witness.

iv. *Hearing Procedure*

- 1) 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.
- 2) 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.
- 3) The Hearing Board may, thereafter, call its own witnesses.
- 4) 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.

v. *Decision of the Hearing*

- 1) 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.
- 2) 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 findings of fact will indicate the nature or degree of culpability.

vi. *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 7.

vii. *Appeal*

- 1) 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 notified of the Hearing Board's decision. Grounds for appeal shall be limited to instances where:
  - A. The appellant claims procedural or substantive error which prejudiced the outcome of the hearing; or
  - B. the appellant contends the sanction imposed by the Hearing Board was too severe given the nature of the violation.
- 2) 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.
- 3) The Dean has the authority to affirm the decision of the Hearing 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 Hearing Board.

# CODE OF STUDENT CONDUCT

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## 6. **ARTICLE 6 SANCTIONS**

A violation of the Code may result in one or more of the following disciplinary actions:

### a. **Written Warning**

Written warning to the student, that continuation or repetition of specified conduct may be cause for disciplinary action.

### b. **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.

### c. **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.

### d. **Academic Penalty**

In the imposition of academic sanctions, the Hearing 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:

- i. Permanent expulsion from the Law School;
- ii. suspension from the Law School for one or more semesters; or
- iii. grade penalty.

### e. **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.

### f. **Notification of Sanction Imposed**

The Chair shall inform the person charged with the violation of the Hearing Board's decision within three academic days (days when classes or examinations are in session) after the hearing.

## 7. **ARTICLE 7 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

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## 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.

## 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:
  - i. 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.
  - ii. 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

- iii. 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.")
  - 1) 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

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## c. Misuse of Sources

- i. 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.

## **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.

# POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

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## A. General Policy for Students and Applicants with Disabilities

Whittier Law School's policy and practice is to comply with the Americans with Disabilities Act ("ADA"), 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 admission or access to, or participation in, services, programs and activities of the Law School.

It is the policy of the Law School that otherwise qualified persons who have documented permanent and/or temporary disabilities shall be given reasonable accommodations. Reasonable accommodations are those that are consistent with the fundamental nature of the law school's program of legal education, that can be provided without undue financial or administrative burden, and that can be provided while maintaining academic and other essential performance standards. Reasonable accommodations include, but are not limited to, academic adjustment and auxiliary aids, where appropriate, to ensure access to the school's overall educational program.<sup>1</sup> Students are provided with reasonable accommodations based on specific information and assessment data documented by a qualified professional.

## B. Definitions

1. **ADA COORDINATOR:** The person at Whittier Law School responsible for processing all requests for accommodations under federal and state law. Currently, the ADA Coordinator is Trenise Bates, who can be contacted at [tbates@law.whittier.edu](mailto:tbates@law.whittier.edu) or 714-444-4141 x. 124.
2. **DISABILITY:** As defined by the ADA, a person who has 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.<sup>2</sup>
3. **OTHERWISE QUALIFIED PERSON WITH A DISABILITY:** 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.<sup>3</sup> The

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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).



# POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

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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 in a setting substantially similar to the practice of law.

## C. Accommodations/Procedures

### 1. Communication with ADA Coordinator

#### a. Timing

It is the student's responsibility to request accommodations in a timely manner. Students who are accepted for admission are advised in their fall memorandum to contact the ADA Coordinator 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 student requests for accommodation and supporting documentation and for designing and implementing the accommodation(s). Although the Law School will do its best to evaluate a request for accommodation whenever presented, last minute requests for accommodations may not be able to be granted because of insufficient time to gather the appropriate documentation or to implement the accommodation(s). It generally takes four weeks to process applications for accommodations on examinations, and so the Law School asks all students to submit their applications for examination accommodations at least four (4) weeks prior to the first day of the exam period. The Law School's ADA procedures and applicable forms are located online at the following link:

<https://www.law.whittier.edu/index/student-affairs/disability-accommodations/>.

#### b. Method of Communication with ADA Coordinator

Students shall communicate with the ADA Coordinator in person or via email. For purposes of confidentiality and to ensure receipt of the e-mail communication, all requests for accommodations should be submitted in writing via e-mail using the student's POETS account only. The use of other e-mail addresses for purposes of communicating with the ADA Coordinator regarding accommodations may cause a failure of delivery or delay in delivery. When verbal communication is needed, the best practice is to schedule an appointment with the ADA Coordinator so he/she is prepared and has sufficient time allotted to meet the student's needs.

### 2. Identifying the Need for Accommodations

Students with disabilities who require accommodations must make those needs known to the ADA Coordinator as soon as possible. Students are responsible for making these needs known in a timely fashion (see Accommodations Petition Deadline below) and for providing the requisite documentation and evaluations in appropriate cases. (See Verification of Disability section below regarding documentation requirements.) Students should not assume that if their

# POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

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application to the Law School indicates the presence of a disability that this information is known to the ADA Coordinator. The ADA Coordinator has authority to decide whether and what type of accommodations will be granted after reviewing the student's request for accommodation and discussing the student's desired accommodation with the student and, if necessary, consulting with the appropriate licensed professionals knowledgeable about the student's particular disability.

Students who do not require accommodations need not make their disabilities known. Information about the student's disability and accommodations is treated as confidential information under applicable federal and state laws and College policies and is only provided to individuals 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 may simply make a request of the faculty member. If requests for minor accommodations are not responded to adequately, the student should make the request to the ADA Coordinator.

### 3. Accommodations Petition Deadline

As stated above, requests for accommodations shall be made as early as possible so that there is sufficient time to obtain and process the application and documentation needed, as well as to design and implement an accommodations plan. Regarding examination accommodation requests, because of the time needed for processing, documenting, reviewing, evaluating and approving accommodation requests, students are asked to use all reasonable efforts to submit such requests at least four (4) weeks prior to the first day of the examination period. While the Law School will make its best effort to process a student's petition for accommodation, petitions may be denied if there is insufficient time to gather and review the appropriate documentation, evaluate possible accommodations, or to implement an accommodation.

### 4. Verification of Disability

A student requesting accommodations must complete and submit to the ADA Coordinator the Whittier Law School Petition for Disability Accommodations as soon as possible upon matriculation to the Law School or after the disability becomes known (see Form A, which may be obtained directly from the ADA Coordinator or downloaded at <https://www.law.whittier.edu/index/student-affairs/disability-accommodations/>). The student must also provide current (within the last year) professional verification certified by a licensed physician, psychologist, audiologist, neuropsychologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other relevantly trained and licensed professional(s) who are qualified in the diagnosis of the student's disability(ies). The information required to be submitted is set forth on the Form applicable to the student's particular disability as follows:

# POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

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Form B (Physical Disability Verification)  
Form C (Learning Disability Verification)  
Form D (ADD/ADHD Verification)  
Form E (Psychological Disability Verification)

Forms B, C, D and E may be obtained directly from the ADA Coordinator or downloaded at <https://www.law.whittier.edu/index/student-affairs/disability-accommodations/>) The cost of obtaining the professional verification shall be borne by the student.

Form B must be completed by relevantly trained and licensed professionals and Forms C, D and E must be completed by the licensed professionals who are identified in such forms. The completed forms must contain all of the requested information. In addition, if additional testing results or evaluative reports are required, the student must attach the testing results or evaluative reports to the appropriate form(s). Failure to submit all of the required information and documentation will result in a written request for the student to provide the ADA Coordinator with the missing information and may delay the processing of an accommodations request. Students should not complete the forms and thereafter obtain the signatures of the professionals performing the verification. Students are reminded that providing false documentation could result in discipline under the Law School Code of Student Conduct.

If the initial verification data is incomplete or inadequate to enable the Law School to determine the present extent of the disability and appropriate accommodations, the Law School may require supplemental assessment of the student's disability. The cost of and responsibility for the supplemental assessment shall be borne by the student.

In considering the student's request for accommodations, the Law School may seek the opinion of independent, relevantly trained and licensed professionals to identify and evaluate accommodations that would enable the student to be able to access the Law School's programs and services. The cost for doing so shall be borne solely by the Law School.

## 5. Accommodations

### a. Interactive Process/Reasonable Accommodations

The Law School will timely engage in the interactive process with students in order to identify and provide reasonable accommodations to ensure students with disabilities access to the school's services, programs and activities. The Law School will provide reasonable accommodations to otherwise qualified students unless doing so would fundamentally alter the nature of its academic program, impose an undue financial or administrative burden, or would result in lowering academic and other essential performance standards. Such accommodations may include, but are not limited to, academic adjustments and auxiliary aids as necessary to ensure students with disabilities access to the school's services, programs and

# POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

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activities. When more than one accommodation is reasonable, preference shall be given to the accommodation that will result in the most integrated setting appropriate for the student.

## 6. Students with Temporary Disabilities

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 recommending appropriate accommodations. Such verification must be provided by a licensed professional health care provider who is qualified in the diagnosis of such conditions. If the evaluative data provided in the verification is incomplete or otherwise insufficient to enable the Law School to evaluate the accommodations sought by the student, the Law School may seek supplemental evaluative information. The cost of obtaining the evaluative information to complete the verification and any required supplemental data shall be borne by the student. The verification of the student's disability and any supplemental data must reflect the student's current level of disability, and shall be no older than sixty (60) days.

## 7. Changes in Accommodations

Changes in accommodations will be considered if there has been a change in the student's condition warranting a review of accommodations currently being provided. All documentation must be submitted following the same procedure set forth above for the initial petition for accommodations.

## 8. Denial or Modification of Student's Request for Accommodation - Grievances

If the ADA Coordinator denies or proposes a modification of a student's request for accommodations, the Law School will provide the student with written notice of the denial or modification and the reasons for the denial or modification. A student who is denied accommodations or who receives accommodations different from those requested, shall first consult with the ADA Coordinator to determine if the matter can be resolved directly with him/her. If no resolution is reached and the student wishes to pursue the matter, the student shall bring the matter to the attention of the Associate Dean for Student & Alumni Engagement. If the Associate Dean is unable to resolve the matter informally to the satisfaction of the student and the student believes that he or she has been discriminated against on the basis of his or her disability, the student may appeal the denial or modification through the procedures in the Whittier College Policy on Nondiscrimination found at [Whittier College Non-Discrimination Policy](#).

Pending the resolution of any questions or disputes regarding an accommodation, the Law School will provide the student with his or her requested accommodation to the extent it is practical and feasible for the Law School to do so.

# POLICY FOR STUDENTS AND APPLICANTS WITH DISABILITIES

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## D. Bar Examination and Career Counseling

### 1. 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. Many state boards of bar examiners will request that the Law 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.

### 2. Career Counseling

The Career Development 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 Development Office has discriminated on the basis of disability should bring that to the attention of the Assistant Dean of Career Development. If no resolution is reached at that point or if the discrimination was by the Assistant Dean of Career Development and the student wishes to pursue the matter, the student shall bring the matter to the attention of the Associate Dean for Student & Alumni Engagement. If the Associate Dean is unable to resolve the matter informally to the satisfaction of the student and the student believes that he or she has been discriminated against on the basis of his or her disability, the student may appeal the denial or modification through the procedures in the Whittier College Policy on Nondiscrimination found at [Whittier College Non-Discrimination Policy](#).

## E. Facilities Access

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 Associate 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.

# POLICY OF NON-DISCRIMINATION AND SEXUAL MISCONDUCT, INCLUDING SEXUAL HARASSMENT

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Whittier College (the College) is a community of students, faculty, staff and administrators dedicated to teaching, learning, service and scholarship. To accomplish this goal, Whittier College is committed to providing an educational and employment setting that is respectful and will not tolerate discrimination and harassment. To actualize this commitment, the College provides an environment which encourages intellectual exploration in the context of a supportive community. The work and academic environments must be ones in which employees and students can pursue their work free from coercion, intimidation, and exploitation. Discrimination undermines the community that the College seeks to maintain and, therefore, it is dedicated to an environment free of discrimination and harassment.

Whittier College and its Law School admits students of any race, color, national or ethnic origin, sex, disability or age to all the rights, privileges, and activities generally accorded or made available to students at the school. It prohibits discrimination and harassment on the basis of race, color, creed or religion, national/ethnic origin, marital status, age, sex, sexual orientation, gender identity/gender expression, military status, and disability in the school environment, including all academic, extra-curricular, school-sponsored activities, administration of its educational policies, admissions policies, scholarship and loan programs, or athletic and other school-administered programs. The Law School follows the [Whittier College Non-Discrimination Policy](#).

Under the regulations promulgated under Title IX of the Education Amendments Act of 1972, discrimination prohibited under that Act applies to, among other things, sexual misconduct which also includes sexual harassment. There are many types of sexual misconduct and sexual harassment, all of which constitute unacceptable behavior. For definitions of the type of behavior prohibited as well as grievance procedures and resources for counseling and other services, visit the Whittier College Sexual Misconduct Policy at <https://www.whittier.edu/policies/sexualmisconduct>.

If any member of the Law School community feels that he/she is the victim of sexual misconduct, becomes aware of any violation or potential violation of this policy, or has questions about this policy or what might constitute prohibited sexual behavior, that individual is urged to contact a Whittier College Title IX Coordinator:

## **Title IX Coordinator and Complaints about Faculty, Staff and Administration, and Students**

Cynthia Joseph, Director of Human Resources  
Mendenhall, Lower Level, 562.907.4830, [cjoseph@whittier.edu](mailto:cjoseph@whittier.edu)

The Law School prohibits any form of retaliation against anyone who has filed a good faith complaint under this policy or for assisting in the investigation of a complaint. Anyone who feels that he/she has been retaliated against for filing a complaint or for participating in an investigation may also make use of the complaint procedure set forth in the Whittier College

# POLICY OF NON-DISCRIMINATION AND SEXUAL MISCONDUCT, INCLUDING SEXUAL HARASSMENT

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Sexual Misconduct policy. False or malicious complaints of harassment, discrimination or retaliation, as opposed to complaints which are not substantiated but are made in good faith, may be subject to appropriate disciplinary action.

# STUDENT EDUCATIONAL RECORDS (FERPA)

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1. 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).
2. **Student Educational Records: 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:

- a. 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.
- b. 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;
- c. 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;
- d. 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
- e. 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.



# STUDENT EDUCATIONAL RECORDS (FERPA)

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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	Director of Financial Aid and Registrar Services
Admission Applications	Registrar's Office	Director of Financial Aid and Registrar Services
Financial Aid Records	Financial Aid Office	Director of Financial Aid and Registrar Services
Placement Records	Office of Career Development	Director of Career Services
Alumni Records	Alumni Relations Office	Associate Dean of Student and Alumni Engagement
Records of Disciplinary Proceedings	Registrar	Director of Financial Aid and Registrar Services
ADA Accommodations	ADA Coordinator's Office	ADA Coordinator

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 e-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.

### Limitation 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:

- a. Financial records, including any information those records contain concerning the parents of the student;
- b. 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 assurance of confidentiality or sent and retained with a documented

# STUDENT EDUCATIONAL RECORDS (FERPA)

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understanding of confidentiality, and if the recommendations are used only for their specifically intended purposes; and

- c. 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 Academic Dean outlining the student's objections to the record and providing sufficient evidence to support the requested amendment.

If the Academic 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

# STUDENT EDUCATIONAL RECORDS (FERPA)

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education records. Such consent must be signed and dated 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:

- a. 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.
- b. 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.
- c. 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;
- d. 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;

# STUDENT EDUCATIONAL RECORDS (FERPA)

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- e. To state and local officials to whom information is specifically required to be reported or disclosed by state statutes adopted before November 19, 1974;
- f. 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;
- g. To accrediting organizations for their accrediting functions;
- h. To parents of dependent students, as defined in section 152 of the Internal Revenue Code of 1954;
- i. 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.
- j. 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;
- k. 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.
- l. 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.
- m. 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.

# STUDENT EDUCATIONAL RECORDS (FERPA)

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## **Limitations on Redisclosure**

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 redisclosure 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.

# STUDENT EDUCATIONAL RECORDS (FERPA)

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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:

- a. the student's admission to Whittier Law School or to another educational institution;
- b. an application for employment; or
- c. 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

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## 1. 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.

# WHITTIER LAW SCHOOL POLICY REGARDING DISCLOSURE OF STUDENT INFORMATION

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## 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

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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 individual 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 Associate Dean for Academic Affairs, 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

# CRIME AWARENESS AND SECURITY

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such identification upon request of any 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 " 401"**

You may also use the "Red Phone" in Building #4 at 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 445] and Security [(714-444-4141, extension 401, , or Cell Phone (714)308-4423], or in person at the Facility Management Office or Security Desk at the Law Library Foyer.

## **Sexual Offense Policy**

Whittier Law School will not tolerate sexual offenses under any circumstances. The Law School follows the policies and procedures set forth in the Whittier College Sexual Misconduct Policy found at <https://www.whittier.edu/policies/sexualmisconduct>.

# CRIME AWARENESS AND SECURITY

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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 typically due to being a minor, or being incapacitated, often due to alcohol or drug consumption. 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.

## a. Reporting Sexual Offenses

Students who are victims of a sexual offense, are encouraged to notify Whittier Law School Security Officers as well as Radha Pathak, Associate Dean for Student & Alumni Engagement at 714-444-4141 ext 231 or [rpathak@law.whittier.edu](mailto:rpathak@law.whittier.edu) or Cynthia Joseph, the Whittier College Title IX Coordinator and Director of Human Resources at 562-907-4830 or [cjoseph@whittier.edu](mailto:cjoseph@whittier.edu). 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.

California's sexual offense registry can be found at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov)

## b. Sources of assistance:

Security Officer	(714) 308-4423 CELL (714) 444-4141 ext. "401" (714) 444-4141 ext. 480, 482
Costa Mesa Police Department	(714) 754-5280 or 911
Associate Dean for Student & Alumni Engagement	(714) 444-4141 ext. 231
Director of Facility Management	(714) 444-4141 ext. 445 (714) 308-4425 CELL
CSP, Sexual Assault Victim Services	(714) 957-2737 24 hours

## c. Disciplinary Procedures

The Law School follows the disciplinary procedures set forth in the Whittier College Sexual Misconduct Policy found at <http://www.whittier.edu/studentlife/guidelines/sexualmisconductpolicy>.

# CRIME AWARENESS AND SECURITY

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## **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 <https://www.law.whittier.edu/index/facility-management/campus-safety/>.

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.

## **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, the Associate Dean for Student & Alumni Relations [714-444-4141, ext. 231], or 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.

## **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 are encouraged 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.

# CRIME AWARENESS AND SECURITY

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Lighting is inspected nightly by campus security patrols and outages are reported to the Facility Management Office for correction.

In case of an on-campus accident involving a personal injury, students must notify the Facility Management Office and/or Security immediately. Students may contact the Facilities Management Office by dialing (714) 444-4141 ext. 445 or Security by dialing (714) 444-4141 ext. 401. First Aid treatment for minor injuries sustained at the law school may be obtained at the Facility Management Office or Security Desk. The Facility Management Office and/or Security shall call 911 for emergencies requiring medical aid.

## **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 Campus” 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 years. The possession of alcohol by any persons under the age of 21 years 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 that violate alcohol/substance policies or laws may be subject to sanction by the WLS Administration.

## **Illegal Drugs**

The WLS campus is a “Drug Free” campus 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 WLS Administration and Local Law Enforcement. Violators are subject to WLS disciplinary action, criminal prosecution, fine and imprisonment.

### **a. Policy on Substance Abuse**

Policies on substance abuse can be found in the Whittier Law School Policy Manual under the “Drug Policy” section and “Alcoholic Beverage Policy” section.

## **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,

# CRIME AWARENESS AND SECURITY

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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/explosive 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

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## 1. **Drug-Free Schools and Communities Act**

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 students' knowledge and in promotion of healthy lifestyles.

### a. **Student and Employee Policies and Conduct**

#### i. *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.

#### ii. *Employees*

- 1) 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.
- 2) 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.

### b. **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.

# DRUG POLICY

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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 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.

Please note that it is the policy of Whittier Law School to prohibit the use or possession of marijuana on campus and/or at any law school events, regardless of whether the user has been prescribed the use of medicinal marijuana for medical reasons. The use and/or possession of marijuana remains illegal on a federal level and it is the policy of Whittier Law School to comply with federal laws accordingly. Students are advised that use and/or possession of marijuana, regardless of whether it is for medicinal purposes, could lead to federal prosecution. Conviction of a drug-related crime can potentially lead to difficulty obtaining financial aid can also have an adverse impact on the student's ability to obtain future employment. The use or possession of marijuana is strictly prohibited on Whittier Law School's campus unless proper authorization has been obtained from the Drug Enforcement Agency for approved research purposes.

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.



# DRUG POLICY

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## c. **Drug/Alcohol Counseling and Treatment**

Students are strongly encouraged to seek resource help for drug and alcohol problems, either through the Office of the Associate Dean for Student & Alumni Engagement or by calling the Orange County Alcohol and Drug Abuse Services numbers listed below:

Associate Dean for Student & Alumni Engagement, Radha Pathak, (714) 444-4141, ext. 231

Orange County Health Care Agency Drug & Alcohol Services (714) 480-6660

## d. **Controlled Substances: Uses and Effects**

- i. **Narcotics** Such as opium, morphine, codeine, heroin, and methadone;  
*Possible effects:* Euphoria, drowsiness, respiratory depression, constricted pupils, nausea  
*Effects of overdose:* Slow and shallow breathing, clammy skin, convulsions, coma, possible death  
*Withdrawal syndrome:* Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills, and sweating.
- ii. **Depressants** Such as barbiturates, benzodiazepines, chloral hydrate, and Rohypnol;  
*Possible effects:* Slurred speech, disorientation, drunken behavior without odor of alcohol  
*Effects of overdose:* Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death  
*Withdrawal syndrome:* Anxiety, insomnia, tremors, delirium, convulsions, possible death.
- iii. **Stimulants** Such as amphetamines, cocaine, gamma hydroxybutyrate (GHB);  
*Possible effects:* Increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite  
*Effects of overdose:* Agitation, increase in body temperature, hallucinations, convulsions, possible death  
*Withdrawal syndrome:* Apathy, long periods of sleep, irritability, depression, disorientation.
- iv. **Hallucinogens** Such as amphetamine variants, LSD, mescaline and peyote, MDMA (Ecstasy), Katamine;  
*Possible effects:* Illusions and hallucinations, poor perception of time and distance  
*Effects of overdose:* Longer, more intense “trip” episodes, psychosis, possible death  
*Withdrawal syndrome:* Not reported.
- v. **Cannabis** Such as hashish and marijuana;  
*Possible effects:* Euphoria, relaxed inhibitions, increased appetite, disoriented behavior  
*Effects of overdose:* Fatigue, paranoia, possible psychosis  
*Withdrawal syndrome:* Insomnia, hyperactivity, and decreased appetite occasionally reported.

# DRUG POLICY

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e. **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.

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 Associate Dean for Student & Alumni Engagement.

# DRUG POLICY

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## **Applicable Provisions of State and Municipal Laws**

- a. The possession, purchase, or consumption of any alcoholic beverage (including beer and wine) by any person under the age of 21.
- b. Providing alcohol for anyone under the age of 21.
- c. Selling, either directly or indirectly, any alcoholic beverage (including beer and wine), except under the authority of a California Alcoholic Beverage Control Board license. This includes the sale of glasses, mixes, ice, or tickets for admission.
- d. Serving alcohol to an intoxicated person.
- e. Serving alcohol to someone to the point of intoxication.
- f. The manufacture, use, or provision of a false state identification card, driver's license, or certificate of birth or baptism.
- g. Misrepresenting or misstating one's age or using altered identification for the purpose of procuring alcoholic beverages.
- h. Being drunk/intoxicated and disorderly in public view.
- i. Consumption of alcoholic beverages in a public place (unless licensed for consumption of alcohol on premises) such as academic facilities, recreation fields, College housing corridors, and lounges.
- j. Driving a motor vehicle or a bicycle while under the influence of alcohol.
- k. Possessing an alcoholic beverage in an open container in a motor vehicle or on a bicycle, regardless of who is driving or whether one is intoxicated.

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.

## **Whittier Law School Regulations**

### **a. Student Sponsored Events**

All organizations and individuals, who sponsor events at/for 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. Only beer and wine will be allowed on campus for student organization events.

# DRUG POLICY

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## b. **Supervision**

Organizations sponsoring a social event at which alcoholic beverages (beer and wine only) 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.

## c. **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

- i. Non-Alcoholic beverages should be served and made available without charge.
- ii. Those individuals who serve alcohol must be 21 years of age or older.
- iii. Beer and wine only may be served for a period of two hours.
- iv. No drinking games are allowed on campus.
- v. The responsible party must check Whittier Law School student identification cards before serving alcohol. If the person does not have a student identification card, an official government id must be checked to ensure the alcohol consumer is over twenty one years of age.

## **Further Rules and Regulations**

Whittier Law School shall be empowered to establish such additional rules and regulations as may be necessary and appropriate for the implementation of the policy.

# EMERGENCY PROCEDURES

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## Emergency Preparation & Response

Emergencies such as power outages, earthquakes, and random crimes happen everywhere. The Law School is committed to ensuring that all Whittier students, faculty, and staff live, learn, and work in a secure environment.

**1. Active Shooter:** When an individual sees or believes that they have observed or heard a potential threat on or near the campus, they should treat the threat as real, until it can be determined to be otherwise. The individual should move to a safe location that is securable and offers protection from potential threat. In case of emergency, contact the Costa Mesa Police Department by calling 911. Once the police department has been notified, call Campus Security at (714) 308-4423 to report what you have observed or heard.

### a. What to report:

- i. Your specific location—building name and office/room number
- ii. Number of people at your specific location
- iii. Injuries—number injured, types of injuries
- iv. Assailant's location, number of suspects, race/gender, clothing description, physical features, type of weapon (long gun or hand gun), backpack, shooters identity if known, separate explosions from gunfire, etc.

### b. Securing immediate area:

- i. Lock and barricade doors and windows
- ii. Turn off lights
- iii. Close blinds
- iv. Block windows
- v. Turn off radios and computer monitors
- vi. Keep occupants calm, quiet, and out of sight
- vii. Keep yourself out of sight and take adequate cover/protection, i.e., hide behind concrete walls or thick desks (cover may protect you from bullets/flying objects)
- viii. Silence all cellular phones
- ix. Place signs in exterior windows to identify the location of injured persons

### c. Contacting authorities:

- Costa Mesa Police Department: 911 or (714) 754-5280
- Campus Security: (714) 444-4141 ext. 480, 482  
(714) 308-4423 (Cell);
- Director of Facility Management: (714) 444-4141 ext. 445  
(714) 308-4425 (Cell)

# EMERGENCY PROCEDURES

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## 2. Fire

In the event of smoke or fire the following guidelines should be followed:

- a. Activate the nearest fire alarm.
- b. Evacuate the building immediately when you hear a fire alarm.
- c. Avoid taking chances—life safety is the first priority.
- d. Stay low and proceed to the nearest exit.
- e. Close the doors behind them to contain heat, fire and smoke if possible as they exit.
- f. Evacuate to a designated area that is more than 50 feet away from the building in question or to a safe area as designated by Facility Management and/or Campus Security.
- g. Notify Campus Security at (714) 308-4423 (Cell) or (714 444-4141 ext. 480, 482.
- h. Notify local authorities or Campus Security about any individuals possibly still inside the building.
- i. Follow guidance from local authorities and/or Facility Management.

## 3. Earthquake

In the event of an earthquake, the following guidelines should be followed:

### a. When Indoors:

- i. Do not panic and remain calm.
- ii. Get away from windows, mirrors, and bookshelves and watch out for falling objects.
- iii. Take immediate shelter under a table, desk, or other study furniture, or in a corner away from windows.
- iv. Duck, cover and hold.
- v. If you are in a classroom area, get under a sturdy desk or table. Do not dash for an exit, since stairways may be damaged or jammed with people.
- vi. Open closets and cabinet doors carefully and watch for objects falling from shelves.
- vii. When the shaking stops or slows, evacuate the building when instructed to do so, or if in your opinion, your life is threatened by remaining in the building.

### b. When Outdoors:

- i. Do not touch downed power lines or objects touched by the lines.
- ii. Do not go sightseeing. Keep the streets clear for emergency vehicles.
- iii. If you are outside, avoid high buildings, walls, power poles and other objects which could fall. If possible, move to an open area away from all hazards. If you are in a car, stop in the safest place available, again, in an open area, and remain inside your car.

# EMERGENCY PROCEDURES

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## **c. 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:

- i. 3 day supply of non-perishable food and water,
- ii. A flashlight or light-sticks.
- iii. Batteries for the flashlight, preferably still in their original packaging,
- iv. A first aid kit,
- v. A small amount of money, including several quarters for phone calls,
- vi. 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,
- vii. A detailed map of the area, and
- viii. A space blanket or light jacket.
- ix. 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.

## **d. Additional Tips:**

- i. Remain calm. Think through the consequences of any action you take. Try to stay calm and reassure others.
- ii. Watch for flying glass, falling plaster, bricks, light fixtures, and other objects. Watch out for high bookcases, shelves, and other furniture, which might slide or topple. Stay away from windows or mirrors.
- iii. Encourage others to check for injuries around you. Do not attempt to move seriously injured persons unless they are in immediate danger of further injury.
- iv. Do not eat or drink anything from open containers near shattered glass. Liquids may be strained through a clean handkerchief or cloth if danger of glass contamination exists.
- v. Immediately clean up spilled medicines, drugs and other potentially harmful materials.
- vi. Check for fires or fire hazards.
- vii. Wear shoes in all areas near debris or broken glass.
- viii. Do not use matches, lighters, or anything with a spark or flame until you are sure no gas leaks exist.
- ix. Do not operate electrical switches or appliances. These create sparks, which could ignite gas from broken lines.
- x. Do not use your telephone except for genuine emergency calls. Turn on your radio for damage reports and information.
- xi. Do not spread rumors. They can cause great stress following disasters.

# EMERGENCY PROCEDURES

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- xii. Be prepared for additional earthquake shocks called “aftershocks.” Although most of these are smaller than the main shock, some may be large enough to cause additional damage.
- xiii. Facility Management, with the help of Campus Security, will begin to evacuate buildings to their designated Evacuation Zones once it is safe to do so.
- xiv. Respond to requests for help from police, firefighters, civil defense workers, and relief organizations. BUT do not go into damaged areas unless your help has been requested. Cooperate fully with public safety officials.
- xv. Do not leave campus without checking in with Facility Management, Campus Security, or other staff member. Follow their example. Usually, it is best not to run outside.

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 480, 421, 445, or 401 no sooner than two hours after the earthquake.



# STUDENT COMPLAINTS

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## 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 American Bar Association's Accreditation Standards. *See* [https://www.americanbar.org/content/dam/aba/publications/misc/legal\\_education/Standards/2016\\_2017\\_standards\\_chapter3.pdf](https://www.americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2016_2017_standards_chapter3.pdf)

Note: The procedures described below should be used when a complaint directly implicates the law school's program of legal education and compliance with specific ABA accreditation standards (for example, the curriculum, program offerings and the academic calendar). Other concerns and complaints should be raised through the procedures set forth in the relevant sections of the Whittier Law School Policies (including procedures dealing with complaints of harassment or discrimination, violations of the Student Code of Conduct, ADA compliance and grade appeals).

## Complaint Format

**Any student having such a concern should submit a complaint in writing to Radha Pathak, Associate Dean for Student & Alumni Engagement, [rpathak@law.whittier.edu](mailto:rpathak@law.whittier.edu). The complaint should be signed and dated and contain, at a minimum, the following information:**

- i. Name and e-mail address of complainant;**
- ii. Detail regarding the behavior, program, or process that is subject of the complaint;**
- iii. Citations to the relevant ABA standards with which the student alleges Whittier Law School is not in compliance.**

## Resolving a Complaint

When a formal written complaint has been made in accordance with section 1, the Associate Dean for Student & Alumni Engagement shall investigate as soon as possible, but in no event later than 20 business days after the filing of the written complaint with the Associate Dean for Student & Alumni Engagement. The Associate Dean for Student & Alumni Engagement shall attempt to resolve the complaint, if possible, within the 20 business day period. If resolution is not possible, the Associate Dean for Student & Alumni Engagement 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 Associate Dean for Student & Alumni Engagement.

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

# STUDENT COMPLAINTS

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## **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.

## **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 Associate Dean for Student & Alumni Engagement.

## **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.

# TRANSFER, VISITING AND AUDIT STUDENTS

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## 1. **Assessment Criteria for Transfer Credit**

The Office of Student and Alumni Relations will assess possible transfer credit based upon a review of the official transcript submitted to the 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.

Only students who have completed two full semesters at an ABA accredited law school are eligible to transfer to Whittier Law School. You must have a minimum of 19 "C" equivalent transfer units, based upon the grading scale of the law school from which you seek to transfer, to be considered for transfer admission. 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 first 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.

A student may petition the Associate Dean for Student & Alumni Engagement for additional credits (not to exceed 42) provided that they are in good standing, they received a C or above in the course and they had a 2.5 or higher CGPA at their law school.

**Whittier Law School is not accepting transfer students at this time.**

## 2. **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.

# TRANSFER, VISITING AND AUDIT STUDENTS

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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.

**Whittier Law School is not accepting visiting students at this time.**

### **3. Auditors**

- a. The Auditor must be a member of a bar or a graduate of an ABA approved law school (a JD equivalent from a foreign school is acceptable with permission by the Academic Dean). Current students or non-law school graduates may not audit a class.
- b. Documentation of the applicant's professional and/or academic status and permission from the course instructor are required. Auditors do not take examinations and they receive no grades but must fully attend and participate in class. Their transcript will indicate an "AU."
- c. The fee for auditing a class is the same as the per-unit tuition fee. Applicants may contact the Registrar's Office at (714) 444-4141 ext. 289 for specific course offerings, schedules, and applicable fees. Auditors are only allowed to attend larger classes where enrollment is not an issue. No skills or seminar classes are allowed.

### **4. Distance Education**

Whittier Law School does not currently offer any distance education opportunities and does not accept any distance education transfer credits. Students who wish to transfer-in a distance learning credit from another ABA institution may petition the Academic Standards Committee through the office of Student and Alumni Relations. Students who wish to transfer-in a distance learning credit from another ABA institution must have completed the equivalent of 28 credit hours towards the JD degree before they earned the distance learning credit. Whittier will accept only one credit hour of distance education toward a Whittier J.D. degree.

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## **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 of 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.