

**WIDENER UNIVERSITY
DELAWARE
LAW SCHOOL**

**STUDENT
HANDBOOK**

Widener University

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This publication contains information, policies, procedures, regulations, and requirements that were correct at the time of publication. In keeping with the educational mission of the university, the information, policies, procedures, regulations, and requirements contained herein are continually being reviewed, changed, and updated. Consequently, this document cannot be considered binding and must be used solely as an informational guide. Students are responsible for keeping informed of official policies and meeting all relevant requirements.

The university reserves the right and authority at any time to alter any or all of the statements contained herein, to modify the requirements for admission and graduation, to change or discontinue programs of study, to amend any regulation or policy affecting the student body, to increase tuition and fees, to deny admission, to revoke an offer of admission, and to dismiss from the university any student at any time, if it is deemed by the university to be in the best interest of the university, the university community, or the student to do so. The provisions of this publication are subject to change without notice, and nothing in this publication may be considered as setting forth terms of a contract between a student or a prospective student and Widener University.

Title IX Notice

Title IX of the Education Amendments of 1972 ("Title IX") prohibits discrimination based on sex and gender in educational programs and activities which receive federal financial assistance. Such programs include recruitment, admissions, financial aid and scholarships, athletics, course offerings and access, hiring and retention, and benefits and leave. Title IX also protects students and employees from unlawful sexual harassment (including sexual violence) in university programs and activities. In compliance with Title IX, the university prohibits discrimination and harassment based on sex in employment as well as in all programs and activities.

The university's Title IX Coordinator monitors compliance with Title IX and its accompanying regulations. Individuals with questions or concerns about Title IX and/or those who wish to file a complaint of noncompliance may contact the university's Title IX Coordinator or Deputy Title IX Coordinators as follows:

The university's interim EOHN/Title IX Coordinator is Randi Teplitz, Dean of Students at Widener Law Commonwealth, Office of Student Affairs, 3737 Vartan Way, Harrisburg, PA 17110, 717-541-3952, abteplitz@widener.edu. The university has also appointed several Deputy Title IX Coordinators. Students on all campuses are encouraged to contact Kevin Raport, Deputy Title IX Coordinator, Associate Director of Campus Safety Operations, 610- 499-4202, kjraport@widener.edu. Students on the Chester, Pennsylvania campus and Continuing Studies students with Title IX issues are encouraged to contact Catherine Feminella, Assistant Dean for Student Development and Engagement, Deputy Title IX Coordinator, One University Place, Chester, PA 19013, 610-499-4392, cafeminella@widener.edu. Students and employees at the Delaware Law School with Title IX issues are encouraged to contact Alice Eakin, Associate Dean for Student Academic Services, Deputy Title IX Coordinator, 4601 Concord Pike, Wilmington, DE 19803, 302-477-2215, aeekin@widener.edu. Students and employees at the Commonwealth Law School with Title IX issues are encouraged to contact Randi Teplitz, Esq., Assistant Dean of Students, Director of Student Organizations, Interim Title IX and EOHN Coordinator, 3737 Vartan Way, Harrisburg, PA 17110, 717-541-3952, rbteplitz@widener.edu.

The United States Department of Education's Office for Civil Rights (OCR) is the division of the federal government charged with enforcing compliance with Title IX. Information regarding the OCR can be found at: www.ed.gov/about/offices/list/ocr/index.html. Questions about Title IX may be directed to the OCR as well as to the university's Title IX Coordinator or Deputy Title IX Coordinators.

COVID-19 ACKNOWLEDGEMENT

The novel coronavirus, COVID-19, is a highly infectious, potentially life-threatening disease declared by the World Health Organization to be a global pandemic. COVID-19's highly contagious nature means that contact with others or contact with surfaces that have been exposed to the virus can lead to infection. Given COVID-19's unknown nature, it is not possible to fully list each and every individual risk of contracting COVID-19. Additionally, individuals who may be infected with COVID-19 may be asymptomatic for a period of time or may never become symptomatic at all. Because of its highly contagious and sometimes asymptomatic or presymptomatic nature, it is currently very difficult to control the spread of COVID-19 or to determine whether, where, or how a specific individual may have been exposed to the disease. Although Widener University has implemented preventative measures, the University cannot guarantee that you will not contract COVID-19, nor can the University limit all potential sources of COVID-19 infection. Aware of the foregoing, any student who enters any campus of Widener University does so voluntarily and fully understands and accepts all risks associated with exposure to COVID-19 or any other infectious disease or illness, and waives any and all claims against Widener University arising from exposure to COVID-19 or any other infectious disease or illness.

Photo Notification

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**WIDENER UNIVERSITY
DELAWARE LAW SCHOOL**

STUDENT HANDBOOK

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**WIDENER UNIVERSITY EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION
POLICY:**

See Link available on the Office of Student Affairs Webpage:

<https://delawarelaw.widener.edu/current-students/jd-academics/office-of-student-affairs/student-handbook/>

DELAWARE LAW SCHOOL

LEARNING OUTCOMES AND OBJECTIVES

The Learning Outcomes and Performance Criteria shown below have been adopted by the faculty of the Delaware Law School.*

*Learning Outcomes adopted at the May 18, 2017 Faculty Meeting. Performance Criteria adopted at the February 15, 2018 Faculty Meeting.

Knowledge and understanding of substantive and procedural law

- Identifying, describing and interpreting the fundamental terms, rules, and principles (including variations) in given subject area
- Comparing and contrasting principles, cases, or arguments
- Demonstrating ability to identify and employ the processes through which legal disputes are resolved and legal rights and duties are established and enforced.

Legal reasoning and analysis

- Identifying legal issues raised by a particular set of facts
- Selecting and articulating the appropriate doctrinal or procedural framework/s to address legal issues
- Effectively applying the relevant doctrinal or procedural framework to facts
- Demonstrating ability to identify legal problems as they arise in a variety of factual contexts.

Legal research

- Mastering fundamental research tools
- Effectively and efficiently researching legal issues to find relevant primary and secondary authority
- Critically reading primary and secondary authority to ascertain and explain its relevance, meaning and weight

Written and oral communication in the legal context

- Listening actively to determine audience needs and the appropriate response (audience may be client, court, opposing counsel, witness, etc.)
- Employing appropriate methods of communication to the different stakeholders in the legal system.
- Speaking in a clear, concise, thoughtful, well-organized and professional manner appropriate to the audience and context
- Preparing legal documents such as letters, motions, and memoranda of law in a clear, concise, thoughtful, well-organized and professional manner appropriate to the audience and context
- Using standard legal citation format

Problem-solving

- Identifying all legal issues raised by a particular set of facts
- Applying principles of law to sets of facts
- Generating alternative solutions and strategies
- Developing a plan of action
- Considering practical implications, ethical issues, or other non-legal issues relevant to the problem
- Demonstrating self-learning skills

Exercise of proper professional and ethical responsibilities to clients and civility in the legal profession.

- Identifying ethical problems
- Knowing the appropriate and relevant ethical standards raised in a problem
- Articulating potential solutions to the problem
- Demonstrating ability to organize and manage time and meet professional deadlines.
- Demonstrating ability to work cooperatively with others in a professional setting.
- Utilizing self-regulated learning principles to develop an appropriate understanding of new areas of law.

Lawyering skills including fact development, client counseling, drafting and analysis of common legal documents, and ability to work collaboratively with others.

- Gathering facts relevant to legal issues
- Drafting legal documents that are clear, concise, and appropriate to the audience and context
- Practicing active and empathetic listening with clients
- Conducting effective negotiation, counseling, or court hearing
- Working effectively with colleagues on a legal matter
- Using effective briefing, note-taking, and drafting techniques
- Managing time
- Strategic planning to accomplish a goal
- Understanding the relationship between effective work habits and meeting professional responsibilities
- Engaging in self-reflection about the student's own learning process
- Learning from experience through self-critique
- Understanding the relationship between ongoing acquisition of information and skills and meeting professional responsibilities.
- Taking practical considerations into account such as time and financial constraints

**ACADEMIC CODE
OF
WIDENER UNIVERSITY
DELAWARE LAW SCHOOL**

PART ONE: DEFINITIONS AND EFFECTIVE DATE

Section 101. Definitions.

The following definitions apply to this Academic Code:

- (a) **Academic Year.** The academic year begins July 1 and runs through June 30. Students matriculating before Summer 2017 should refer to the relevant student handbook for curriculum requirements.
- (b) **ADAA.** The Associate Dean for Academic Affairs.
- (c) **Classroom Credit.** Credit earned for receipt of a passing grade in any course which meets on a regular basis in a classroom setting during the academic year.
- (d) **Code.** The Academic Code of the Law School.
- (e) **Dean.** The Dean of the Law School.
- (f) **Directed Research Credit.** Credit earned for satisfactory completion of a research project which satisfies the requirements set forth in §305 of the Code.
- (g) **Distance Education Credit.** Credit earned for receipt of a passing grade in any course in which students are separated from the faculty member or each other for more than one-third of the instruction, and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously. Courses providing distance education credit shall be so designated on the course schedule each semester.
- (h) **Experiential Credit.** Credit earned for satisfactory participation in an in-house clinical program, an externship program, or an approved simulation course.
- (i) **Extended Division Student.** Any student who is enrolled in fewer than twelve credit hours (excluding the first three semesters when students take up to twelve credit hours of coursework per semester) but more than seven credit hours of semester long course work. (Short courses lasting 2-7 days are not semester long courses.)
- (j) **Law School.** Widener University Delaware Law School.
- (k) **Live Client Course.** Credit earned in an in-house clinical program, an externship program, or a course designated as “other live-client.”
- (l) **Non-Classroom Credit.** Credit earned for satisfactory participation in an activity described in §302 of the Code.

(m) **Regular Division Student.** Any student who is enrolled in twelve or more credit hours of semester long course work. (Short courses lasting 2-7 days are not semester long courses.)

(n) **Simulation Course.** A simulation course provides substantial experience not involving an actual client that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a set of facts and circumstances devised or adopted by a faculty member.

Section 102. Effective Date.

The provisions of the Academic Code as amended are effective for all students matriculating on or after July 1, 2002, unless otherwise provided.

PART TWO: GRADUATION REQUIREMENTS

(See also §501 et seq. of the Dean's Office Regulations.)

Section 201. Graduation Requirements.

In order to graduate from the Law School, a student must satisfy the following requirements:

- (a) **Academic Credits.** For students matriculating during or after the 2017 Summer term, a student must earn 90 academic credits, at least 56 of which must be earned while enrolled as a student at the Law School. For students matriculating before the 2017 Summer term, a student must earn 88 academic credits, at least 54 of which must be earned while enrolled as a student at the law school. See Part III, §301 et seq. of the Code for rules relating to academic credits and course load.
- (b) **Cumulative Grade Point Average.** A student must complete law school studies with a cumulative grade point average of at least a 2.000 (as computed using the rules set forth in §602 of the Code).
- (c) **Completion of All Required Courses.** A student must earn a passing grade in each required course. See §606(b) of the Code for rules relating to this requirement. (See also §§101 through 301 of the Faculty Policy Statement on the Curriculum for a description of required courses.)
- (d) **Writing Requirement.** For students matriculating before the 2017 Summer term, each student must submit to the Registrar a Writing Requirement Certificate to establish the student's satisfactory completion of the Law School's Writing Requirement in accordance with §501 of the Code.
- (e) **Experiential Credit Requirement.** For students matriculating during or after the 2017 Summer term, each student must earn at least twelve credits through courses designated as live client courses or simulation courses, such as clinics, externships and other experiential or skills courses. Students who matriculated prior to the 2017 Summer term must earn at least six such credits. [Note: due to the cancellation of ITAP in 2020, students graduating in December of 2020 or May of 2021 need only take 9 credits to fulfill their experiential credit requirement.] (See also §301 of the Faculty Policy Statement on the Curriculum.)
- (f) **Character and Fitness.** Students have a continuing duty to update the information they provided in response to the character and fitness section of the Law School application to reflect any changes since law school matriculation.
- (g) **Petition to Graduate.** Every student must apply for graduation by completing the online Petition to Graduate and its accompanying form not later than September 30 for December graduates, or October 30 for May graduates. When a petition to graduate is received, the Registrar will audit the student's academic records for compliance with the graduation requirements set forth in §201 of the Academic Code. If the student has satisfied these requirements, the student's name will be submitted to the Law School faculty for approval.

Section 202. Completion of Degree Requirements.

(a) **General Rule.**

All students must complete all degree requirements within 84 months of matriculation.

(b) **Matriculation.** For purposes of this section, matriculation shall mean the date on which a student first begins legal studies at any law school accredited by the American Bar Association, not including a Trial Admissions Program.

Section 203. Early Graduation.

In order to graduate one semester ahead of schedule, a student who did not participate in the Summer Advantage Program should configure the following credit schedule.

RD STUDENT	ACADEMIC CREDITS
First Year	32
Summer	6
Second Year	At least 31
Summer	6
Third Year Fall	15 credits
TOTAL	90*

ED STUDENT	ACADEMIC CREDITS
First Year	24
Summer	6
Second Year	At least 20
Summer	4 – 6
Third Year	At least 20
Summer	4 – 6
Fourth Year Fall	11
TOTAL	90*

*Students matriculating before Summer 2017 must earn 88 credits to graduate.

Students who participated in the Summer Advantage Program wishing to graduate one semester ahead of schedule have somewhat more flexibility and could configure the following credit schedule:

RD Student with Summer Advantage Program

RD STUDENT	ACADEMIC CREDITS
First Year	35 (3 Summer/32 Fall/Spring)
Summer	6
Second Year	At least 31
Summer	3
Third Year Fall	15 credits
TOTAL	90*

ED Student with Summer Advantage Program

ED STUDENT	ACADEMIC CREDITS
Summer Advantage	3
First Year Fall/Spring	24
Summer	4 – 6
Second Year	21 or 22
Summer	4 – 6
Third Year	21 or 22
Summer	4 – 6
Fourth Year Fall	8-11
TOTAL	90*

Students considering early graduation should consult with the Office of Student Affairs as early as possible to ensure the feasibility of proposed plan.

*Students matriculating before Summer 2017 must earn 88 credits to graduate.

PART THREE: ACADEMIC CREDITS & COURSE LOAD

(See also §§301 through 310 of the Dean's Office Regulations.)

Section 301. Academic Credits.

- (a) **General Rule.** A student may satisfy the academic credit graduation requirement described in §201(a) of the Code by earning classroom credits, non-classroom credits, clinical, experiential, and directed research credits.
- (b) **Limitations.** Academic credit earned under §301(a) is subject to the following limitations:
- (1) **Course Load Limitation.** Registration for courses for which academic credit is available is subject to course load limitations imposed by §305 of the Code.
 - (2) **Non-Classroom Credit.** No student may earn more than eight non-classroom credits. (See also §302 of the Code.)
 - (3) **Clinical and Externship Credit.** No student may earn more than a combined total of twelve clinical and externship credits. (See also §303 of the Code.)
 - (4) **Directed Research Credit.** In general, no student may earn more than two directed research credits. A student may earn up to an additional two directed research credits with approval of the Office of Student Affairs. The Office of Student Affairs may grant a request for this additional directed research credit upon approval of a supervising faculty member and a showing of good cause. The decision of the Office of Student Affairs is not appealable. (See also §304 of the Code.)
 - (5) **Distance Education Credit.** No student may earn more than fifteen credits toward their JD degree in distance education courses. (See also §§ 312 of the Code.) Additionally, a student may not earn a distance education credit until having completed 28 credits of coursework. [Note: these mandates have been temporarily suspended by the ABA for students who are required to take courses online due to Covid.]

Section 302. Non-Classroom Credit.

- (a) **General Rule.** Eligible students may earn non-classroom credit for satisfactory participation in the following activities:
- (1) **Law Review.** A member of the *Delaware Journal of Corporate Law*, or the *Widener Law Review* may earn up to seven academic credits for satisfactory participation in the work of the Law Review. A staff member may earn one credit for each semester of service. A staff member may earn one credit for the satisfactory completion of a student note or article. An editorial board member may earn two credits for each semester of service. In order to qualify for credit, a student must register for the credits for the semester in which credit will be earned or in the semester immediately following the semester in which credit is earned.
 - (2) **Moot Court Honor Society.** A member of the Moot Court Honor Society may earn up to seven academic credits for satisfactory participation in the work of the Moot Court Honor Society. A staff member may earn one credit for each semester of service in which the member is not earning credit for competing in a Moot Court interscholastic competition. An

executive board member may earn two credits for each semester of service in which the member is not earning credit for competing in a Moot Court interscholastic competition. A member may earn up to two credits for each semester in which the member satisfactorily competes in a Moot Court interscholastic competition, subject to the credit limitations in §301 of the Code. In order to qualify for credit, a student must register for the credits for the semester in which credit will be earned or in the semester immediately following the semester in which credit is earned.

(3) **Interscholastic Competitions.** A student may earn up to four academic credits for satisfactory participation in interscholastic competitions. A student may earn up to two academic credits for satisfactory participation in a single approved interscholastic competition, and no more than two credits in a semester for participating in such competitions. In order to qualify for credit, a student must register for credit in the semester in which credit will be earned or in the semester immediately following the semester in which credit is earned.

(4) **Transactional Law Honor Society.** A student may earn one credit up to seven academic credits for satisfactory participation in the work of the Transactional Law Honor Society. A student may earn two credits for each semester of service.

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

(c) **Eligible Students.** Any student whose cumulative grade point average is less than 2.500 may not register for non-classroom credit. Nothing in this section shall prevent student organizations from requiring a grade point average equal to or higher than 2.500 for membership or participation in its programs.

Section 303. Clinical and Externship Credit.

(a) **Credit Limitations for Clinics and Externships.** No student may earn more than a combined total of twelve clinical and externship credits.

(1) **Clinical Program.** No student may receive more than six academic credits per semester for participating in a clinical program.

(2) **Externship Program.** A student must devote at least five hours per week in an externship program to justify each academic credit.

(b) **Eligibility for Clinical and Externship Programs.** A student may enroll in a clinical or externship program only after successful completion of the course in Professional Responsibility and the other prerequisite courses listed in the Faculty Policy Statement on the Curriculum for the clinical or externship program in question. Successful completion means that the student has earned a grade of at least 2.0 in that course. Additionally, each clinical and externship program requires an overall minimum grade point average as part of the eligibility requirements. Check with the clinic or externship director for more information.

Section 304. Directed Research.

- (a) **General Rule.** Directed research credits may be earned only by the submission of suitable written work (paper, memorandum or brief) by the student to the supervising faculty member.
- (b) **Standards Applicable to Directed Research Projects.** Directed research credits shall be awarded by the supervising faculty member in relation to the amount of work performed by the student. One directed research credit shall be granted for approximately four hours of work performed by the student each week during the semester. The student and supervising faculty member must agree in advance on the number of credits to be earned for any semester. See §202 of the Dean's Office Regulations for limitation on deferred completion of papers.
- (c) **Limitation on Credits Earned.** A student may earn no more than two directed research credits. See §301(b)(4) of the Academic Code.
- (d) **Eligibility.** A student whose cumulative grade point average is less than 2.500 may not register for directed research.
- (e) **Supervising Faculty Member.** Only a full-time faculty member may serve as a supervising faculty member under this section.
- (f) **Restriction on "Recycling."** No student may earn directed research credit for a paper which substantially relies on research or writing previously or concurrently performed by the student for any other purpose, including but not limited to work submitted in satisfaction of the requirements of the *Delaware Journal of Corporate Law*, *Widener Law Review*, Moot Court Honor Society or an interscholastic competition.

Section 305. Course Load.

- (a) **Regular Division Student.** The normal academic course load for a Regular Division Student (as defined in §101(g)) is 12 to 16 credit hours per semester (24 to 32 credit hours per year). Student status is fixed as of the first day of the third week of classes.
- (b) **Extended Division Student.** The normal academic course load for an Extended Division Student (as defined in §101(i)) is 8 to 11 credit hours per semester (16 to 22 credit hours per year), with the exception of the first three semesters, when students earn up to 12 credits per semester. Student status is fixed as of the first day of the third week of classes.
- (c) **Part Time Schedule Students.** Students may register for fewer than 8 credits only after completion of the first year, and only with the permission of the Office of Student Affairs. Permission to register for part-time status will be granted only in extraordinary circumstances. Permission must be obtained each semester a student wishes to be on a part-time schedule. Student status is fixed as of the first day of the third week of classes.

(d) **Variations from Normal Course Load.**

(1) **Regular Division Student.** A Regular Division Student must obtain permission from the Office of Student Affairs before registering for more than 16 credit hours of semester long course work or fewer than 12 credit hours in any semester. A one credit overload may be sought via a Dean's Action Request. See §301(b) of the Dean's Office Regulations for additional requirements.

(2) **Extended Division Student.** An Extended Division Student must obtain permission from the Office of Student Affairs to register for fewer than 8 credit hours in any semester. An Extended Division Student is not permitted to enroll in more than 11 credit hours of semester long course work except for the first three semesters. A one credit overload may be sought via a Dean's Action Request. Such a request will be approved for, at most, one semester-

(3) **Part Time Student.** An Extended Division Student may, only with the permission of the Office of Student Affairs, petition to register for fewer than eight (8) credits, after the first year, on the Part-Time Plan. A Part-Time Student in the extended division is defined as a student taking from 4 to 7 credits per semester. Permission will be granted only in extraordinary circumstances. Permission must be obtained each semester a student wishes to be a Part-Time student. Student status is fixed as of the first day of the third week of classes.

Section 306. Withdrawal from Courses.

(a) **Required Course.** The Office of Student Affairs may grant a written request filed by a student to withdraw from a required course. Permission to withdraw from a required course will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control. The decision of the Office of Student Affairs is not appealable.

(b) **Elective Course.** A student may withdraw from an elective course at any time during the first six weeks of the semester (or the first two weeks of the summer term) by filing a notice of withdrawal with the Registrar. A student may withdraw from an elective course after this period and before the day prior to the first day of final examinations for the semester only with the approval of the Office of Student Affairs. The decision of the Office of Student Affairs is not appealable.

(c) **ITAP.** A student may withdraw from ITAP, or any other course with a condensed class schedule, only up until the date specified by the Registrar's Office. Withdrawal after that date will result in a forfeiture of tuition paid for the class.

(d) **Report of W for Dropped Course.** The Registrar shall record a "W" for any course dropped by a student after the end of the Add/Drop period, or after the date specified for dropping ITAP, or any other course with a condensed class schedule.

(e) **Forfeiture of Tuition for Withdrawal From Class After Add/Drop.** Tuition paid or payable with respect to any class from which a student withdraws after Add/Drop shall be forfeited in full. A student who adds a course as a replacement for the course from which the student withdraws shall be responsible for payment of additional tuition for the course added.

Section 307. Auditing Courses.

(a) **Registration.** Prior to the end of Add/Drop, a student may register to audit an elective course with permission from the instructor if the Registrar certifies that space is available. If auditing the course would result in an overload, permission must be obtained from the Office of Student Affairs. If approved, all audit credits will be charged on a per credit basis. The Office of Student Affairs may grant a written request for a change from credit to audit enrollment at any time after Add/Drop and within six weeks of the beginning of the semester (or within two weeks of the beginning of the summer term).

(b) **Other Rules.** A grade of "AU" (Audit) will be awarded to each student who audits a course. An auditing student who fails to comply with the attendance requirements set forth in §701 of the Code will be treated as having withdrawn from the course after Add/Drop under §306(d) of the Code. A student shall not receive academic credit for auditing a course.

Section 308. Other Academic Programs.

(a) **General Rule.** A student shall not enroll in another academic program or a joint degree program without the consent of the Office of Student Affairs.

(b) **Joint Degree Programs.**

(1) **Juris Doctor/Master of Business Administration Program.** Any student desiring to enroll in the Widener University Joint Juris Doctor/Masters of Business Administration program after matriculating must have completed the first year of law school with a GPA of at least 2.700. Students must submit a separate application to the joint degree program. Joint degree applications are available from the Faculty Advisor for the program. Students in the joint degree program must maintain all minimum GPA requirements applicable to law students generally. In the event of withdrawal from the Program, students may retain no more than six (6) upper level Business Administration credits towards the J.D. degree.

(2) **Juris Doctor/Masters in Public Health.** Any student desiring to participate in the Joint Program for Law and Public Health leading to a Juris Doctor degree awarded by Widener University and Master of Public Health degree awarded by Thomas Jefferson University's Jefferson College of Graduate Studies must submit admission applications separately to the Law School and the Jefferson College of Graduate Studies.

(3) **Other Joint Degree Programs.** Any student desiring to enroll in any other joint degree program authorized by the faculty of the Law School must follow rules similar to those set forth in §308(b)(1) above.

(c) **Other Programs.** No student may visit another law school or enroll in any other academic program without first obtaining written approval from the Office of Student Affairs. For rules dealing with visitation at other law schools, see Part VIII, §801 et seq. of the Code.

Section 309. Outside Employment.

(a) **General Rule.** Regular Division students are urged not to engage in outside employment during their first year of law school. Regular Division Students may not exceed twenty hours of

outside employment per week during the academic year, and are advised not to exceed fifteen hours of outside employment per week.

(b) **Violation of Restriction on Outside Employment.** Any Regular Division student whose outside employment exceeds twenty hours per week during a semester shall transfer to the extended division. The course load of such student shall be reduced in order to comply with the requirements of §305(b) of the Code. This reduction in course load shall be treated as a withdrawal from courses under §306 of the Code.

(c) **Compliance.** Each Regular Division student shall complete and deliver to the Registrar a written statement in support of the student's compliance with the requirements of subsection (a) of this section, each semester.

Section 310. Summer Term

The normal academic course load for any student enrolled during the summer term is 3 to 6 credit hours. A student is not permitted to register for more than 6 credit hours, except when registering for ITAP, without obtaining written permission from the Office of Student Affairs. A one (1) credit overload may be approved by the Office of Student Affairs. The decision of the Office of Student Affairs is not appealable.

Section 311. Variation from Rules for Hardship.

(a) **Petition for Variance.** A student may petition the Office of Student Affairs in writing for a variance from the rules set forth in sections 305, 306, 307, 308, and 310 on grounds of substantial hardship or exceptional merit. The petition shall conform substantially to Official Form One (reproduced in Appendix A of the Dean's Office Regulations).

(b) **Decision by Office of Student Affairs.** The Office of Student Affairs shall review all petitions filed pursuant to §311(a) of the Code and, after considering relevant evidence offered by the student in support of the petition, shall either grant or deny the request for relief. The Office of Student Affairs shall have absolute discretion to grant or deny the petition. Any variance granted shall be consistent with the terms of American Bar Association Standards. The decision of the Office of Student Affairs is not appealable.

Section 312. Distance Education Credit.

(a) **General Rule.** No student may earn more than fifteen credits toward their JD degree in distance education courses.

(b) **Eligibility for Enrollment in Distance Education Courses.** A student may enroll in a distance education course only after successful completion of 28 credits toward the JD degree.

These mandates have been temporarily suspended by the ABA for students who are required to take courses online due to Covid.

PART FOUR: CREDIT HOUR

Section 401. Definition.

(a) A “credit hour” is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out of class student work per week for fifteen weeks (including one week for final exams) or the equivalent amount of work over a different amount of time; or (2) at least an equivalent amount of work for other academic activities, including simulation courses, directed research, field placements (externships), clinical, co-curricular, and other academic work leading to the award of credit hours.

For each credit hour awarded, 42.5 hours of total time for the students is expected and required.

The full policy is set forth in the Delaware Law School Credit Hour Policy attached to the Academic Code as **Appendix B**.

(b) **Completion of Credit Hour.** A credit hour attributable to any course which was passed with a grade of "D" or better (or a "Pass" in a course graded on a pass/fail basis) shall be treated as completed for purposes of §401 of the Code.

PART FIVE: ADDITIONAL REQUIREMENTS

Section 501. Writing Requirement.

- (1) In order to graduate, a student matriculating before Summer 2017 must demonstrate substantial achievement in legal writing by completing one original, individually authored writing project. The project must meet the requirements of subsections (a), (b) or (c). Subsection (d) applies to all methods used for completion of the requirement.
- (a) **Written Work Performed for Academic Credit.** A student may meet the writing requirement by satisfactorily completing a seminar, course or clinical program, taught by a full-time member of the faculty, in which the student is required to submit a paper of at least 20 typewritten, double-spaced pages (approximately 5,000 words) in length, including notes. Work submitted under this subsection shall be in the form specified by the instructor, and must be certified by the instructor as demonstrating substantial achievement in legal writing. The term "course" includes Directed Research performed under the supervision of a full-time tenured or tenure track faculty member. (In order to enroll in a Directed Research a student must first comply with the requirements of §304 of the Academic Code.)
- (b) **Written Work Performed for Membership in a Law Journal.** A student may meet the writing requirement by submitting written work prepared for the purpose of maintaining membership in one of the Law School law journals. Work submitted under this subsection shall be in the form specified by the editorial board of the journal, and must be certified by the board and by the faculty advisor as demonstrating substantial achievement in legal writing.
- (c) **Written Work Performed for Other Publications or in a Writing Contest.** A student may meet the writing requirement by submitting written work published in a scholarly periodical, journal or treatise, or singled out for honor in a nationally recognized writing competition. Work submitted under this subsection must be certified through the Office of Student Affairs as demonstrating substantial achievement in legal writing.

(d) **Restriction on "Recycling."** A student may not submit work in satisfaction of the writing requirement which substantially relies on research or writing previously or concurrently performed by the student for any other purpose, unless the student first fully discloses the prior use of the work (or its intended future use, as the case may be) and obtains the consent of the person responsible for certifying that it demonstrates substantial achievement in legal writing.

(2) Students matriculating during or after the Summer 2017 term will satisfy the requirement by completing Legal Methods III.

PART SIX: EXAMINATION AND GRADING

(See also §§201 through 205 of the Dean's Office Regulations.)

Section 601. Grading System.

(a) The grade structure for all registered course work is as follows:

A+	=	4.000	C+	=	2.300	W	=	Withdrawal
A	=	4.000	C	=	2.000	AU	=	Audit Only
A-	=	3.700	C-	=	1.700	I	=	Incomplete
B+	=	3.300	D+	=	1.300	P	=	Pass
B	=	3.000	D	=	1.000	IW	=	Involuntary Withdrawal
B-	=	2.700	F	=	0.000	Z	=	No grade received from faculty member

An instructor may award only one A+ in each course or seminar. The student awarded the highest grade in a course may receive a Certificate of Achievement for that course.

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

(c) A "Z" is an administrative grade that indicates that the Registrar's Office is not yet in receipt of a grade from that professor.

Section 602. Grade Point Average.

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

(b) **Attempted Credits.** For purposes of this section, "attempted credits" means the total number of credit hours for which a student is enrolled for a semester.

Section 603. Grade for Classroom Performance.

An instructor may give a grade of plus or minus for each student's classroom performance during any course other than first year courses. Such a grade is issued in addition to an examination grade or grade derived from papers, projects or other graded course work. A plus or minus grade issued under this section shall change the student's grade for the course by one third of a grade or one step (e.g., from C+ to B- or from B to B+). An instructor wishing to grade classroom performance under this section must announce the criteria applicable to the classroom performance grade within the first two weeks of class. At the conclusion of the course, the instructor will receive a grade adjustment sheet for all students in the course. If the instructor has complied with the requirements of this section, a "plus" or "minus" may be issued for any student. No student may be minused to an "F". No student may be plussed to a "D" from an "F" or to an "A+" from an "A".

Section 604. Grade Changes.

- (a) **General Rule.** Any grade for a course, seminar or special course submitted by an instructor is final when verified by the Registrar and may not be changed by the instructor.
- (b) **Exception.** A grade given by an instructor in a course, seminar or special course may be changed by the instructor if the original grade was recorded as an "Incomplete." The instructor may submit the correct letter grade to the Registrar for inclusion in the affected student's transcript.
- (c) **Student Application for Change of Grade.** A student may apply for a change of grade on the grounds that the grade was awarded contrary to the provisions of the Academic Code, or was the proximate result of discrimination on account of sex, age, race, national origin or ethnicity, religion, disability, status as a veteran of the Vietnam era or other covered veteran, sexual orientation, gender identity or marital status initiated by the faculty member responsible for issuing the grade. The burden of proof is on the student to prove the allegations. Any petition for change of grade under this subsection shall be considered by the Office of Student Affairs pursuant to rules set forth in §311(b) of the Code.
- (d) **Faculty Application for Change of Grade.** An instructor may apply to the Dean or ADAA for a change of grade upon a showing of good cause. For purposes of this subsection, "good cause" is limited to a clerical error in recording a grade or other similar situation.

Section 605. Honors Graduates.

- (a) **Summa Cum Laude.** Any student with a final cumulative grade point average of 3.750 or higher shall graduate summa cum laude.
- (b) **Magna Cum Laude.** Any student with a final cumulative grade point average of 3.500 to 3.749 shall graduate magna cum laude.
- (c) **Cum Laude.** Any student not covered by subsections (a) or (b) of this section whose final cumulative grade point average is between 3.150 and 3.499 shall graduate cum laude.

Please note that due to the proximity of final exams and the date of the graduation ceremony, cumulative grade point averages at the end of the fall semester will be used to identify honors graduates at the graduation ceremony. Final transcripts, however, will reflect honors earned upon completion of all graduation requirements.

Section 606. Repetition of Courses.

- (a) **General Rule.** A student who earns academic credit for successful completion of a course may not register for that course again.
- (b) **Repetition of Required Course.** If a student does not earn a passing grade in a required course, the student must repeat the course until it is successfully completed. If a student fails a course which is a prerequisite for an advanced course, the student must successfully complete the prerequisite course before taking the advanced course.
- (c) **Effect on Student Transcript.** A failing grade received by a student shall remain on the student's transcript notwithstanding the subsequent successful completion of the course by the student.

Section 607. Examination Process.

- (a) **Necessity of Evaluation.** The scholastic achievement of students shall be evaluated from the inception of their studies. As part of this evaluation, a written examination of suitable length and complexity shall be required in every course for which credit is given.
- (b) **Final Examination Exception.** No final examination shall be required for the Legal Methods courses, for all seminars, for Experiential courses, and for courses in which students earn Non-Classroom Credit, ITAP, or Legal Technology, unless required by the professor teaching the course.
- (c) **Materials Permitted at an Examination.** During the first two weeks of the semester or summer term, each instructor should identify the materials students will be permitted to use during the examination. Upon entering the exam room, all materials not explicitly allowed to be in a student's possession during an exam period must be left on the side of the room. Electronic devices, including but not limited to mobile phones, smart phones, programmable watches, or other devices must be left on the side of the room, and must be turned off during the entire exam. Prohibited materials must remain on the side of the room during the entire exam period, i.e., a student may not retrieve such materials even when a student is permitted to leave the exam room. During any exam, including remote exams, students must abide by all instructions from their professor and their proctor relating to materials and devices which may or may not be consulted during the exam. An instructor may conduct a "closed book examination," an "open book" examination, or a "limited open book" examination.
- (d) **Take Home Examinations.** An instructor may give a take home examination. Such examinations must be given during the regularly scheduled time for examinations. Unless an exam is distributed electronically, each student in the course in which a take home examination is given must pick up the examination from the Office of the Registrar or the faculty member at the designated time during working hours on the day scheduled for the start of the examination; the examination must then be returned to the Office of the Registrar at the designated time during working hours on the day scheduled for completion of the exam. Students may not fax or email their exams unless specifically instructed to do so.

- (e) **Assessments.** An instructor may give a mid-term examination and/or other assessments throughout the semester (collectively referred to as “assessments”). An instructor who intends to give assessments will notify students during the first week of class.
- (f) **Anonymous Grading.**
- (1) **General Rule.** All final examinations are graded anonymously. Any statement made or action taken by a student which has the effect of compromising the anonymous grading system by allowing an instructor to identify a student for whom a grade must be issued shall be treated as a violation of §201 of the Student Code of Conduct.
- (2) **Exception.** Papers submitted for credit in a course, seminar or directed research project, and work involving evaluation of student performance during the course of the semester (including multiple assessments), need not be graded anonymously
- (g) **Submission of Written Work Product in Lieu of Final Examination.** At the election of the instructor, all or any portion of the final grade awarded in any course or seminar may be determined by grades awarded to students based on written work product completed in connection with the course.

Section 608. Departure from Examination Schedule.

1. Final Exams

- (a) **General Rule.** No student has the right to defer an examination. A student who fails to sit for a final examination when scheduled will receive a failing grade in the course unless the examination is properly deferred pursuant to this section.
- (b) **When Deferral is Permitted.** A student is permitted to defer an examination only for good cause. Examples of good cause include serious personal injury or illness; injury or death of a member of the student's immediate family; and any other similar event beyond the student's control which prevents the student from sitting for the examination when scheduled. Because students are given registration materials showing the time and date of final examinations, an examination will not be deferred because a student is enrolled in two courses having examinations on the same day.
- (c) **Procedure for Deferral of Examination.** Students seeking to defer an examination must submit a Dean's Action Request Form and provide documentation supporting the request to the Office of Student Affairs by the date posted by the Registrar's Office. Permission to defer an examination must be obtained prior to the scheduled examination day, unless the cause for deferral occurs on the examination day, and is due to circumstances beyond the student's control. Except in emergencies, the affected student shall notify the Office of Student Affairs of such cause for deferral by the date posted by the Registrar's Office. If the Office of Student Affairs grants permission to defer an examination, the Registrar shall notify the instructor whose examination will be deferred. The affected faculty member may prepare a new examination to be given at the make-up time for the student whose examination has been deferred. Students shall not communicate their interest in or intention to defer any anonymously graded examination to any faculty member.
- (d) **Timing of Deferred Examinations.** Deferred examinations must be taken 1) on the scheduled examination make-up date for that semester, 2) at a time approved by the Office of Student

Affairs, or 3) at the next time a regularly scheduled examination is given for that course. Students who fail to sit for a make-up examination within the time period prescribed shall receive a failing grade in the course in question.

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

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

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

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

(f) **Illness During Exam.** If a student becomes ill during an examination and as a result is unable to continue the examination, the student shall notify the proctor and leave all examination materials with the proctor, and shall report to the Registrar's office.

2. Assessments During the Semester.

(a) **General Rule.** Professors will provide students with information at the beginning of the semester regarding assessments that will be conducted during the semester. Professors also will notify students whether any assessment deferrals may be sought pursuant to the processes and requirements described in this section. If no deferrals may be sought for assessments administered during the semester, the professor will explain the effect of missing any such assessments.

(b) **When Deferral is Permitted.** If a Professor has indicated that deferrals may be sought for assessments during the semester, a deferral will be granted only for good cause. Examples of good cause include documented personal illness or injury; injury or death of a member of the student's immediate family, and any other similar event beyond the student's control which prevents the student from sitting for the assessment when scheduled.

(c) **Procedure for Non-Emergency Deferral of an Assessment.** Students who are permitted to seek to defer an assessment during the semester and who wish to do so must file a

Dean's Action Request Form and provide documentation supporting the request to the Registrar's Office.

(d) **Procedure for Emergency Deferral of an Assessment.**

(1) **Request Made in Person or by Phone.** If a student is unable to sit for an assessment for good cause as defined in (b) which arises within 24 hours immediately prior to the assessment time, the student may appear in person or telephone the Registrar to obtain provisional permission to defer the assessment. The Registrar or the Office of Student Affairs may defer an assessment provisionally under this section for an explanation showing reasonable cause to believe the student, acting in good faith, cannot take an assessment because of some event which is beyond the student's control. A provisional emergency deferral requested under this section must be confirmed by a written request within 48 hours of the missed assessment, supported by persuasive evidence of some event beyond the student's control which led the student to miss the assessment.

(2) **Student Unable to Make Request in Person or by Phone.** If the student cannot appear in person or telephone the Registrar, the student may miss the assessment and apply for a deferral after the assessment date, but a formal request with sufficient supporting documentation must be made as soon as possible and in no event later than 48 hours after the missed assessment. The burden is on the student to show (i) good cause and (ii) sufficient reason for not requesting a deferral in writing, in person, or by phone prior to the assessment.

(e) **Timing of Deferred Assessments.** If deferrals are permitted for an assessment, and if a deferral is granted by the Office of Student Affairs pursuant to the processes and requirements above, the student will be given a new assessment date and time by the Registrar's Office. An assessment that is deferred during the semester must be made up as soon as possible.

(f) **Illness During an Assessment.** If a student becomes ill during an assessment and as a result is unable to continue the assessment, the student shall notify the proctor and leave all assessment materials with the proctor and report to the Registrar's Office immediately. A student who fails to complete an assessment due to illness must comply with any requirements for a make-up assessment that may be required by the Professor. If the assessment is one for which a deferral is not feasible (as per the Professor's syllabus), the assessment will be treated as being missed by the student.

Section 609. Rules Concerning Examinations.

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

(b) **Exam-Taking Software.** Students are automatically signed up for software to be used by students taking their exams on a computer and the charge is placed on a student's account each semester. Students wishing to handwrite must notify the Registrar's Office. In the event of computer failure during the exam, a student may take up to five (5) minutes to correct the problem. After that time, the student must hand write the exam. No additional time will be given in the event of

computer failure. Students are to report to their exam location thirty (30) minutes prior to the scheduled time of the start of the exam if using the exam software.

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

PART SEVEN: ATTENDANCE

(See also §§401 through 406 of the Dean's Office Regulations.)

Section 701. Attendance Standards.

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

(b) **Penalty for Violation of Attendance Rule.** Any student who misses more than twenty percent of the class time scheduled for any course or seminar will not be permitted to take the final examination or submit additional work. The instructor shall notify the Registrar in writing, and the Registrar shall involuntarily withdraw the student and enter an IW grade on the student's transcript.

If the student re-takes the course and again misses more than twenty percent of the scheduled class time, the instructor shall notify the Registrar in writing, and the Registrar shall enter a failure (F) on the student's transcript. Variance from this rule is not available for substantial hardship. See Section 401(e) of the Dean's Office Regulations. If, however, a student disputes a faculty member's determination that the student has exceeded the maximum number of absences, the student may petition the Office of Student Affairs for relief. The student will need to rebut the presumption that the faculty member's records accurately reflect the student's attendance. The Office of Student Affairs will not review a faculty member's decision that a student was absent due to insufficient class preparation.

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

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

(e) **Temporary Attendance Policy.** During periods of remote instruction due to Covid, any variations from the above rules will be posted to the Law School's Office of Student Affairs web page. Students with questions regarding these policies should consult the Associate Dean of Student Academic Services.

PART EIGHT: VISITING STUDENTS

Section 801. Summer Visitation.

- (a) **General Rule.** A student may visit another American Bar Association approved law school for a summer term with the approval of the Office of Student Affairs.
- (b) **Courses and Course Load During Visitation.** No student visiting during the summer term shall receive academic credit for successful completion of a course offered at another law school if such course is designated by the Dean's Office Regulations as a required course. A student visiting during the summer term may not take a course load at another law school which exceeds the maximum course load authorized by §311 of the Code.

Section 802. Visitation During Academic Year.

- (a) **General Rule.** A student will be permitted to visit another American Bar Association approved law school during the academic year only with the approval of the Office of Student Affairs. Extraordinary circumstances must be present for visitation to be approved. The decision to approve or deny a petition to visit during the academic year shall be based on the following factors:
- (1) whether the student is in good academic standing;
 - (2) the extent to which the student has completed the required courses at the Law School; and
 - (3) the extent to which the requested visitation is necessitated by substantial personal hardship caused by conditions beyond the student's control.
- (b) **Courses and Course Load During Visitation.** No student visiting during the academic year shall receive academic credit for successful completion of a course offered at another law school if such course is designated by the Dean's Office Regulations as a required course. A student visiting during the academic year may not take a course load at another law school which exceeds the maximum course load authorized by §305 of the Code.

Section 803. Other Rules.

- (a) **Petition to Visit.** A student who wishes to visit during the summer term or the academic year must file a written petition to visit with the Registrar. Except for emergency situations, the petition must be filed at least 60 days prior to the date of the first date of classes of an academic year or 14 days prior to the summer term in which the student wishes to visit. The decision of the Office of Student Affairs to grant or to deny visitation is not appealable.
- (b) **Unapproved Visitation.** Credits earned by a student while visiting at another law school will not be included in the computation of academic credits required for graduation unless the visitation was approved in advance by the Office of Student Affairs pursuant to §803(a) of the Code.
- (c) **Reporting of Grades for Visiting Students.** The Law School will accept transfer credits only if the grade earned by the student has a grade point average equivalent of 2.000 or higher. For purposes of this subsection, passing grades awarded on a pass/fail scale will be treated as satisfying the 2.000 grade point average equivalent requirement. All grades received from other law schools, or other institutions will be reported on a student's Law School transcript as a "T" for transfer. A "T" shall not count towards the student's GPA.

PART NINE: DISMISSAL AND REINSTATEMENT

Section 901. Academic Dismissal.

(a) **Average Required for Good Standing.** A cumulative grade point average of at least 2.000 is required for a student to be considered in good academic standing.

(b) **Dismissal.** A student who fails to attain a grade point average as required shall be academically dismissed from the law school. A first year student's academic record will be evaluated once each year after the spring semester. After the first year of study, a student's record will be evaluated at the end of each semester. If, at any of these reviews, the student's law school cumulative grade point average is below 2.000 for all law school work attempted, that student is dismissed from the law school.

Section 902. Notice of Dismissal.

(a) **Dismissal by Office of Student Affairs.** Each student dismissed for academic performance pursuant to §901 of the Code shall be notified of the dismissal in writing by the Office of Student Affairs. The notice of dismissal shall include an outline of the procedure for filing a petition for reinstatement.

(b) **Definition of Notice.** Dismissal notices shall be sent by both regular and certified mail to the student's last known address. Each student is required to provide and keep current a mailing address with the Registrar's office. Notice shall be deemed effective five days after date of mailing.

Section 903. Effect of Academic Dismissal.

(a) **Dismissal Following Fall or Spring Semester.** If a student is dismissed following the release of grades for the Fall or Spring semesters, the student shall be dropped from all courses for the following semester and shall receive a refund of any tuition paid with respect to the next semester. A student who enrolls in courses at the Law School (or at another accredited law school pursuant to §801 of the Code) during the summer term shall not receive academic credit for successful completion of such courses if the student is dismissed following the Spring semester. Students who are enrolled in summer term courses at the Law School shall receive a refund of any tuition paid for the summer term classes and shall not be permitted to complete the summer term.

Section 904. Petition and Standard for Reinstatement.

- (a) **General Rule.** Any person dismissed for poor scholarship pursuant to §901 of the Code may petition the Dean's Office for reinstatement.
- (b) **Filing Petition for Reinstatement.** A petition for reinstatement must be filed during the fifteen-day period beginning with the day on which notice of dismissal is deemed effective under §902(b) of the Code. The petition shall be filed with the Office of the Dean. The petitioner must provide in or with the petition all information and materials that he or she wishes to be considered. No additional information or materials may be submitted after the deadline by or on behalf of the petitioner unless the student obtains written consent from the Petitions Committee prior to the deadline.
- (c) **Standard for Reinstatement.** The petitioner must make an affirmative showing, by clear and convincing evidence, that he or she possesses the capacity to complete the program of legal education and that there is a strong likelihood that he or she will pass a bar examination and be admitted to the bar. As part of this burden, the petitioner must rebut the strong presumption raised by his or her record that his or her poor scholarship was due to lack of ability or capacity by proving one of the following:
- (1) **Extraordinary Circumstances.** The petitioner must make an affirmative showing by clear and convincing evidence that academic failure was the result of extraordinary circumstances. Extraordinary circumstances means unanticipated and newly arising circumstances that were beyond the petitioner's control and that would have had an extreme impact on a student's ability to pursue the study of law. A petitioner must establish by clear and convincing evidence not only that the extraordinary circumstances occurred but that he or she could not have successfully mitigated their effect and that such circumstances no longer exist. In no event shall a petitioner be reinstated without also showing by clear and convincing evidence that he or she possesses the requisite capacity to complete the program of legal education and that there is a strong likelihood he or she will pass a bar examination and be admitted to the bar.
 - (2) **Significant Increase in Grade Point Average.** If a petitioner's grade point average significantly improves from Fall to Spring semester of his or her first year, the Petitions Committee (described in §905(a) below) may conclude that the petitioner's second semester grades are a more accurate representation of his or her capacity to study law than his or her cumulative grade point average. A petition may be granted under this subsection only if the petitioner's second semester grade point average is at least 2.300 and if he or she makes an affirmative showing by clear and convincing evidence that he or she possesses the requisite capacity to complete the program of legal education and strong likelihood that he or she will pass a bar examination and be admitted to the bar.
- (d) **Dismissal Following Reinstatement.** A student who has been dismissed and later reinstated is ineligible to petition if dismissed again.

Section 905. Consideration of Petition for Reinstatement.

- (a) **Review of Petition.** The Dean shall refer all petitions for reinstatement to the Petitions Committee. The Petitions Committee shall consist of the Dean (or his or her designee) and two other members, both of whom are full time faculty members. The Dean or his or her designee shall chair the Petitions Committee. Decisions of the Petitions Committee shall be by majority vote. The Petitions Committee may review the petitioner's law school file, including academic record and at its discretion may request additional information, request a meeting with the petitioner, or seek outside information regarding the petitioner but the petitioner has the burden of providing all information and materials he or she wishes to be considered prior to the deadline for submitting the petition (except upon seeking prior to the deadline and receiving written permission of the Petitions Committee to submit information later).
- (b) **Conditions on Reinstatement.** The Petitions Committee may impose whatever conditions it deems appropriate in granting a petition for reinstatement. In extraordinary circumstances, the Petitions Committee may reinstate a first year student on the condition that the petitioner repeat the first year of studies. If the Petitions Committee elects to reinstate a petitioner with this condition, the following rules apply to the petitioner:
- (1) **Cumulative Grade Point Average Calculation.** Grades received during the initial first year of law studies by any student reinstated under this section shall not be used in computing the student's class rank or grade point average.
 - (2) **Transcript Endorsement.** The following endorsement shall appear on the transcript of each student reinstated under this section:
This student was readmitted to the first year for good cause after being dismissed for academic deficiencies. For purposes of computing the student's academic average and class rank on this transcript, only the grades for the repeated year are included.
- (c) For every reinstatement, a statement of considerations that led to the decision will be placed in the student's file.

Section 906. Readmission after Dismissal.

- (a) No student who previously has been dismissed academically from Delaware Law School or any other law school shall be offered admission to the J.D. program of Delaware Law School. The Office of Admissions shall not process any application for admission to the J.D. program from any such applicant, and shall inform any such applicant of this policy and that such policy prohibits the consideration of such application.
- (b) No student who previously has participated and been unsuccessful in the Trial Admissions Program ("TAP") of Delaware Law School shall be offered admission to the J.D. program of Delaware Law School, nor shall any such student be offered a subsequent opportunity to participate in TAP. The Office of Admissions shall not process any application for admission to the J.D. program from any such applicant and shall inform such applicant of this policy and that such policy prohibits the consideration of such application.

Section 907. Modification of Rules Governing Academic Code.

- (a) All rules governing academic performance and student conduct may be modified or amended under the authority of the Dean or where appropriate, under the authority of the faculty. Modifications or amendments to rules governing academic performance and student conduct shall be applicable to students currently enrolled when the Dean, or, where appropriate, the faculty determine that such modifications are necessary and appropriate and do not cause undue hardship to students currently enrolled.
- (b) The Dean or the Office of Student Affairs, acting under the authority of sections 902 and 904 of the Academic Code, may set additional or different conditions for Academic Success Program students or students who have been reinstated after an academic dismissal.

APPENDIX A

Widener University Delaware Law School

Delaware Law School Faculty Statement on Written Work Performed for Academic Credit Under §501(1)(a) of the Academic Code

Writing skills are an important of a student's legal education. In order to ensure that students fully benefit from written work performed for academic credit, such work must be meaningfully supervised by faculty members. With respect to written work performed for academic credit to satisfy the upper level writing requirement, faculty members must provide at multiple points during the writing experience significant individualized assessment of drafts or written work product. Interaction between faculty and students is also an important part of the learning experience and faculty members should meet with and be available regularly to students throughout the writing experience.

APPENDIX B

CREDIT HOURS POLICY

Standard 310(a) of the American Bar Association Standards and Rules of Procedure for Approval of Law Schools requires that: “A law school shall adopt, publish, and adhere to written policies and procedures for determining the credit hours that it awards for coursework.” The following policies and procedures are intended to comply with Standard 310.

The Delaware Law School uses the following definition to determine and allocate “credit hours” for academic credit in the J.D. program.

A “credit hour” is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out of class student work per week for fifteen weeks (including one week for final exams) or the equivalent amount of work over a different amount of time; or (2) at least an equivalent amount of work for other academic activities, including simulation courses, directed research, field placements (externships), clinical, co-curricular, and other academic work leading to the award of credit hours. For each credit hour awarded, 42.5 hours of total time for the students is expected and required. The below sets forth some additional information and guidance for various types of classes and other academic activities.

Courses with Final Exams: As noted above, a credit hour is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction (an in-class hour need be only 50 minutes) and two full hours of out of class student work per week for fifteen weeks (including one week for final exams) or the equivalent amount of work over a different amount of time. Thus, the **expectation is that each hour of direct faculty instruction will be matched by two hours of out of class work by the students, such as preparing for class by reading or completing class assignments or assessments and preparing for an exam.**

The total number of classroom or direct faculty instruction, calculated as set forth above, is 750 minutes per credit (which can include time dedicated to a final exam). The total amount of out of class time preparing for class and preparing for an exam should be at least thirty hours per credit hour. This time can include any or all of the following: reading assignments, case briefing, written assignments, problem sets, research, participation in simulations and role playing exercises, participation in online discussions, court or other practice observation, preparing for in class exercises, preparing for assessments, midterms, and the final exam, and other like tasks. This yields a total of 42.5 hours per credit of time spent in class, preparing for class, and preparing for and taking assessments and exams.

The below table shows the amount of time that corresponds to each credit hour.

Credit Hours	Direct Faculty Instruction Time (including final exam)	Out of Class Time	Total Hours
1	750 minutes	30 hours	42.5
2	1500 minutes	60 hours	85
2.5	1875 minutes	75 hours	106.25

3	2250 minutes	90 hours	127.5
4	3000 minutes	120 hours	170
5	3750 minutes	150 hours	212.5

The number of minutes of the final exam may be included in the direct faculty instruction time. Thus, assuming a one-hour final exam for a one-hour course, a two hour final exam for a two hour course, etc., the total direct faculty instruction time would be about 700 minutes per credit. That would be approximately 50 minutes of instruction per week over a fourteen-week schedule or one hour and forty minutes per week over a seven week schedule. The law school meets actually exceeds this requirement by scheduling at least 55 minutes per credit hour of instruction time. By doing so, we schedule 770 minutes of classroom time per credit hour.

To ensure compliance with the other key requirement (i.e., adequate out of class work) each full time faculty member shall submit a syllabus to the Associate Dean for Academic Affairs (the ADAA) for each course. The submission of a syllabus is a good faith confirmation by the faculty member that the course meets the above requirement. There is no set number of pages, cases, problems, outline, exam preparation, or other work that constitutes two hours of work; rather, faculty should consider the amount, density, and type of reading and the type of research, preparation of problems, or other work required for the course in assessing the amount of out of class work required. The ADAA and the Legal Education Committee (LEC) will review the syllabi each semester.

Courses taught by adjunct faculty will be addressed differently. The ADAA and the LEC will review those courses on a rolling basis and shall, where appropriate, discuss the course and syllabus with the instructor to ensure that it meets the above credit hour requirements. It is the expectation that approximately one quarter of adjunct taught courses will be evaluated assessed each year.

The first semester lab course will be considered an adjunct of the substantive course to which it is attached. That is, the substantive course (e.g., Torts I or Property I) and the lab will be considered five credits for purposes of this rule as it is difficult to separate the work for the lab from the work for the substantive class. The law school, in approving new courses, will consider the above guidelines in determining the appropriate credit to be awarded for a course.

Legal Methods Courses, Simulation and Skills Courses, Practicum Courses, Legal Problem Solving, Seminars and Other Like Courses

These courses have a different emphasis than traditional exam courses. These courses may involve more out of class work, preparation of assignments, simulations, and research than typical courses, it is very possible, and permitted, for a course to meet fewer than 750 minutes in classroom or direct faculty instruction per credit. However, the total work for the course must still meet amount to at least 42.5 hours per credit of time spent in class, preparing for class, engaging in out of class exercises (examples: preparing for and participating in mock oral arguments or simulated meetings with supervising attorneys or clients or working in group on such projects, among other things) and doing research, writing and other similar tasks. These courses will necessarily take different approaches to student learning and there is no cookie cutter or one size fits all requirement. Rather, faculty should consider the type of work done during the semester and make a good faith estimate as to how much time such tasks should reasonably take.

To ensure compliance with this requirement, each full-time faculty member will provide the ADAA a syllabus for the course and any other information relating to the credit hour requirement. Submitting that syllabus is a

good faith confirmation by the faculty member that the course meets the credit hour requirement. The ADAA and the LEC will review the syllabi each semester.

Courses taught by adjunct faculty will be addressed differently. The ADAA and the LEC will review those courses on a rolling basis and, where appropriate, shall discuss the course and syllabus with the instructor to ensure that it meets the above credit hour requirements. It is the expectation that approximately one quarter of adjunct taught courses will be evaluated each year.

Field Placements and Clinics

Field Placements (i.e., externships) and Clinics require a flexible approach and typically require significantly more out of class time than in-class time. A credit hour in a clinic or field placement consists of 42.5 hours of time spent in class, performing field placement or clinic work, preparing for class or completing class assignments (e.g., reflective writing assignments) and preparing for and taking any exam or assessments.

The Director of Experiential Learning shall be responsible for ensuring that this requirement is satisfied for each field placement. Our current policy requires least ten hours of work in the externship (not including the classroom component) for a three credit field placement and such a policy satisfies the requirement.

The director of each clinic is responsible for ensuring that this requirement is satisfied for her or his respective clinic. Our current policy requires at least twenty hours of clinical work per week in addition to a significant classroom component for a six credit clinic. Hours required for clinics of fewer than six credits may be reduced proportionally.

Wolcott Fellowship

Wolcott Fellows will work at least ten hours per week, in addition to any required class time, in order to earn three credits worth of work each semester. The Director of Experiential Education oversees the program to ensure compliance.

Directed Research.

The faculty member supervising a directed research project shall, in determining the appropriate amount of credit to be awarded to a student, use the above described definition and description of a credit hour. Time meeting with the professor may be counted towards the 42.5 hour per credit requirement as may all research, drafting, outlining, revising, writing, and other tasks related to the directed research.

Law Reviews (Delaware Journal of Corporate Law; Widener Law Review).

Faculty advisors to each of these journals will use the above stated definition of a credit hour in awarding academic credit. None of this time will be classroom time. Work to be considered may include, without limitation, time spent researching, outlining, drafting revising, and writing a student note; time spent in reading, reviewing, and discussing submitted law review articles for possible publication; time spent in editing and otherwise preparing for publication articles, essays and other pieces for final publication in the law review.

Academic Societies (e.g., Moot Court Honor Society, Transactional Law Society) and Interscholastic Competitions.

Faculty advisors to each of these organizations will use the above stated definition of a credit hour in awarding academic credit. Advisors should consider the type and complexity of work being undertaken in preparation for competitions and in actual competitions and other events. Work includes, but is not limited to, practicing simulations, practicing arguments, researching, drafting, outlining, meeting with and practicing with faculty members and other like work performed.

WIDENER UNIVERSITY
DELAWARE LAW SCHOOL
DEAN'S OFFICE REGULATIONS

PART ONE: GENERAL.

Section 101. Purpose.

The Dean's Office Regulations are the official interpretations of the Academic Code, the Student Code of Conduct and the Faculty Policy Statement on the Curriculum prepared by the Registrar, the Dean and the Office of Student Affairs, to guide students and faculty in the application of these documents to common problems that arise in the administration of the Law School.

Section 102. Definitions and Rules.

- (a) **Definitions.** As used in these Regulations:
 - (1) **Law School.** The Widener University Delaware Law School.
 - (2) **Dean.** The Dean of the Law School.
 - (3) **Associate Dean for Academic Affairs or ADAA.** The Associate Dean for Academic Affairs.

- (b) **Official Forms.** The following official forms must be used whenever a student applies for relief under these regulations:
 - (1) **Official Form One:** Dean's Action Request
 - (2) **Official Form Two:** Writing Requirement Certificate
 - (3) **Official Form Three:** Plagiarism Form

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

Section 103. Notice.

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

- (b) **Change in Regulations.** A change in the Dean's Office Regulations is effective on the day when the change is posted unless otherwise indicated.

PART TWO: EXAMINATION AND GRADING.
(See also §§601 through 609 of the Academic Code.)

Section 201. Honors Grades.

- (a) **Dean's Honors List.** Each semester, the students in each division (other than those on disciplinary probation) who achieve a semester grade point average placing them in the top 20% of all students in their year and division will be placed on the Dean's Honors List for that semester. An Honors List notation will appear on the transcript of each student placed on the Dean's Honors List.
- (b) **Class Rank.** Each semester, the students in each division of the Law School whose grades place them in the top 25% of their class shall be ranked numerically by class. Each semester, the Law School will also publish the grade point average cutoffs for the top 50% for each class by division in five percent increments. Rankings are also issued for the top third and middle third of each class by division.

Section 202. Deferred Completion of Seminar Papers, Course Papers and Directed Research Papers.

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

Section 203. Deferred Examinations and Assessments.

- (a) **Scope.** This section applies to all examinations and assessments, including mid-term and take-home examinations, whether or not administered during the final examination period.

(b) **No Right to Defer.** No student has a right to defer an examination or assessment. A student who fails to take an examination or assessment when scheduled will receive a failing grade on it unless the examination or assessment has been deferred according to the procedure outlined in this section.

(c) **Policy on Deferral of Examinations.** Because examination schedules are published for students at the time students register for courses, students are bound by the published examination schedule. Examinations and assessments will be deferred only for good cause. The decision of the Office of Student Affairs is final. Examples of good cause include:

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

(d) **Procedure for Requesting Deferred Examination.** If a student desires to request deferral of an examination, the student should file a Dean's Action Request Form with the Registrar's Office requesting deferral of an examination in a timely fashion. Every student requesting deferral of an examination must provide evidence of the event or situation which the student believes is justification for the request for deferral. Such evidence must be presented in a form which the Office of Student Affairs deems appropriate under the circumstances. **Students shall not communicate their interest in or intention to defer an examination to any faculty member.**

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

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

(2) **Student Unable to Make Request in Person or by Phone.** If the student cannot appear in person or telephone the Registrar, the student may miss the examination or assessment and apply for a deferral after the examination date. Such application for deferral must be made within 48 hours of the administration of the exam for which the student seeks deferral. The burden is on the student to show (i) good cause and (ii) sufficient reason for not requesting a deferral in writing, in person or by telephone prior to the examination.

(3) **Confirming Emergency Deferral.** A provisional emergency examination or assessment deferral requested under this subsection must be confirmed by a written request, supported by persuasive evidence of some event beyond the student's control which led the student to miss the examination.

(f) **Timing of Make-up Examination.** Deferred examinations must be taken 1) on the scheduled examination make-up date for that semester; or 2) at a time approved by the Office of Student Affairs. Students who fail to sit for a makeup examination within the prescribed time period shall receive a failing grade on the examination in question.

Section 204. Conflict in Examination Schedules.

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

- Registered for two courses with overlapping examination times; or
- Registered for two courses having final examinations scheduled within twenty four (24) hours of each other.

Section 205. Code of Conduct Procedures During Examinations.

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

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

(c) Unless specifically permitted otherwise, students are not permitted to use any type of communication or data storage devices such as - but not limited to - mobile phones or PDAs during an examination. Such devices must be left at the side of the exam room. In emergency situations, such devices may be left with the Registrar's Office.

PART THREE: REGISTRATION PRACTICE & PROCEDURE.

(See also §§301 through 312 of the Academic Code.)

Section 301. Course Load.

(a) **General Rule.** Regular Division Students may enroll in up to 16 credits without the approval of the Office of Student Affairs. Extended Division Students may enroll in up to 11 credits without receiving special permission. Ordinarily a Regular Division Student must enroll in a minimum of 12 credits and an Extended Division Student must enroll in at least 8 credits. Course load limitations for the summer term are established by §310 of the Academic Code.

(b) **Underload in Last Semester.** A regular division student may file a request to underload pursuant to §305(d) of the Academic Code only for the semester in which the student plans to graduate. The request to underload will be granted only if satisfactory completion of the proposed course schedule will yield the academic credits needed to ensure graduation in that semester.

Section 302. Change in Division.

- (a) **Change to Regular Division.** An extended division student who wishes to transfer to the regular division of the Law School must file a request for transfer with the Office of Student Affairs. Changes in division are not permitted during the first two semesters of law school.
- (b) **Change to Extended Division.** A regular division student who wishes to transfer to the extended division of the Law School must file a request for transfer with the Office of Student Affairs. Changes in division are not permitted during the first two semesters of law school.
- (c) **Second Request for Transfer.** A student who has transferred from one division of the Law School to the other may transfer between divisions again only with the consent of the Office of Student Affairs. The Office of Student Affairs will permit transfers under this subsection only upon a showing of undue hardship resulting from circumstances beyond the student's control.
- (d) **Timing of Requests to Change Divisions.** Except for cases of hardship, all requests to change divisions must be made prior to the beginning of the fall semester.

Section 303. Registration for Required Courses.

- (a) **First Year Courses.** Each first year Regular Division and Extended Division student is registered automatically for all courses.
- (b) **Upper Level Required Courses.** All upper class students must register for and complete the required courses as assigned by the Registrar. See the Faculty Policy Statement on Curriculum for the course sequence.

Section 304. Limited Enrollment Courses.

- (a) **Limited Enrollment for Course.** An instructor may limit enrollment in an elective course, a seminar or a special course by receiving permission from the ADAA before preregistration for the semester in which the course is offered. If preregistration for a course has begun, the instructor may not limit the class size. An instructor may not waive a limitation on enrollment after it has been established pursuant to this section.
- (b) **ADAA's Permission Required.** No instructor may limit enrollment without the prior written permission of the ADAA. Students should consult with the Registrar's Office for the current list of courses that have limited enrollment.

Section 305. Priority for Registration for Courses.

- (a) **General Rule.** Regular division students ordinarily must register for regular division courses. Extended division students ordinarily must register for extended division courses. A regular division student may register for any open section of a required or elective course offered in the regular division. An extended division student may register for any open section of a required or elective course offered in the extended division. If a course is offered in only one division of the Law School,

students from either the regular or extended division may register for the course. All students are subject to rules on sequencing of courses found in the Faculty Policy Statement on the Curriculum.

(b) **Definitions.** For purposes of this section:

(1) A regular division student who will have earned at least 57 academic credits by the beginning of the next semester shall be treated as a student entering the final year of study.

(2) An extended division student who will have earned at least 67 academic credits by the beginning of the next semester shall be treated as a student entering the final year of study.

(c) **Courses offered in both Divisions.**

(1) **Regular Division Students.** If there are one or more sections of an upper-level course scheduled in the regular division, and one or more sections of the same course scheduled in the extended division, regular division students may be registered for any open extended division section of that course at the time specified by the Registrar.

(2) **Extended Division Students.** If there are one or more sections of an upper-level course scheduled in the extended division, and one or more sections of the same course scheduled in the regular division, extended division students may be registered for any open regular division section of that course at the time specified by the Registrar.

(3) **Upper-Level Course Defined.** For purposes of this subsection, an upper-level course is any course as designated in the Faculty Policy Statement on the Curriculum other than a course taken in the first or second semester.

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

Section 306. Add/Drop Policy and Procedure.

(a) **Add/Drop Period.** A student may add or drop one or more elective courses during the designated Add/Drop period without obtaining permission from the Office of Student Affairs. A student may add or drop a required course during Add/Drop without obtaining permission from the Office of Student Affairs unless dropping or adding the required course will cause the student to be out of compliance with course registration requirements published by the Registrar's Office.

(b) **Adding or Dropping Required Course After Add/Drop.**

(1) **General Rule.** A student may not add or drop a required course after the designated Add/Drop period. See §306 of the Academic Code.

(2) **Hardship Exception.** The Office of Student Affairs will ordinarily deny permission to add or to drop a required course after the end of Add/Drop. Permission to drop a

required course will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control, such as illness requiring a reduced course load. Permission to add a course will be granted only in a "work out" situation in which a student is unable to graduate in that semester without the required course credit.

(3) **Grade of W.** A grade of W will be entered on the transcript for any required course dropped after the Add/Drop period.

(c) **Adding or Dropping Elective Course After Add/Drop Period.**

(1) **Five-Week Period Following Add/Drop.** A student may drop one or more elective courses during the first six weeks of each semester, and the first two weeks of the summer term, without prior permission from the Office of Student Affairs for the campus. During the five week period following add/drop (and the second week of summer term), a student may add one or more elective courses only by obtaining prior permission from the Office of Student Affairs.

(2) **Changes Made Late in Semester.** A student may add or drop one or more elective courses after the first six weeks of each semester, and the first two weeks of the summer term, only by obtaining prior permission from the Office of Student Affairs.

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

(4) **Grade of W.** A grade of W will be entered on the transcript for any required or elective course dropped after the Add/Drop period.

(d) **Forfeiture of Tuition for Withdrawal From Class After Add/Drop.** Tuition paid or payable with respect to any class from which a student withdraws after Add/Drop shall be forfeited in full, including classes from which the student has been involuntarily withdrawn. A student who adds a course as a replacement for the course from which the student withdraws shall be responsible for payment of additional tuition for the course added.

Section 307. Courses Conducted Between Semesters.

(a) **General Rule.** Credit earned for participation in the May session of ITAP will be treated as earned by the student in the summer term.

(b) **Maximum Course Load Exception.** For purposes of section 305 of the Academic Code, credits earned for ITAP, and credits earned for courses between summer term and fall semester or between fall and spring semesters will not be considered for purposes of determining the number of credits in which a student is enrolled.

Section 308. Registration for Non-classroom Credit.

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

Section 309. Student Publications (Delaware Journal of Corporate Law and Widener Law Review) Eligibility Rules [This Section is temporarily suspended. For information regarding eligibility for the Delaware Journal of Corporate Law and Widener Law Review, please consult their respective web pages]

Section 310. Certification for Student Practice.

The law school will certify a student eligible under state student practice rules only if the student has a cumulative grade point average of at least 2.300 and the student has successfully completed the required courses in Evidence and Professional Responsibility with grades of C or better.

PART FOUR: ATTENDANCE POLICY & PROCEDURE.

(See also §701 of the Academic Code.)

Section 401. Absence Interpretations.

- (a) **Number of Permitted Absences.** Section 701(a) of the Academic Code provides that no student may miss more than twenty percent of the regularly scheduled class time in any course.
- (b) **Courses Added During Add/Drop Week.** A student who adds a course during Add/Drop shall not be treated as "absent" for the class time missed prior to adding the course.
- (c) **Clinical Work Sessions.** A student enrolled in an in-house clinic must comply with the regulations of that clinical program for attendance at work sessions and clinical meetings. Consult the clinical instructor for further details regarding absences.
- (d) **Hardship Relief Not Available.** Section 701 of the Academic Code requires that a student receive an "TW" for excessive absences in any course. See Section 701(b) of the Academic Code. The faculty's collective judgment is that a student who misses more than 20% of the scheduled class of a course has not taken the course, and though one's absence is for the best possible reasons such as sickness, death in the family, religious observance, job requirements, etc., the student should re-take the course rather than sit for the exam. [For exceptions to this policy during remote instruction caused by the pandemic the 2020-2021 school year, please see posted Attendance Policy information on the Office of Student Affairs web page: <https://delawarelaw.widener.edu/files/resources/attendanceandclassrecpoliciesforacademicyear2020t2.pdf>.]
- (e) **Class Cancellation.** If a class is canceled, either through an individual class cancellation or when the University is closed due to weather or other emergencies, a student's failure to attend the scheduled make-up class should not be considered an absence under the attendance requirement.

Section 402. Cancellation of Classes.

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

Section 403. Emergency School Closing.

- (a) The campus usually will be closed only in the event of adverse weather conditions. The decision to close or not will typically be made by the President of the University by 6:30 a.m. for the Regular Division and by 2:00 p.m. for the Extended

Division. You may call the information hotline (dial 302-477-2149, wait for an answer and then press 5) to inquire about closing. Information is also available on the Law School website as well as Campus Cruiser, and the E2Alert system.

(b) **Closing During School Hours.** There may be times when an early closing is necessary due to weather conditions or mechanical breakdown. The decision to close will be made by the President of the University or her designee.

Section 404. Leave of Absence.

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

(b) **Leave of Absence.** A student who must drop all classes for good cause, such as death or illness of a family member, job change, active duty assignment in the armed forces or other good cause, may apply for leave of absence for personal reasons for a period of up to one year. A leave of absence will be granted freely, subject to the limitations for medical leave of absence set out in §405 of the regulations.

(c) **Ineligible to Take Course While on Leave.** A student may not register for any course work while on leave of absence, but may make up any deferred final examinations and complete any incomplete seminar papers, course papers or directed research papers outstanding on the date the leave of absence was granted.

(d) **Term.** Leave of absence will normally be granted for a period of one academic semester. However, a first-year student who takes a leave of absence must take a leave of absence for one year. If a student on leave of absence wishes to extend the leave of absence for an additional semester, the student must submit a written request for extension together with evidence to support the need for the extension.

Section 405. Medical Leave of Absence.

(a) **General Rule.** Any student may apply for medical leave of absence from the Law School for good cause. "Good cause" includes treatment by a residential treatment center, a physician, a psychologist or a drug counselor for substance abuse. An application should be submitted on a Dean's Action Request form, together with a letter from a physician, psychologist or drug counselor, stating that medical leave of absence is in the best interest of the student's physical or psychological well-being.

(b) **Term.** Medical leave of absence will normally be granted for a period of one academic semester. If a student on medical leave of absence wishes to extend the leave of absence for an additional semester, the student must submit a written request for

extension, together with a physician's, psychologist's or drug counselor's letter stating that an extension would be in the best interest of the student.

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

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

Section 406. Withdrawal from Law School.

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

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

PART FIVE: GRADUATION REQUIREMENTS

(See also §§201 through 203 of the Academic Code.)

Section 501. Analysis of Graduation Requirements.

(a) **General Rule.** The academic requirements for graduation can be divided into categories: Grade Point Average, Required Courses, Number of Credit Hours, Writing Requirement, Experiential Credits, and Character and Fitness.

(b) **Grade Point Average.** A 2.000 cumulative grade point average is required for graduation.

(c) **Required Courses.** For students matriculating in Summer 2017 and thereafter, students must take and receive a passing grade in the following courses in order to graduate. (See the Faculty Policy Statement on the Curriculum.)

- Applied Learning Lab
- Bar Exam Success: Substance and Skills - Fall and Spring (students with a GPA of 3.0 or higher after the first two semesters may waive out of these courses)
- Civil Procedure I & II
- Contracts I & II
- Constitutional Law I & II
- Criminal Law

- Criminal Procedure I
- Evidence
- Experiential Requirements
- Legal Methods I, II, & III
- Legal Problem Solving (for students with below a 2.7 GPA after the first two semesters)
- Professional Responsibility
- Property I & II
- Torts I & II

In order to graduate, every student must satisfy the graduation requirements set forth in §201 of the Academic Code.

(d) **Character and Fitness.** Each student is required to complete an updated Character and Fitness form prior to graduation.

Section 502. Petition to Graduate.

Every student must apply for graduation by completing the online Petition to Graduate in Campus Cruiser and its accompanying form not later than September 30 for December graduates, or October 30 for May graduates. When a petition to graduate is received, the Registrar will audit the student's academic records for compliance with the graduation requirements set forth in §201 of the Academic Code. If the student has satisfied these requirements, the student's name will be submitted to the Law School faculty for approval.

Section 503. Bar Certification Registration.

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

PART SIX: MODIFICATION OF RULES

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

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

Appendix A

Dean's Action Request

Official Form One

Writing Requirement Certificate

Official Form Two

Plagiarism Form

Official Form Three

OFFICIAL FORM ONE

DEAN'S ACTION REQUEST

Name: _____ ID#: _____

Address: _____

Year & Division: _____

Work #: _____ Home #: _____

Email Address: _____

**PLEASE GIVE A COMPLETE DESCRIPTION OF THE ACTION DESIRED.
PRINT, TYPE OR WRITE LEGIBLY.**

Student's Signature Date

Approved **Denied** **Other**

Comments:

- Please Check with Financial aid concerning any financial aid implications.
- Please check with the Registrar's Office to reschedule your exam.
- Other

Dean of Students' Signature Date

DISTRIBUTION:

REGISTRAR:

- Business Office
- Financial Aid
- Housing/Mailroom
- Library
- Student
- Other

Date Distributed _____

Registrar's Signature Date

OFFICIAL FORM TWO

WRITING REQUIREMENT CERTIFICATE

TO: Registrar's Office

FROM: _____

In my capacity as a full-time faculty member, I hereby certify that

_____ has individually researched and written a scholarly legal paper of approximately 20 typewritten pages, double spaced including notes, entitled:

This student, in compliance with section 501 of the Academic Code, has fulfilled the writing requirement through the following method:

Written Work Performed for Academic Credit. A student may meet the writing requirement by satisfactorily completing a seminar, course or clinical program, taught by a full-time member of the faculty, in which the student is required to submit written work of at least 20 typewritten, double-spaced pages (approximately 5,000 words) in length, including notes. Work submitted under this subsection shall be in the form specified by the instructor, and must be certified by the instructor as demonstrating substantial achievement in legal writing. The term "course" includes Directed Research performed under the supervision of a full-time faculty member. (Section 501(a))

Written Work Performed for Membership in a Law Journal. A student may meet the writing requirement by submitting written work prepared for the purpose of maintaining membership in one of the Law School law journals. Work submitted under this subsection shall be in the form specified by the editorial board of the journal, and must be certified by the board and by the faculty advisor as demonstrating substantial achievement in legal writing. (Section 501(b))

Written Work Performed for Other Publications or in a Writing Contest. A student may meet the writing requirement by submitting written work published in a scholarly periodical, journal or treatise, or singled out for honor in a nationally recognized writing competition. Work submitted under this subsection must be certified by the Dean of Students as demonstrating substantial achievement in legal writing (Section 501(c)).

The author was registered for _____ during the _____ semester, 20_____.

The paper was submitted to me in final form on _____, 20_____.

Date

Faculty Member

OFFICIAL FORM THREE

**DELAWARE LAW SCHOOL
PLAGIARISM FORM**

COURSE _____ **INSTRUCTOR** _____

TITLE OF PAPER _____ **DATE SUBMITTED** _____

Plagiarism on papers submitted for course credit is a serious violation of the Law School's Student Code of Conduct. A student found guilty of plagiarism is subject to suspension or expulsion from school, and any such discipline will be reported to the Board of Bar Examiners in any state in which the student seeks to be admitted to practice. To avoid any misunderstandings about the nature of this offense, please review the following provision of the Code of Conduct, sign the form below, and attach this sheet to your paper when you turn it in to your professor.

Section 202. Prohibited Conduct of Students.

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

....

(b) Plagiarism. Plagiarism is defined as the unacknowledged appropriation or insufficient acknowledgment of the ideas or written work of another. Plagiarism on papers and other law school assignments includes but is not limited to the following:

- (1) the knowing or reckless copying, [downloading] or paraphrasing without attribution of any material written by another;
- (2) the knowing or reckless submission of work written in whole or in substantial part by someone other than the student submitting the work and submitted as the student's own work;
- (3) the knowing or reckless use of the language of another without identification by quotation marks or otherwise, even though the source is cited in the student's work.

ENDORSEMENT BY STUDENT:

I have read the foregoing and I certify that I have not committed plagiarism in writing the attached paper.

(Signature)

(Student ID Number)

DELAWARE LAW SCHOOL

STUDENT CODE OF CONDUCT

General Expectations and Community Standards

As future professionals, Delaware Law School students are expected to maintain the highest ideals of academic and social conduct and are responsible for knowing the Law School's published policies and standards. Students are also expected to respect the views and personal dignity of other members of the Law School community.

In addition, students should learn about the expectations that will be required of them when they become lawyers. The Codes of Professional Responsibility published by each state's bar, including Pennsylvania's and Delaware's, describe these expectations. Students are encouraged to consult these codes for guidance.

PART ONE: GENERAL MATTERS

Section 101. Definitions. The following definitions apply to this Student Code of Conduct:

- (a) **Code.** The Student Code of Conduct of the Widener University Delaware Law School.
- (b) **Council.** The Honor Council consisting of three full-time faculty members, four students, and one administrator created in accordance with the Code and for the purpose of hearing alleged Code violations.
- (c) **Law School.** Widener University Delaware Law School.
- (d) **Dean.** The Dean of the Law School.
- (e) **ADAA.** The Associate Dean for Academic Affairs for the Law School.
- (f) **Faculty.** The Faculty of the Law School.
- (g) **Investigator.** The Honor Council Investigator.
- (h) **Investigation Report.** The report prepared by the Honor Council Investigator.
- (i) **Registrar.** The Registrar of the Law School or a person designated by the Dean to carry out the Registrar's duties under this Code.
- (j) **Student.** Any person enrolled or matriculated as either a full or part-time student of the Law School at the time of an alleged violation of this Code. For purposes of Code of Conduct violations, an applicant who is subsequently admitted to the Law School is considered a "Student" as of the time of submission of any of his or her

application materials.

(k) **Accused.** The student against whom a complaint alleging violation of the Student Code of Conduct has been lodged.

(l) **SBA.** The Student Bar Association.

Section 102. Jurisdiction.

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

Section 103. Relationship of the Code with Other Authorities.

(a) **Relationship with Criminal and Civil Law.** The Code operates concurrently with the processes of criminal and civil law. The Law School has the right, at its discretion, to postpone Code proceedings pending the outcome of criminal proceedings other than in matters requiring a prompt investigation, such as Title IX proceedings. However, when misconduct alleged under the Code might subject the accused to criminal prosecution, the accused may postpone the Code process by “suspending” himself or herself from the Law School until the criminal charges are resolved or until the authorities decide not to press charges. Suspension under this provision has no effect under academic rules; i.e., the suspension does not entitle the accused to a leave of absence or relieve the accused of any academic consequences arising from his or her absence from the Law School. Suspension does not abate the Code complaint, but may not result in any inference against the accused in a Code proceeding.

(b) **Relationship with Law School Policies and Processes.** The Code governs only matters within its substantive scope and leaves undisturbed Law School policies and processes outside that scope. The Administration may in its discretion respond to any misconduct, such as non-academic misconduct, that is not within the scope of the Code. Some forms of misconduct not involving academic dishonesty may be so serious in nature as to render a student potentially unfit for continuation as a student at the Law School, as well as to enter the profession of law. Those matters may be addressed by both the Administration and the Honor Council, and any decision to proceed initially by one procedure does not preclude use of the other.

(c) **Relationship with Administration Powers.** The Widener University Administration or Law School Administration may act to preserve the safety and security of any person or property, even when a matter falls within the substantive scope of the Code, regardless of whether the processes of the Code are initiated concurrently. This includes, without limitation, applying the University Policy on Protective Action.

(d) **Relationship with Faculty Powers.** The Code in no way restricts the academic freedom of the Faculty, even when a matter falls within the substantive scope of the Code, regardless of whether the processes of the Code are initiated concurrently. For example, a Faculty member may impose a grade penalty based on academic misconduct regardless of the existence or outcome of concurrent Code proceedings.

Section 104. Time Limits.

An accused may agree to extend or waive any procedural time limit under the Code. Extension of time limits with or without the consent of the accused does not relieve the accused of responsibility for violations of the Code.

Section 105. Notice.

When the Code calls for notice to a student, it shall be sufficient to deliver notice in person, by means of electronic communication, or to send a letter by certified U.S. mail to the address on file with the Law School Registrar. A student is responsible for ensuring that at all times his or her current address is on file with the Registrar. Notice shall be deemed received three days after a certified mailing.

Section 106. Adherence to the Code and Preservation of Rights.

The Code is designed to anticipate irregular and exceptional circumstances. Nevertheless, it is impossible to anticipate all eventualities. When strict adherence to Code procedures is impossible or impracticable, it shall be sufficient that persons charged with responsibilities under the Code act reasonably and consistently with the spirit and intent of the Code so as to achieve justice while also preserving the rights of all persons involved.

Section 107. Confidentiality.

Honor Council members, as well as conciliators appointed pursuant to section 305, shall indefinitely maintain the confidentiality of medical, admissions, and academic records obtained during the course of Honor Council proceedings.

PART TWO: VIOLATIONS AND SANCTIONS

Section 201. Academic Misconduct Violations. It shall be a violation of the Code for a student to commit any of the following acts or omissions. Academic misconduct for purposes of this section includes both the curricular and extracurricular, regardless of whether academic credit is awarded.

(a) **Cheating.**

- (1) To give or secure any information about an examination or other academic assignment except as authorized by the course professor.
- (2) To use, if prohibited by the course professor, any book, papers, notes, other person's work, or other materials for an examination or other academic assignment.
- (3) To continue writing an examination answer after the permitted time has expired.

(4) To take, conceal, withhold, destroy, damage, abuse, or deface property without authorization when the act deprives another student of access to or use of the property for an academic purpose, or to otherwise impede the academic work of another student.

(5) To copy, consult, or use, for an academic purpose, the work of another student without the authorization of both that student and the course professor.

(b) **Plagiarism.** To take the written work of another and pass it off as one's own for an academic purpose. The following are examples of plagiarism, but not an exhaustive list of situations in which plagiarism can occur:

(1) To use someone else's words without unambiguous acknowledgment.

(2) To paraphrase someone else's words without unambiguous acknowledgment.

(3) To use someone else's ideas without unambiguous acknowledgment.

(c) **Misrepresentation.**

(1) To misrepresent a material fact with respect to academic performance or requirements.

(2) For an academic purpose and without authorization and appropriate disclosure, to represent the work of another as one's own or one's own work as the work of another, or to represent oneself as another, or to procure representation of another as oneself.

(3) To misrepresent attendance in class, either of one's self or of another.

(4) To misrepresent, including a failure to disclose, any material fact concerning qualification for admission to the Law School or any of its programs.

(d) **Tampering.** To tamper with any document, file, or datum pertaining to academic activity, including student records, journals, examinations, and papers, without authorization.

(e) **Unfair Academic Advantage Generally.**

(1) When not otherwise specified as a violation under the Code, to violate any Law School rule or professor's course policy with respect to academic performance or requirements, including through unauthorized collaboration, when the violation creates an unfair academic advantage or creates an unfair academic disadvantage for another.

(2) When not otherwise specified as a violation under the Code, to violate any rule of the Law School applicable to participation or membership in

an activity or organization, when the violation creates an unfair academic advantage or creates an unfair academic disadvantage for another.

(f) **Other Violations.**

(1) To create any material and substantial disruption of the Law School academic environment.

(2) To violate any rule of professional conduct of the state in which a student is enrolled in a clinical program conducted by the Law School.

(3) Recklessly or intentionally, to furnish false or misleading information, or to withhold material information, on any Law School or other government document, or on any document intended to secure employment, admission to an academic program, or similar competitive opportunity.

(4) To appear persistently in a Law School academic environment while noticeably under the influence of intoxicants or drugs not prescribed by a physician.

(5) To violate any policy, procedure, rule or regulation of the University or the Law School.

(g) **General Unfitness.** Any act which reflects adversely upon a student's fitness to practice law, or endangers the Law School community, including, but not limited to, acts involving violence, dishonesty, criminal conduct, breach of trust, or unprofessional conduct, or any act that interferes with the administration of justice or Law School policy.

(h) Cases relating to sexual misconduct, sexual assault, and sexual violence by students shall be processed under the University's Sexual Misconduct Policy and its applicable procedures.

Section 202. Code Enforcement Violations.

(a) To knowingly fail to report another student's violation of the Code.

(b) To knowingly make a false report of another student's violation of the Code, to knowingly make a false or materially incomplete report, or to give false or materially incomplete testimony in an investigation or proceeding under the Code.

(c) To falsify, destroy, or place beyond the reach of an officer acting under the Code any documents, testimony, or other evidence material to an investigation or other process under the Code.

(d) Without reasonable excuse, to fail to appear as a witness or to testify when called upon under the Code.

(e) To breach a duty of confidentiality under the Code.

Section 203. General Provisions Concerning Violations.

- (a) **Knowledge of Authorities.** Students are presumed to know the provisions of the Code, the policies and rules of Widener University and of the Law School, and the policies and rules of courses in which the students are enrolled.
- (b) **State of Mind.** To violate the Code, the accused must have acted with the state of mind specified in the violation. If no state of mind is specified, then intent, knowledge, or recklessness is required. Intent, knowledge, or recklessness may be inferred from the evidence.
- (c) **Recklessness defined.** “Recklessness” means conscious disregard of a substantial risk that the conduct might produce a result or that certain circumstances exist, as appropriate to the case.
- (d) **Attempt; Aiding and Abetting; Conspiracy.** It shall be a violation of the Code to attempt to commit any offense; to aid or abet in the commission of any offense; or to participate in a conspiracy to commit any offense.

Section 204. Sanctions.

- (a) **Available Sanctions.** Upon a finding of responsibility under the Code, one or more of the following sanctions may be imposed, subject to the other provisions of Section 204.
 - (1) Restriction of library, activity, or other Law School privileges.
 - (2) Disciplinary probation or warning.
 - (3) Downward disciplinary grade adjustment for an assignment or course.
 - (4) Denial of credit for a course.
 - (5) Involuntary withdrawal from a course.
 - (6) Dismissal from a Law School office or activity.
 - (7) Oral or written reprimand.
 - (8) Written reprimand that becomes a temporary or permanent part of the student’s academic file, to be included with any transcript.
 - (9) Compensatory damages or restitution to the Law School or other appropriate entity.

- (10) Suspension from the Law School.
- (11) Expulsion from the Law School.
- (12) Revocation of degree.

(b) **Imposition of Sanctions.**

- (1) A sanction may be imposed on a probationary or temporary basis.
- (2) In selecting a sanction, any relevant information may be considered, and the following factors shall be considered:
 - a. The nature and seriousness of the violation, including the degree of potential harm that the violation posed to the academic integrity of the Law School community.
 - b. The circumstances of the violation, including any aggravating or mitigating factors.
 - c. The need to uphold and promote respect for the Code and to deter future violation by the responsible student and others.
 - d. Whether the sanction will reconcile the responsible student with the Law School community.
 - e. Any comments of the responsible student relevant to sanction selection.
 - f. The state of mind of the responsible student.

PART THREE: PROCEDURES

Section 301. Honor Council. The Honor Council shall consist of six full-time Faculty members, four Law School students, and one administrator who acts as Honor Council Investigator. The chairperson and vice-chairperson of the Council must be tenured Faculty. Student members of the Council may be enrolled in the day- or evening-division, but they must be reasonably available to participate in a tribunal during both day and evening hours.

Section 302. Formation of Honor Council.

- (a) **Faculty Appointments.** The Dean or the Dean's designee shall select the Faculty members to serve on the Council, designating one as chairperson and one as vice chairperson. Initially, three Faculty members are selected for a one-year term and three (including the chairperson and vice chairperson) for a two-year term. Thereafter each Faculty member appointed to the Council will serve for a two-year term.

(b) **Student Appointments.** Each spring the SBA shall solicit applications from students desiring to serve on the Honor Council, and shall recommend six of those students to the Dean. The Dean or the Dean's designee shall select four students to serve a one-year term on the Council, beginning the following fall. If the SBA fails to recommend students, or recommends fewer than six students, the Dean or the Dean's designee shall select students from the eligible student body.

(c) **Appointment of Honor Council Investigator.** The Dean or the Dean's designee shall select an administrator to serve a one-year term on the Council as Honor Council Investigator. The administrator may be a Faculty member who works in the Office of Student Affairs or in another administrative capacity.

Section 303. Complaint.

(a) Any person may complain to the Registrar or the Office of Student Affairs that a student, the accused, has violated the Code. A complaint may not be lodged anonymously.

(b) The Registrar shall place the complaint and all other materials related to it in a special file marked with the name of the accused and a docket number.

(c) The Registrar shall maintain a docket stating the filing date and time of each complaint and all orders issued and actions taken by the Registrar and others regarding it. The docket, the case file and all reports and records maintained pursuant to this Code shall be maintained confidentially unless otherwise provided in this Code.

(d) The Office of Student Affairs shall review all complaints. If the allegations in the complaint would constitute a violation of the Code, or at least present a colorable case of a violation that may be proved upon further investigation, the Office of Student Affairs shall present a written explanation of the allegations and the identity of the reporting party or parties to the Honor Council Investigator.

(e) The Investigator shall investigate the merits of the complaint. If, after investigating the allegations of the complaint, the Investigator has reason to believe, in light of the complaint and any additional information collected, that the accused has violated the Code, the Investigator shall provide the Dean's Office with a report summarizing the charge and the evidence therefore.

Section 304. Emergency Suspensions.

(a) In extreme, dangerous or unusual circumstances the Dean or the Dean's designee may suspend the accused pending an investigation. An emergency suspension may be imposed when there is reason to believe that the accused has engaged and/or may engage in misconduct that may endanger the physical safety or mental welfare of the accused, students, faculty or employees of the Law School. Before such suspension takes place the Dean or the Dean's designee shall make reasonable efforts to interview the accused.

(b) An accused suspended under this section shall have the right to an expedited hearing before an Honor Council tribunal ideally to be held no later than ten class-days after the commencement of the suspension. During the period of suspension the accused shall not enter the Law School campus, except to meet with the Dean's designee for an informal conciliation pursuant to section 305.

(c) If an accused who has been suspended is subsequently held not responsible by an Honor Council tribunal, the Law School shall to the extent possible waive, and where that is not possible mitigate, any attendance or other collateral consequences of the suspension.

Section 305. Informal Conciliation.

(a) Upon receipt of the Investigator's report of reason to believe the accused has violated the Code, the Dean shall designate an administrator to conduct an informal conciliation with the accused. The Dean's designee ordinarily will be an Associate Dean not serving in the Office of Student Affairs. In extraordinary circumstances the Dean's designee may be any tenured Faculty member.

(b) No more than ten class-days after receiving a complaint, the Dean's designee shall notify the accused in writing of the complaint and of the provisions of the Code allegedly violated. The Dean's designee shall summon the accused to an informal conciliation, which should occur within five class-days of the accused receiving notice.

(c) The purpose of the informal conciliation shall be to ascertain the truth of the matter presented and to attain a just resolution of the matter consistent with the Code. The Dean's designee may conduct additional investigation in anticipation of the informal conciliation.

(d) Only the accused has a right to be present at the informal conciliation with the Dean's designee. Any other person may be present whose presence the Dean's designee determines would further the purpose of the informal conciliation.

(e) Procedures for the informal conciliation shall be at the discretion of the Dean's designee. Only the accused and the Dean's designee have a right to speak at the informal conciliation. The accused has no obligation to speak.

(f) No separate complaint of a Code violation may arise against the accused as a result of communication during the informal conciliation. However, a violation of section 202 forfeits this privilege, and a complaint may be lodged if predicated on an allegation of that violation.

(g) At the conclusion of the informal conciliation, the Dean's designee shall recommend a final disposition of the matter, including, if appropriate, a finding of the accused's responsibility and any appropriate sanction. The accused may agree with the finding of responsibility or with both the finding of responsibility and the sanction.

(h) If the accused and Dean's designee reach any agreement, the Dean's designee shall make a written record of the agreement, which the accused shall sign. If the accused and Dean's designee agree on both the finding of responsibility and the

sanction, then the Dean's designee shall arrange for the execution of the sanction and conclusion of the matter.

(i) The accused may void an agreement with the Dean's designee by delivering written notice within twenty-four hours of signing the agreement. If the accused and Dean's designee have agreed on both responsibility and sanction, the accused may void the entire agreement, but not one part of it.

(j) If the Dean's designee and the accused do not agree on the finding of responsibility or on the sanction, the Dean's designee shall promptly assemble an Honor Code Hearing in accordance with section 306.

Section 306. Honor Code Hearing.

(a) **Notice to the Hearing Council and to the accused.** Upon failure to reach an agreement with the accused during informal conciliation, the Dean's designee shall notify the Council and the Investigator. The Investigator shall forthwith provide a written report to the Council and the accused summarizing the allegations and the result of the investigation, including a list of those witnesses from whom the Council is likely to want to hear.

(b) **Hearing Tribunal.** The chairperson of the Council shall select two faculty members and two student members of the Council to participate with the chairperson in the hearing. This body constitutes the hearing tribunal. If the chairperson is unable to participate for any reason, the vice-chairperson shall take his or her place for all purposes described below. If neither can participate, or if there is an inadequate number of members of the Council to fulfill the other required roles, the Dean shall appoint replacements for purposes of the hearing. The chairperson of the hearing tribunal shall promptly set a hearing date and notify the accused of the hearing date as well as the identity of the members of the hearing tribunal.

(c) **Challenges.** After receipt of notice of the hearing, the accused may choose to challenge the composition of the hearing tribunal. The accused shall have one peremptory challenge for student members and one peremptory challenge for faculty members of the tribunal. The accused may also challenge any member of the hearing tribunal for cause. The accused must communicate to the chairperson of the tribunal in writing any challenge. The accused must deliver any challenge within three class-days after receipt of notice. If the challenge is not delivered within three class-days, it will be denied.

d) **Hearing Process.**

(1) The hearing is not an adversarial process, but is instead an inquisitorial proceeding in which formal rules of evidence are not applicable. The hearing tribunal decides what documentary evidence to request, what witnesses to call, and what questions to present to those witnesses. The chair has final authority over all evidentiary and scheduling matters, other than that each member of the

tribunal shall decide for him or herself what inference to draw from any failure to testify or present requested evidence.

(2) The accused shall have the right to have any one personal representative, including a family member, student, friend, or retained counsel, attend the hearing, but who may not participate in the hearing. However, no faculty member, either full- or part-time, may serve as this representative.

(3) The Investigator may request that the hearing tribunal call certain witnesses, request certain evidence, or ask certain questions, but the tribunal has discretion whether to make those inquiries. The Investigator attends the hearing, or portions thereof, at the discretion of the chair.

(4) The accused, personally shall have the following rights, and only these rights, at the hearing:

(a) The right to be present during all testimony. At the conclusion of the testimony of any witness, the right to request further questions.

(b) The right to request witnesses. The chairperson may require an offer of proof and decide to exclude the testimony of the witness in whole or in part if the proposed testimony is considered to be irrelevant, duplicative, or otherwise unnecessary to a fair disposition.

(c) At the conclusion of the receipt of all evidence and witness testimony, the right to request the receipt of additional evidence.

(d) The right to testify.

(e) The right to present a closing argument that may not exceed fifteen (15) minutes.

(f) The right to bring a stenographer to transcribe the proceedings at the accused's own expense.

(5) Hearings are closed, but must be recorded in some reliable fashion. They need not be transcribed.

(6) At the conclusion of the hearing, the tribunal shall deliberate in secret to determine responsibility. A majority of the tribunal must agree to any decision on the accused's responsibility. If the accused is found to be responsible, the chairperson of the tribunal shall promptly inform the accused in writing of the tribunal's decision and of the accused's right to submit to the tribunal in writing any relevant information and arguments as to the appropriate sanction. The accused must deliver to the chairperson any information or arguments as to sanction within seven days after receipt of the decision. The tribunal then shall deliberate in secret to recommend to the Dean an appropriate sanction. When a majority of the tribunal has agreed on a recommended sanction, the chairperson shall promptly notify the accused. The majority of the tribunal agreeing upon a recommended sanction need not be the same majority of the tribunal that agreed to the decision as to the accused's responsibility.

(7) If the chairperson of the tribunal is in the majority, he or she shall draft a brief report to the Dean communicating the tribunal's numerical vote as to responsibility, explaining the tribunal's relevant findings, and, if applicable,

communicating a recommended sanction agreed upon by a majority of hearing tribunal members. If the chair is in the minority, the most senior faculty member in the majority shall draft the report. Tribunal members may draft dissenting reports as to any recommended sanction, which the chairperson or ranking-majority member will pass on to the Dean, but members may not prepare any such report as to responsibility. The record of the hearing also shall be delivered to the Dean.

(8) When a hearing tribunal finds responsibility, the Dean shall determine and impose an appropriate sanction pursuant to section 204 of this Code, subject to the following provisions. In determining an appropriate sanction, the Dean may review the tribunal's report and the record of the hearing, as well as conduct any independent investigation. The Dean shall be guided by the sanction recommendation of the hearing tribunal, but may, in the Dean's sole discretion, impose a sanction of the same or greater or lesser severity. Nothing in this Code limits the Dean's ability to impose stronger sanctions than those recommended by the hearing tribunal or pursuant to the University's Policy on Protective Action.

(9) The Dean shall notify the accused in writing of the Dean's determination in the matter. The Dean shall return the record to the Registrar. The Dean also shall transmit to the Registrar a copy of the Dean's determination, which shall become part of the record. The Dean shall promptly arrange for the execution of any sanction upheld.

PART FOUR: MISCELLANEOUS

Section 401. Amendments.

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

Section 402. Ratification.

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

Section 403. Effective Date.

This Code will become effective on the first day of July, 2008, and was last amended on August 12, 2016.

Appendix

SUGGESTED FORM A: COMPLAINT

IN THE MATTER OF No.

COMPLAINT OF VIOLATION OF SECTION 201 OF CODE OF CONDUCT

1. [Insert name of complaining party], who is [Insert status of complaining party] makes the following complaint based upon first-hand knowledge.
2. [Insert the date, time and place of the violation, describe in detail the nature of the violation, and identify all persons known to have first-hand knowledge of the violation.]
3. Complaining party requests the Office of Student Affairs to investigate this violation, and to take such other action as may be required.

.....
(Signature)

.....
(Date)

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

IN THE MATTER OF **No.**

To: :
(name of respondent)

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

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

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

.....
(Trial Counsel)

.....
(Date)

AMERICAN BAR ASSOCIATION

STANDARD 510

Standard 510. STUDENT COMPLAINTS IMPLICATING COMPLIANCE WITH THE STANDARDS

- (a) A law school shall establish, publish, and comply with policies for addressing student complaints.
- (b) A law school shall maintain a record of student complaints submitted during the most recent accreditation period. The record shall include the resolution of the complaints.

Interpretation 510-1

A “complaint” is a communication in writing that seeks to bring to the attention of the law school a significant problem that directly implicates the school’s compliance with the Standards.

Interpretation 510-2

A law school’s policies on student complaints must address, at a minimum, procedures for filing and addressing complaints, appeal rights, if any, and timelines.

The Standard 510 Complaint Procedure is available on the Delaware Law School website:

<https://delawarelaw.widener.edu/files/resources/abastandardcompliancecomplaintpolicy.pdf>

WIDENER UNIVERSITY DELAWARE LAW SCHOOL
DELAWARE LAW SCHOOL FACULTY POLICY STATEMENT
ON THE CURRICULUM

Section 101. General.

The Law School faculty has approved a general studies curriculum for all students. This required core curriculum, effective for students matriculating June 2017 or later, consists of 54 to 62 hours of instruction in subjects which the faculty deems form a common core of understanding and shared experience, whatever specialty a graduate should follow after graduation. The Law School offers many courses in addition to the core curriculum. Every law student has an opportunity to choose a minimum of 28 elective credits. This policy statement is intended to serve as a guide to students in selecting courses. The Law School reserves the right to modify curriculum requirements and course offerings.

For students matriculating before or during Summer 2017 and thereafter, obtaining a JD degree requires a minimum of 90 credit hours of coursework. Students must take at least 12 credits that are experiential in nature. [Note: due to the cancellation of ITAP in 2020, students graduating in December of 2020 or May of 2021 need only take 9 credits to fulfill their experiential credit requirement.]

<u>Required Courses</u>	<u>Credits</u>
Applied Learning Lab	1 credit
Bar Exam Success: Fall & Spring	6 credits (students at or above a 3.0 GPA after the first two semesters can waive out of this course)
Civil Procedure I	4 credits
Civil Procedure II	2 credits
Constitutional Law I	2 credits
Constitutional Law II	4 credits
Contracts I	4 credits
Contracts II	4 credits
Criminal Law	3 credits
Criminal Procedure I	3 credits
Evidence	4 credits
Legal Methods I	3 credits
Legal Methods II	2.5 credits
Legal Methods III	2 credits
Legal Problem Solving	2 credits (for students with GPA below 2.7 after their first two semesters)
Professional Responsibility	3 credits
Property I	4 credits
Property II	2.5 credits
Torts I	4 credits
Torts II	2 credits
<u>Electives</u>	<u>28 credits</u>
Total Credits	90 credits

*****FOR STUDENTS MATRICULATING BEFORE SUMMER 2017 PLEASE REFER TO THE RELEVANT STUDENT HANDBOOK***

Section 201. Required Courses for students matriculating during or after Summer 2017.

- (1) **Completion of First Year Courses.** Each regular division student must complete in their first year of law school Property I & II, Torts I & II, Legal Methods I & II, Applied Learning Lab, Contracts I, Criminal Law, Civil Procedure I, and Constitutional Law I.
- (3) Each regular division student must also complete the following required courses: Constitutional Law II, Evidence, Civil Procedure II, Contracts II, Professional Responsibility, Legal Problem Solving (for students with a GPA of below 2.7 after their first two semesters), Criminal Procedure I, and Legal Methods III. Students with below a 3.0 GPA after their first year of law school must also take Bar Exam Success: Substance & Skills (Fall and Spring) in their final two semesters.
- (4) Completion of First Year Courses: each extended division student must complete in their first year of law school Torts I & II, Property I & II, Legal Methods I & II, Applied Learning Lab, Criminal Law, and Constitutional Law I.
- (5) Each extended division student must also complete the following required courses: Constitutional Law II, Evidence, Civil Procedure I & II, Contracts I & II, Professional Responsibility, Legal Problem Solving, Criminal Procedure I, and Legal Methods III. Students with below a 3.0 GPA after their first year of law school must also take Bar Exam Success: Substance & Skills (Fall and Spring) in their final two semesters.
- (6) **Application to Transfer Students and Students Who Change Divisions.** The limitation imposed by paragraph (1) of this subsection does not apply to students who move from the extended division to the regular division at the end of the first year of legal studies, or to students who transfer from other ABA accredited law schools. The Office of Student Affairs, however, must approve the courses a transfer student will take before the student registers for a course.

Section 301. Experiential Credit Requirement. Students must satisfy the experiential credit requirement set forth in Section 201(e) of the Academic Code. As of Summer 2017, students must take at least 12 credits to fulfill their experiential credit requirement. Legal Methods II shall be considered an experiential course and count as two credits toward the required total experiential credits. [Note: Due to the cancellation of ITAP in 2020, students graduating in December of 2020 or May of 2021 need only take 9 credits to fulfill their experiential credit requirement.]

Section 302. Elective Course Prerequisites in General.

(a) **General Rule.** A student must satisfactorily complete all prerequisite courses for an elective course before the student may register for the elective course. A student may not take an elective course and a prerequisite course for that elective in the same academic semester or term.

(b) **Completion of First Year Courses.** A student must satisfactorily complete all first year required courses for the division in which the student is currently enrolled before registering for any elective course. This subsection shall not apply to those students who transfer from another ABA accredited law school or who have received the permission of the Office of Student Affairs.

PUBLIC INTEREST RESOURCE CENTER (PIRC)

The Law School's Public Interest Resource Center (PIRC) assists students in finding law-related public interest opportunities. Students engage in public interest programs both on and off campus during the school year, summer, and post-graduation at PIRC's numerous partnerships. Students in good academic standing are encouraged to participate in PIRC related programs once they have completed their challenging first semester of law school.

Public interest legal work enlightens students as to the real-world impact of the law and how they may improve and provide access to justice. It is also an excellent way to network, build a resume, diversify interests, and develop and enhance practical legal skills. Students benefit from a range of experiences, including engaging with clients and legal professionals, conducting legal research and writing, preparing for trial, and educating the community.

Students perform public service under the supervision of attorneys and Law School faculty working with various non-profit or government agencies, such as the Pardons Project, Youth Court, Wills for Heroes, a variety of legal aid offices, district attorney offices and public defender offices. Students also assist private law firms providing pro bono legal services. PIRC continues to expand the Law School's public service opportunities and welcomes all students, faculty, administration and the community to be a part of program development.

Pro bono legal service is not required for graduation. However, pro bono distinction is awarded at graduation to students who perform at least 50 hours of volunteer pro bono legal service beginning their second semester of law school. Students must be supervised by Law School faculty or a licensed attorney and may receive neither financial compensation nor academic credit for the hours submitted for distinction. The service hours must be recorded, verified by the student's supervisor, and submitted to PIRC for approval. Students are strongly encouraged to seek advance written approval from the PIRC Director confirming that their work qualifies for pro bono distinction. Approval instructions are provided on the PIRC webpage. Please reference ABA Model Rule 6.1, including the comments, for additional guidance on the definition of voluntary pro bono publico service.

Students are also recognized by the Law School and local bar associations with awards for exemplifying dedication to public service and pro bono throughout their law school careers.

Please visit the PIRC webpage for additional information on law-related public service and how to earn pro bono distinction. PIRC also works in conjunction with the Career Development Office to advise students who seek more permanent positions in public interest law.

PIRC Contact Information

PIRC Director: Catherine Zwolak Kilian, Esquire
Direct Line: (302) 477-2705
Office: 256-A (Main Law Building - Clinics Wing)
Email: czkilian@widener.edu

PIRC Offices: Rooms 254 and 250 (Main Law Building – Clinics Wing)

WIDENER UNIVERSITY
DELAWARE LAW SCHOOL
FACULTY POLICY STATEMENT
ON GRADING AND EXAMINATIONS

Section 101. Grade Normalization Policy.

- (a) The mean grade in each section of a first year required course for regular division students and the equivalent courses for extended division students must fall within the 2.300 to 2.750 range.
- (b) In each section of first year required courses for regular division students and the equivalent courses for extended division students at least 10% of the students must receive grades of B+ or above, and at least 10% of the students must receive grades of C- or below.
- (c) The mean grade in each section of upper level courses with an enrollment of more than 12 students must fall within the 2.600 to 3.400 range. The mean grade in each section of upper level courses with an enrollment of 12 or fewer students must fall in the 2.600 to 3.600 range.
- (d) Departures from the grading standards specified in paragraphs (a)-(c) above must be approved in writing by the ADAA. The Registrar must receive a copy of the ADAA's written approval before entering any grades that depart from these standards.
- (e) In calculating the mean grades in sections of all courses, and in satisfying the grade distribution requirements of subsection (b), the grades received by students enrolled in the Law School's Master of Laws (LL.M.) programs shall be excluded.
- (f) Students enrolled in the Law School's Master of Jurisprudence (M.J.) Programs shall be graded separately from student in the Juris Doctor (J.D.) and Master of Laws (LL.M.) Programs and M.J. and LL.M. grades shall not be subject to any grade distribution requirements.

Section 102. Faculty Recommendation.

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

Section 103. Effective Date.

The provisions of the Faculty Statement on Grading and Examinations are effective on February 15, 2018.

Library Services for Students

Delaware Law School Library, spring semester 2021

Unfortunately, because of the pandemic the Library will continue to be physically closed to students for the spring semester. We all hope that conditions will improve and allow the library to reopen when it is deemed safe to do so, but until then, please know we will continue to do our best to assist you. Please check our webpage for updates during the semester.

The Library's Print Collection is not physically accessible to you at this time. However, we can provide some limited pick-up service for items from our print collection. The procedure for this service is as follows:

Please submit requests for the books you want from the [library catalog](#), or you can email your request to law.libref@widener.edu. The books will be left for you at the Campus Safety office in Concord Hall on the Delaware Law School Campus. The telephone number is 302-477-2200.

PLEASE NOTE: You are required to wear a mask when picking up and returning books. You will receive an email when your book is ready for pickup. This will likely take 3 to 4 days from when you make your request. Please do not come to Campus to pick up your book(s) until you receive an email that the book(s) is ready. Books can be kept for 3 weeks. Please return all books to the Campus Safety office.

PLEASE NOTE: We cannot mail books. Books are available only via pickup on campus.

Study Room access is unfortunately not available while the library is physically closed. However, Widener University makes Microsoft Teams available to students (please access the task Microsoft Teams through myWidener) that allows students to message, call and video chat with other Widener students without time restrictions. Students can use Teams to set up virtual chat groups for Study groups. Teams also permits document sharing and real-time audio and video for your study group meetings.

Online Resources are available for you research and study needs.

All JD and graduate program students have access to *Thompson/Reuter's Westlaw Edge*, the comprehensive online research service that includes *TWEN* (the online course pages used by some of our faculty and student organizations). All JD and graduate program students also have access to the *Lexis* comprehensive online research service *Lexis +*. *Lexis +* also contains research training videos that can be helpful for learning how to do online legal research.

If you have any problems accessing these services, please email the reference desk:
law.libref@widener.edu

CALI: The Center for Computer Assisted Legal Instruction (*CALI*) hosts interactive lessons on a variety of legal topics that connect with law school classes. Your professor may assign you *CALI* Lessons, or you are welcome to explore the lessons on your own. Students will create their own username and password on CALI.org and will be asked to supply the Delaware Law School Authorization Code: WIDNDEstu238

Other valuable online research resources that you can access by using your Law School login (the same username and password you use to access your Widener email account include:

HeinOnline, Ebscohost and Jstor. Go to <http://delawarelaw.widener.edu/library> and follow the links for Research to access these databases. Or go directly to:

<https://delawarelaw.widener.edu/current-students/library/research/databases/>

Interlibrary Loan, normally ILL services include obtaining print material from books and journals from other law libraries. Unfortunately, due to the pandemic many law libraries have suspended their lending of books and most print materials. To inquire as to whether we can obtain something from another library please send your request to law.libref@widener.edu. Make sure you include as much bibliographic information as possible including author, title and if an article or book chapter the EXACT page numbers needed.

Photocopying, will not be available while the law library is physically closed.

Expert Research Assistance, We are always happy to help you with your research questions and needs. To contact a Reference Librarian, please email law.libref@widener.edu or leave us a voicemail message at 302-477-2114. We can also schedule zoom meetings for more in-depth assistance. We look forward to working with you!

Michael Slinger, Associate Dean, Director of the LIC and Professor of Law

WIDENER UNIVERSITY
POLICY PERTAINING TO THE CONFIDENTIALITY OF,
ACCESS TO, AND DISCLOSURE OF STUDENT RECORDS

Section One. Scope of Policy.

The Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment (“FERPA” or “Act”), was enacted to assure parents of students, and students themselves if they are over the age of eighteen or attending an institution of post-secondary education, access to the students’ education records and to protect such individuals’ rights to privacy by limiting the transferability and disclosure of their records without their consent. In accordance with the Act and the regulations promulgated thereunder, the instant Policy has been adopted.

This Policy applies to students presently enrolled in any school, college or division of Widener University (“University”) and to alumni, but not to applicants who have not been admitted to or attended the University. The rights contained in this Policy are afforded to such students as well to the parents of “Dependent Students” as such term is defined herein.

This Policy is intended to provide general guidance only, and any questions as to its applicability, operation or enforcement should be referred to the Senior Vice President for Administration and Finance of the University.

Section Two. Definitions.

For purposes of this Policy, the following definitions shall apply. Additional definitions are contained in the federal regulations promulgated under FERPA.

- (a) “Attendance” includes, but is not limited to –
 - (1) Attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and
 - (2) The period during which a person is working under a work-study program.
- (b) “Biometric Record” as used in the definition of personally identifiable information means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. Examples include fingerprints; retina and iris patterns; voiceprints; DNA sequence; facial characteristics; and handwriting.
- (c) “Dates of Attendance” means the period of time during which a student attends or attended the University. Examples of dates of attendance includes an academic year, a spring semester or a first quarter. The term does not include specific daily records of a student’s attendance at the University.

(d) “Dependent Student” shall have the meaning as defined in Section 152 of the Internal Revenue Code of 1954, as same may be amended from time to time. For purposes of this Policy, all undergraduate students will be considered as “dependent” unless the student specifically informs the Registrar’s Office that he/she considers himself/herself “independent.” All graduate students and Extended Learning students will be considered as “independent,” unless the student specifically informs the Registrar’s Office of the University, the Delaware Law School or the Commonwealth Law School, as applicable, that he/she is a “dependent.” Notwithstanding the foregoing, a student claimed as a dependent on a parent’s federal income tax return will in all cases be considered as a “dependent” student.

“Directory Information” means information contained in an Education Record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Directory Information includes, but is not limited to, the student’s name; home and campus address; telephone listing(s); electronic mail address; photograph; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.

Directory Information does not include a student’s –

- (i) Social Security Number; or
 - (ii) Student Identification (ID) number, except as provided in paragraph (3) of this section.
- (3) Directory Information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to Education Records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user. The University (and its vendors) may not use a social security number or other non-directory information, either alone or in combination with other data elements, to identify student records when disclosing or confirming directory information without written consent of the student.
- (4) Directory information also includes a student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to Education Records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

“Disciplinary Action or Proceeding” means the investigation, adjudication, or imposition of sanctions by the University with respect to an infraction or violation of the internal rules of conduct applicable to students of the University.

“Disclosure” means to permit access to or the release, transfer, or other communication of personally identifiable information contained in Education Records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

“Education Records” means those records, files, documents and other materials which contain information directly related to a student and which are maintained by the University or by a person acting for the University. The term “Education Records” does not include the following:

records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof, are used only as a personal memory aid, and which are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

records maintained by a law enforcement unit of the University that were created by that law enforcement unit for the purpose of law enforcement;

in the case of persons who are employed by the University but who are not in attendance at the University, records made and maintained in the normal course of business which relate exclusively to such person in that person’s capacity as an employee and are not available for use for any other purpose;

records on a student who is eighteen years of age or older, or is attending the University, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student’s choice;

records created or received by the University after an individual is no longer a student in attendance and that are not directly related to the individual’s attendance as a student; or

grades on peer-graded papers before they are collected and recorded by a teacher.

“Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

“Personally Identifiable Information” includes, but is not limited to –

- (1) the student’s name;
- (2) the name of the student's parent or other family members;
- (3) the address of the student or student’s family;
- (4) a personal identifier, such as the student’s social security number, student number, or biometric record;
- (5) other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name;
- (6) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
- (7) information requested by a person who the University reasonably believes knows the identity of the student to whom the Education Record relates.

(k) “Record” means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm and microfiche.

Section Three. Permitted Disclosures.

(a) Except for certain exceptions stated in the Act, no one shall have access to Education Records without the written consent of the student concerned. However, the student concerned may authorize in writing the disclosure of Education Records to specified individuals or to a class of organizations or persons for the purpose of employment, graduate study, or fellowships or for other purposes specified by the student. A valid written consent under the Act must be in writing, signed by the student and dated and shall specify the Education Records to be released, the reasons for such release and the party or the class of parties to whom the disclosure may be made. The student may also request a copy of the Education Records to be released. The exceptions to the consent requirement include the following, without limitation:

- (1) University officials with legitimate educational interests. A University official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including, without limitation, law enforcement unit personnel, health staff, athletic coaches and trainers and admissions counselors and recruiters); a person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, contractor, consultant, volunteer or collection agent); a person serving on the Board of Trustees; or a student

- serving on an official committee, such as a disciplinary or grievance committee, or assisting another University official in performing his or her tasks. A University official has a legitimate educational interest if the official needs to review an Education Record in order to fulfill his or her professional responsibilities for the University;
- under certain specific conditions, officials of other schools, school systems, or institutions of higher education where the student seeks or intends to enroll, or where the student is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- under certain specific conditions, authorized representatives of the Controller General of the United States, the Attorney General of the United States, the United States Secretary of Education or state educational authorities in connection with the audit and evaluation of Federally-supported education programs or in connection with the enforcement of Federal legal requirements which relate to such programs;
- under certain specific conditions, authorized representatives of the United States Attorney General for law enforcement purposes;
- persons processing financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for or the amount of the aid, the conditions for the aid or to enforce the terms and conditions of the aid;
- under certain specific circumstances, state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute if the allowed reporting or disclosure concerns the juvenile justice system and the system's ability to effectively serve the students whose records are to be released;
- organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, subject to certain conditions;
- accrediting organizations in order to carry out their accrediting functions;
- parents of a Dependent Student, as defined in this Policy;
- if the University determines that there is an articulable and significant threat to the health or safety of a student or other individuals, but only to those persons whose knowledge of the information is necessary to protect the health or safety of the student or other individuals. In these circumstances, a record must be kept of the threat and the parties to whom the information was disclosed;

under certain specific circumstances, to an entity or persons designated in a judicial order or lawfully issued subpoena, or pursuant to certain ex parte court orders obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of certain offenses or an act of domestic or international terrorism;

the disclosure is information the University has designated as “Directory Information”; provided, however, that any student may withhold disclosure of any or all of such Directory Information by notification in writing to the Registrar’s Office of the University, the Delaware Law School or the Commonwealth Law School, as applicable;

the disclosure is to the student;

the disclosure is to a victim of an alleged perpetrator of any crime of violence (as that term is defined in Section 16 of Title 18 of the United States Code) or a nonforcible sex offense of the final results of any Disciplinary Proceeding conducted by the University against the alleged perpetrator of such crime or offense with respect to such crime or offense. The University may disclose the final results of the Disciplinary Proceeding to the victim regardless of whether the University concluded a violation was committed. Nothing in this section shall be construed to prohibit the University from disclosing to individuals or entities other than the victim the final results of any such Disciplinary Proceeding if the University determines as a result of such Disciplinary Proceeding that: (i) the student is an alleged perpetrator of a crime of violence or nonforcible sex offense; and (ii) with respect to the allegations made against him or her, the student has committed a violation of the University’s rules or policies. For purposes of this section, the final results of any Disciplinary Proceeding: (i) shall include only the name of the student, the violation committed and any sanction imposed by the University on that student; and (ii) may include the name of any other student, such as a victim or witness, only with the written consent of that other student;

the disclosure relates to appropriate information in the Education Records of any student concerning disciplinary action taken against such student for conduct that posed a significant risk to the safety or well-being of that student, other students or other members of the University community, and the disclosure is made to faculty, administration, or other University officials, or faculty, administration or officials of other schools or institutions of postsecondary education, who have legitimate educational interests in the behavior of the student;

the disclosure is to the parent of a student and relates to information regarding any violation by a student of any Federal, state or local law, or of any rule or policy of the University, governing the use or possession of

alcohol or a controlled substance, regardless of whether that information is contained in the student's Education Records if: (i) the student is under the age of 21 at the time of the disclosure to the parent; and (ii) the University determines that the student has committed a disciplinary violation with respect to such use or possession; provided, however, that no provision of applicable state law prohibits the University from making such disclosure;

the disclosure concerns sex offenders and other individuals required to register under applicable law and the information was provided to the University under applicable law and guidelines; or

when the University is returning records to the apparent creator (e.g., of a transcript or letter) to verify authenticity.

Whenever a student's Education Records or information from such records is disclosed to any organization, agency or individual, and it is required by applicable law, a transmittal letter shall inform the recipient that such records or information are not to be disclosed to any other party without the prior written consent of the student.

Each University office which maintains Education Records shall keep with the records of each student a form which lists, with the exceptions stated below, all individuals, agencies or organizations which have requested or obtained access to such student's Education Records. This form shall also include the legitimate interest the requestor had, if any, in making the request. This requirement does not apply to disclosures to University officials described in Section 3(a)(1) hereof, to the student or his or her parent, to parties to whom disclosure has been specifically approved by the student, to disclosures of Directory Information, or to a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the information furnished in response thereto not be disclosed or an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecution of certain offenses or an act of domestic or international terrorism. Where it is required by applicable law, personal information shall only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the student.

Section Four. Student's Rights to Access.

(a) General.

(1) The types of Education Records maintained by the University include academic records (transcripts, advising records, and letters of evaluation) and other personal records, such as work-study and financial records, and records of Disciplinary Proceedings. The offices in which such records are maintained include the Provost's Office, the Deans' offices of the various schools/colleges of the University, offices of faculty advisors and department/division heads, the Registrars' Offices, Counseling Center, Placement Offices, the Offices of the Deans of

Students and the subordinate sections, Admissions, Financial Aid, Special Programs and the Business Offices.

With certain exceptions set forth in this Policy or in the Act, the Education Records of a particular student shall be open for inspection by that student.

The following types of information shall not be released to students:

financial records of the parents of the student or any information contained therein;

confidential letters and statements of recommendation, which were placed in the Education Records prior to January 1, 1975, if such letters or statements are not used for purposes other than those for which they were specifically intended; and

if the student has signed a waiver of the student's right of access in accordance with subsection (4) below, confidential recommendations -

respecting admission to any educational agency or institution;

respecting an application for employment, and

respecting the receipt of an honor or honorary recognition.

A student or person applying for admission may waive his right of access to confidential statements described in clause (iii) of subsection (3) above, except that such waiver shall apply to recommendations only if (i) the student is, upon request, notified of the names of all persons making confidential recommendations and (ii) such recommendations are used solely for the purpose for which they were specifically intended.

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

If any material or demand in the Education Records of a student includes information on more than one student, the student (or the parent of a Dependent Student) shall have the right to inspect and review only such part of such material or document as relates to such student or to be informed of the specific information contained in such part of such material.

Procedures for Access to Records.

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

After the designated person has removed from the student's file all information which may not be disclosed under this Policy or the Act, the records shall be made available to the student or parent on the specified date, after the student or parent again displays proper identification, for inspection and review under supervision of the designated person. If a student or parent requests a copy of one or more of such records, the requested copies, with limited exceptions, shall be transmitted to the student or parent upon payment of a fee. Unless otherwise specifically stated, the fee for such copies shall be Twenty-Five cents (\$.25) per page. The University may deny the request for a copy of records for legitimate cause, provided that such denial and the circumstances do not effectively prevent the student from exercising the right to inspect and review the records. In order to have this right, the circumstances surrounding the possible denial of a copy of records must be described. **In no event will the records of another institution which a student attended be released to any person including a student or his/her parent.**

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

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

If no agreement is reached through informal discussions, the student may submit in writing to the Dean of the School or College in which the student has matriculated, a rebuttal and/or request for a hearing,

specifying the record or records alleged to be inaccurate, misleading or otherwise inappropriate. If the Dean's review of the hearing request and file also does not result in an agreement, the Dean shall appoint as hearing officer a University official with no direct interest in the outcome of the hearing. Unless the student or parent withdraws his request or requests a delay, the hearing shall be held within forty-five (45) days after receipt of the student's or parent's request, and the hearing officer shall provide the student or parent notice of the date, time and place of the hearing reasonably in advance of the hearing. At the hearing, the student or parent shall be given an opportunity to present evidence in support of the challenge and the student or parent may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney. The impartial official conducting the hearing shall render his/her decision in writing within thirty (30) days after the hearing, which decision must include a summary of the evidence and the reasons for the decision. If the decision denies the challenge, the student or parent may have inserted in the student's records a written explanation concerning the allegedly inappropriate contents.

Section Five. Miscellaneous Policy Items.

(a) This Policy and a copy of the Act and regulations promulgated thereunder shall be made available at registration headquarters during regular registration periods. In addition, copies of this Policy may be found in the offices of the Deans of Students and the offices of the Deans of the various schools and colleges of the University.

An annual notification of rights under the Act shall be given to students in attendance at the University. This notification shall typically be contained in the student handbooks.

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

Nothing in this Policy may be construed to prohibit the University from disclosing information concerning registered sex offenders.

This Policy became effective as of the commencement of the 2009-2010 academic year and was last revised in April, 2019. This Policy may be amended, supplemented or revoked by the University at any time.

WIDENER UNIVERSITY
ANNUAL NOTICE TO STUDENTS
REGARDING EDUCATION RECORDS

The Family Educational Rights and Privacy Act (“FERPA”) affords eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) These rights include:

1. The right to inspect and review the student’s education records within 45 days after the day the University receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student’s education records that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and the student’s right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the University discloses personally identifiable information (“PII”) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

The University discloses education records without a student’s prior written consent under the FERPA exception for disclosure to University officials with legitimate educational interests. A University official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including, without limitation, law enforcement unit personnel, health staff, athletic coaches and trainers, and admissions counselors and recruiters); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A University official also may include a volunteer or contractor outside of the University who performs an institutional service or function for which the University would otherwise use its own employees and who is under the direct control of the University with respect to the use and maintenance of PII from education records, such as an attorney, auditor, contractor, consultant, or collection agent, or a student volunteering to assist another University official in performing his or her tasks. A University official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the University.

Upon request, the University also discloses education records without consent to officials of another school in which a student seeks or intends to enroll. Such education records may include updated or corrected information, including, without limitation, disciplinary and health records.

4. The right to file a complaint with the U.S Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

5. The right to withhold public disclosure of any or all items of “directory information” by written notification to the Registrar’s Office of the University, the Delaware Law School or the Commonwealth Law School, as applicable, within two (2) weeks after the commencement of the fall or spring semesters of any given academic year. Under current University policy, the term “directory information” includes, without limitation, a student’s name, home and campus address, telephone listing(s), electronic mail address, photograph, major field of study, grade level, enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors, and awards received, and the most recent educational agency or institution attended.

Widener University

Tobacco-Free Enforcement Policy For Faculty, Staff, Students, Visitors, Contractors, and Guests

Purpose

Widener University is dedicated to providing and promoting a healthy and productive environment for its faculty, staff, students, visitors, contractors and guests. The Tobacco-Free Policy adopted by the university in May of 2009 is consistent with that goal. By endorsing this policy, Widener University demonstrates its commitment to eliminating environmental tobacco smoke (ETS) exposure, promoting best healthcare practices and choices for individuals, and establishing a university culture of wellness.

This policy applies to all university faculty, staff, students, visitors, contractors and guests at all times. Tobacco use includes any lighted tobacco product and/or any oral tobacco product. The use of all tobacco products is prohibited within the boundaries of each of the university's four campuses [see Appendix A]. The prohibited areas within each of the campuses boundaries include all buildings, facilities, indoor and outdoor spaces and grounds owned, rented and licensed by the university. This policy also applies to parking lots, walkways, sidewalks, sports venues, university vehicles and private vehicles parked or operated on university property.

Enforcement

All members of the Widener community are asked to respectfully remind faculty, staff, students, visitors, contractors and guests who are smoking or chewing tobacco on university property about the university's Tobacco-Free Policy. Small information cards will be available for distribution to tobacco users by any member of the Widener community. The cards will indicate that Widener University is a Tobacco-Free university; they will be available to faculty, staff, students, visitors, contractors and guests. There will be guidance for assistance including the Widener tobacco-free website address.

Campus Safety staff will also be responsible for reminding any faculty, staff, student, visitor, contractor or guest who is using tobacco on university property about the university's tobacco-free policy and for providing them with a copy of the Tobacco-Free information card. Campus Safety staff may ask to see identification for faculty, staff, students, visitors, contractors and guests and complete an incident report for anyone who is found violating the university's policy. The original incident reports will be directed to the Campus Safety Office. Incident reports will be reviewed and copies of reports for students will be sent to the appropriate Student Affairs Office for processing through the student disciplinary process. Copies of reports for all employees for all campuses will be sent to the Human Resources Office in Chester for processing through the employee disciplinary process. The Human Resources Office will send a copy of the incident report to the employee's supervisor.

There will be four levels of offenses, with a requirement for each offense that a cited student or employee attend an educational program or seek assistance for cessation, in addition to the noted penalties as follows:

1st Offense – Warning

2nd Offense – \$25.00 Fine

3rd Offense – \$50.00 Fine

4th Offense – up to dismissal or termination of employment/enrollment, based on the respective disciplinary code

Campus Safety staff will give a copy of the Tobacco-Free information card to visitors using tobacco on university property and ask them to extinguish cigarettes, cigars or pipes or dispose of smokeless tobacco products. If a visitor refuses to comply with this request, Campus Safety staff may ask the visitor to leave campus (as is currently done when visitors violate the university's alcohol and drug policy).

Assistance

Educational and cessation assistance programs will be offered to students, faculty and staff throughout the 2010/11 academic year to help them quit using tobacco products. Any money collected from the noted fines will support the wellness education program.

Widener University
Tobacco-Free Enforcement Policy
For Faculty, Staff, Students, Visitors Contractors and Guests

Appendix A - Campus Tobacco-Free Boundaries

Chester Campus – The boundaries are generally described as I-95 to the south, the west side of Melrose Avenue to the east, the south side of 18th Street to the north and the east side of Providence Avenue to the west. Other facilities included in the tobacco-free boundaries include the Maintenance complex on 12th Street, the Spang parking lot at Melrose Avenue and 14th Street, the entire Athletic Complex, including 17th Street, the sidewalk along 17th Street and the softball field in Ridley Township, the Child Development Center at Walnut and 18th Streets, Balin Hall at Providence Avenue and 22nd Street, the Access Center at Providence Avenue and 21st Street, the parking lot on the west side of Providence Avenue between 16th and 17th Streets, the Development Office on 15th Street, the Bell property in Upland and all of the university owned properties along Melrose Avenue and throughout Sun Hill.

Wilmington Campus – The boundaries are generally described as Concord Pike to the west, the moat between the shopping center and the campus to the south, the country club to the east and the maintenance complex, rugby field, the townhouses and adjacent parking lots to the north. We ask that you be respectful of the private property owners that are within the general campus boundaries.

Harrisburg Campus – The boundaries are generally described as all of the property bounded by Thea Drive to the south, both sides of Vartan Way going north, including the parking lot, buildings, basketball/tennis courts and the surrounding land. Also included in the tobacco-free boundaries is the Maintenance complex on Progress Avenue.

Exton Campus – The boundaries are generally described as the walkways, parking lot and driveways surrounding 825 Springdale Drive.

WIDENER UNIVERSITY

CHILDREN ON CAMPUS AND WORKING WITH CHILDREN POLICY

- A. PURPOSE:** The purpose of this Policy is to ensure the fulfillment of the University’s moral obligation to protect children as vulnerable members of society and the University’s obligation to its students, staff and visitors to conduct its operations and maintain its facilities in a manner consistent with its mission as an institution of higher education.
- B. SCOPE:** This Policy applies to activities and programs taking place on any University campus, or under the authority and direction of the University at other locations in which Minors will be physically present and participating. This Policy shall not apply to research programs subject to the review and approval of the University’s Institutional Review Board. All camps involving Minors, whether athletic, academic, recreational or otherwise, are subject to this Policy.
- C. DEFINITIONS:** The following definitions apply to this Policy:
1. “Minor” means any person under the age of 18, including, without limitation, those persons referred to in this policy as “children”; provided, however, that it shall exclude any person who is at least the age of 17 who is enrolled as an undergraduate student of the University and high school students who are at least the age of fourteen who are participating in dual enrollment, scholarship, youth collaborative or similar programs.
 2. “Authorized Adult” means a parent, legal guardian or adult who has complied with the requirements to be present with Minors under this Policy and who is responsible for escorting or supervising the Minor(s) while on campus or while participating in any activities identified in this Policy.
- D. REQUIREMENTS OF POLICY GOVERNING PRESENCE OF MINORS ON CAMPUS:**
1. General Rule: As a general rule, because the University’s work is higher education, University campuses are not appropriate environments for children unless they are enrolled in a program specifically designed for children and appropriately supervised by adults with the proper training and credentials. The University manages its campuses primarily for adults, and does not have the capacity to provide safe places for children who are not enrolled in a specific program. As such, parents and guardians who find it necessary to bring a Minor onto campus must adhere strictly to the following rules:
 - (a) No Minor may be left alone on campus at any time for any reason; the University will call the police if any child is found locked or alone in a car or wandering alone around the campus;
 - (b) Minors may not accompany University students to class, unless approved in advance as part of a University sanctioned program;
 - (c) Personnel may not bring Minors to work unless the University has specifically designated a time and place for staff children to be present;
 - (d) Resident students may not “babysit” children in their rooms; in addition, resident students may not have guests in their rooms who are Minors.

- (e) The University understands that child care emergencies happen. However, the University does not provide emergency child care on campus. We advise students, faculty and staff who have child care emergencies to choose to remain at home rather than trying to bring the child to class, work or other events on campus. We ask supervisors and faculty members to be lenient in excusing absences that result from child care emergencies.

If, despite this policy statement, a student brings a child to class or an employee brings a child to work, the faculty member or supervisor may act at his or her discretion in handling the immediate situation, but in all cases, should remind the student or employee of this Policy. In all cases involving students, the faculty member should inform the respective dean of the situation so that appropriate follow-up communications can occur in a timely way.

- 2. Requirements Governing Presence of Minors on Campus: In order to ensure that the essential functioning of the University is not impaired, and recognizing the occasional presence of minors on campus, it is necessary to establish certain requirements governing the presence of Minors on the University's campuses.

These requirements are as follows:

- (a) All Minors:

- (i) All Minors not registered for classes who are otherwise participating in a University program or a program taking place on University property must be supervised by an Authorized Adult(s) at all times while they are participating in that program.
- (ii) All supervised Minors participating in a University program or a program taking place on University property are permitted in the general use facilities (Athletic Fields, Public Spaces, Academic Buildings, Dining Areas, etc.) but may be restricted from certain areas of the facilities or from utilizing certain equipment.
- (iii) Minors accompanied by an Authorized Adult are permitted at events and venues open to the public. However, the University reserves the right to determine, in its sole discretion, whether selected events or venues are appropriate for unescorted or unsupervised Minors, such as recruiting events.

- (b) Pre-High School Age Children:

- (i) All pre-high school age children on University campuses must be escorted or supervised at all times by an Authorized Adult. It is the responsibility of the parents, legal guardians or other Authorized Adult to make appropriate off-campus arrangements if these children cannot be accompanied at all times while on campus.
- (ii) Pre-high school age children, not participating in University sponsored programs or a program taking place on University property, are prohibited from laboratories and other areas where significant potential risks may exist

and where strict safety precautions are required. In addition, unsupervised or unescorted pre-high school age children are prohibited from entering areas that include, but are not limited to, storage rooms, equipment rooms and certain athletic facilities such as locker rooms, training rooms, courts, swimming pools and playing fields.

(c) High School Age Children:

- (i) High school age children not participating in University programs or programs taking place on University property may utilize University facilities such as the Library and the University bookstore as long as they meet behavioral standards expected of enrolled students. When using these facilities, all high school age Minors must be accompanied by an Authorized Adult. High school age children not meeting University community conduct standards for University students will be asked to leave the campus.
- (ii) High school age students are not allowed in classrooms while classrooms are in session unless permission is granted by the faculty member having authorized access to the classroom. Should a high school age student become disruptive, the University student and visitor may be asked to leave.

E. IMPLEMENTING THIS POLICY:

1. Program Registration: Departmental units shall, through an appropriate supervisor or department head, prior to the beginning of the University's fiscal year for ongoing programs and activities and at least sixty days prior to the first scheduled date of participation by Minors, inform the Associate Vice President for Compliance and Risk Management of the details of the program or activity provided by the Department of Human Resources by completing the Working with Minors Activity Form.

Any requests for clarification as to whether a particular program or activity is subject to this Policy, or a request for a waiver to this Policy, should also be sent to the Senior Vice President for Administration and Finance and the Associate Vice President for Compliance and Risk Management and shall include, at a minimum, the University employee in charge of the program or activity; the dates and locations where Minors will be participating; the general nature of the activities and program to be undertaken or offered; the names of all adults who will be participating directly with Minors in the program or activity; and the administrative requirements associated with the program or activity, including but not limited to waivers and permission slips to be obtained from the parent/guardians of participating Minors and medical emergency forms.

Background checks and clearances: Successful background clearances will be required of each adult prior to his or her direct participation with Minors in a program or activity covered by this Policy and at least once every five (5) years thereafter. Background checks are not required of University employees whose direct contact with Minors, in the course of their employment, is limited to: (a) prospective students visiting the University's campus; or (b) matriculated students who are enrolled at the University. While not specifically defined as "Minors" for purposes of supervision and oversight pursuant to this Policy, background checks are required of all employees, volunteers,

contract workers, vendors and third party groups who have direct contact with anyone under the age of eighteen (18) participating in dual enrollment, scholarship, youth collaborative or similar programs. Background checks and child abuse clearances may be conducted by the University, or by an outside contractor at the request of the Associate Vice President for Compliance and Risk Management, though certain background requests may be accessed directly by the applicant. Background check and clearance request forms and information will be available from the Associate Vice President for Compliance and Risk Management. Background clearances are not required in connection with events at which parents or guardians are present with their respective Minors. Additional information regarding the University's policies and procedures with respect to background checks is set forth on Exhibit "A" attached hereto and incorporated herein by reference.

It is the responsibility of the person in charge of the program or activity to assure that each participating adult has submitted the required background check and clearance request forms and has subsequently received clearance to participate. The Associate Vice President for Compliance and Risk Management will maintain a roster of individuals who have been cleared to participate and the dates on which new background clearances will be required.

The background checks will be limited to criminal offenses, including, but not limited to, child abuse, for which an individual has been convicted, plead guilty to a felony or misdemeanor, or where such charges are currently pending.

A decision not to permit an individual to participate in a program or activity covered by this Policy based on the results of a background check will be made by the Associate Vice President for Compliance and Risk Management after consultation with the Senior Vice President for Administration and Finance or others as needed. The results of background checks conducted under this Policy will be used only for the purposes of this Policy, except that the University reserves the right to take appropriate action with respect to employees who may have falsified or failed to disclose information material to their employment or employment applications uncovered as a result of the background check, including and up to immediate termination of employment. Copies of background check reports and any clearances or certifications shall be retained in the Department of Human Resources.

3. Training: Each adult who will be participating with Minors in a covered program or activity shall attend annual mandatory training on the conduct requirements of this Policy, on protecting Minors from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct (including, but not limited to, appropriate law enforcement authorities). The Senior Vice President for Administration and Finance or his/her designee may enhance and/or modify the required training program to meet specific needs of the particular program or activity involved, but any such enhanced or modified program must include all the elements described in this section. In addition, the Senior Vice President for Administration and Finance or his/her designee shall arrange for sufficiently frequent training sessions to permit covered programs and activities to continue to function on a regularly scheduled basis.

4. Conduct Requirements: Adults participating in programs and activities covered by this Policy shall not:
 - (a) Have one-on-one contact with Minors; in general, it is expected that activities where Minors are present will involve two or more adult participants.
 - (b) Participate in a sleepover under the auspices of the program or activity, unless (1) one of the Minor's parents or legal guardians is present or (2) one of the Minor's parents or legal guardians has given written consent and there is at least one other adult present.
 - (c) Engage in abusive conduct of any kind toward, or in the presence of, a Minor.
 - (d) Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any Minor.
 - (e) Pick up Minors or drop off Minors from their homes, other than the driver's child or children or friend of the driver's child or children, in the adult's personal vehicle, whether before, during, or after the program or activity.
 - (f) Engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during such programs or activities.
 - (g) Make pornography in any form available to Minors participating in programs and activities covered by this Policy or assist them in any way in gaining access to pornography.

5. Allegation of Inappropriate Conduct: Adults participating in programs and activities covered by this Policy shall:
 - (a) Immediately report any violation of the Conduct Requirements of this Policy to the person in charge of the program or activity and to the Senior Vice President for Administration and Finance and the Director of Campus Safety, and shall contact law enforcement and emergency responders as may be appropriate under the circumstances.
 - (b) Assure the safety of Minors participating in programs and activities covered by this Policy, irrespective of any other limitation or requirement, including removal of Minors from dangerous or potentially dangerous situations. In such case, the Director of the Campus Safety must be notified immediately. Discontinue any further participation in programs and activities covered by this Policy when an allegation of inappropriate conduct has been made against him or her, until such allegation has been satisfactorily resolved.

6. CHILD ABUSE: IN ANY AND ALL CASES OF SUSPECTED CHILD ABUSE, REFER TO THE UNIVERSITY'S POLICIES ON CHILD ABUSE REPORTING FOR ADDITIONAL REPORTING OBLIGATIONS.

- F. RETALIATION: The University prohibits retaliation against any individual who, in good faith, reports a violation of this Policy or who participates in any investigation or disciplinary action arising from a report of a violation of this Policy. Individuals found to have participated in retaliatory action, either personally or through any agent or representative, in contravention

of this Policy shall be subject to disciplinary action, up to and including termination of employment or expulsion.

- G. **EFFECTIVE DATE AND AMENDMENT:** This Policy was originally adopted on August 1, 2012, and was last revised on November 1, 2015. This Policy may be amended at any time by the President of the University.

EXHIBIT "A"
WIDENER UNIVERSITY
BACKGROUND CHECK AND CLEARANCE REQUIREMENTS

- A. **PURPOSE:** As mandated by the Widener University Children on Campus and Working with Children Policy ("Policy"), the University requires criminal background checks and child abuse clearances for all employees, volunteers, contract workers, vendors and third (3rd) party groups who work directly with minors, as defined herein.
- B. **SCOPE:** All programs and/or departments that engage in activities that involve working directly with Minors are covered under the Policy and this Exhibit. Background checks are not required of University employees whose direct contact with Minors, in the course of their employment, is limited to: (a) prospective students visiting the University's campus; or (b) matriculated students who are enrolled at the University. While not specifically defined as "Minors" for purposes of supervision and oversight pursuant to this Policy, background checks are required of all employees, volunteers, contract workers, vendors and third party groups who have direct contact with anyone under the age of eighteen (18) participating in dual enrollment, scholarship, youth collaborative or similar programs. As such, at least sixty (60) days prior to the start of any activity and/or program involving minors, the Department Head must complete a Working with Minors Activity Form (Exhibit "B" to the Policy) and return it to the Associate Vice President of Administration. (These forms are available in the Office of Human Resources and can be conveyed electronically upon request.)
- C. **DEFINITIONS:** The following definitions apply:
1. "Direct contact with minors" includes, without limitation, the possibility of care, supervision, guidance or control over children.
- D. **REQUIRED BACKGROUND CHECKS AND CLEARANCES:**
1. **Pennsylvania State Criminal History Record Check (Form SP4-164):** All those who work directly with minors are required to submit to a Pennsylvania criminal background check, regardless of their state of residence. The University will perform this background check, at its own expense, for all University students, employees and volunteers who will have direct contact with minors. All others must submit to this background check and provide a copy of the results to the University's Associate Vice President for Compliance and Risk Management before commencing any activities in which direct contact with minors is involved.
 - a. The Pennsylvania Criminal History Record Check (Form SP4-164) may be obtained in the Office of Human Resources or completed online at <https://epatch.state.pa.us/Home.jsp>. The cost for the background check is \$10.00, which can be paid via credit card. The online search results are generally instant. In the alternative, individuals may submit to the background check by sending \$10.00, via certified check or money order, payable to the Commonwealth of Pennsylvania, and mailed along with a completed Form SP4-164 to Pennsylvania State Police Central Repository-164, 1800 Elmerton Avenue, Harrisburg, PA 17110-9758. Note: It may take up to four (4) weeks for results to be received.

Pennsylvania Child Abuse History Clearance (CY113): All those who work directly with minors are required to submit to a Pennsylvania Child Abuse History Clearance, regardless of their state of residence. The University will bear the expense of this clearance for all University students, employees and volunteers who will have direct contact with minors. All others must submit to this clearance and provide a copy of the results to the University's Associate Vice President for Compliance and Risk Management before commencing any activities in which direct contact with minors is involved.

- a. The Pennsylvania Child Abuse History Clearance Form (CY113) may be obtained online at the Pennsylvania Department of Public Welfare website http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/form/s_001762.pdf or from the University's Associate Vice President for Compliance and Risk Management.
 - b. This clearance may also be requested online at <https://www.compass.state.pa.us/cwis>. Individuals must submit the CY113, along with a money order payment of \$10.00, to Childline and Abuse Registry, Department of Public Welfare, PO Box 8170, Harrisburg, PA 17105-8170. **A copy of a processed Request for Criminal Record (Form SP4-164) must be attached to this application.** Out of state residents must attach a copy of their FBI Clearance Form (FD-258) in order to process this clearance.
2. FBI Background Check: All those who work directly with minors are required to submit to an FBI Background Check. Applicants can apply online at <https://www.pa.cogentid.com/index-dpw.htm>. Applicants must next go to a fingerprint site and have two (2) sets of fingerprints taken. A listing of fingerprint locations is available at <https://www.pa.cogentid.com>. Once completed, applicants must mail completed fingerprint cards, a copy of the completed registration and money order to: 3M Cogent, Attn: Fingerprint Card Scan, PA DHS, 5025 Bradenton Avenue, Suite A, Dublin, OH 43017.
3. Certified Delaware Criminal History: All individuals who will have direct contact with minors on the University's Delaware campus must obtain and submit to the University's Associate Vice President for Compliance and Risk Management a certified Delaware Criminal History Report. Information on how to obtain such a report is available at <http://dsp.delaware.gov/SBIinfo>. The cost to obtain a Delaware Criminal History Report is \$45.00 and individuals must physically submit to fingerprinting at a state approved site, set forth on the official Delaware state website.

Residents of Other States: In addition to the background checks set forth herein, individuals who reside outside of either Pennsylvania or Delaware, and who will have direct contact with minors, must obtain and submit to the University's Associate Vice President for Compliance and Risk Management a certified criminal background check from their individual state of residence.

Widener University

Working with Minors Policy

University Programs and Activities

Department Name: _____

Department Head Name: _____

Office Extension: _____ Email Address: _____

Description of Activity/Program:

Dates of Activity/Program:

How will the Minors Participate in the Activity:

Who Will be Supervising or Accompanying the Minors while Participating in the Activity:

Signatures: Department Head: _____

Sr. Vice President/Dean: _____

Please send the completed and signed form to the attention of Suzanne Driscoll-Beckett, Assistant Director of Human Resources, Talent Acquisition, Office of Human Resources *at least thirty days prior to* the first scheduled date of participation by Minors.

CAREER DEVELOPMENT OFFICE

Discrimination in Recruitment Practices

Policy and Procedures

The Career Development Office of Widener University Delaware Law School is committed to helping students and graduates find employment which fulfills their personal and professional goals. The Office offers a wide variety of services to the student and graduate body, such as individual counseling, workshops and programs, job fairs, and job listings. Employers list job openings throughout the year and participate in Spring and Fall on-campus interviewing.

Employers who utilize the services of the Career Development Office to recruit law clerks or attorneys are informed of our non-discrimination policy. The Career Development Office is guided by the non-discrimination principles of the University, the National Association for Law Placement, and the Association of American Law Schools, and so informs employers using the Office's services. Because of our strong commitment to the principles of non-discrimination, the school's Career Development facilities and resources are not available to employers whose employment practices are not consistent with principles of non-discrimination.

In practice, non-discrimination policies require employers to use valid, job-related criteria when evaluating candidates. Hiring decisions must be based solely on bona fide occupational qualifications. Criteria such as age, marital status, ethnicity, gender or sexual orientation may be illegal considerations, and questions relating to such factors should generally not be a part of the interviewing and hiring process. While the vast majority of employers are sensitive to this issue and diligently strive to attract a diverse, well-qualified body of employees, from time to time we are distressed to learn that employers ask questions which may be illegal or which may violate school policy.

At Widener University Delaware Law School, we take these incidents seriously. Students, graduates, or those using the Career Development Office through reciprocity, who believe they have been subject to discriminatory hiring practices, either on- or off-campus, may report the incident to any administrator in the Career Development Office. You may choose to file a formal complaint. The following procedures have been put in place to handle such allegations:

Discrimination in Recruitment Practices Complaint Procedures

1. Students, alumni, or those using the Career Development Office [hereinafter "Office"] through reciprocity, may make an oral or written complaint to any administrator in the Office regarding possible discriminatory hiring practices by an employer using the services of the Office. The complainant must outline the circumstances and reasons for the complaint, including the date of the occurrence, name and address of the employer, name of the interviewer involved, and the interviewer's statements or conduct that are in question. The administrator receiving the complaint shall inform the Assistant Dean for Career Development.

2. The complainant has the option of remaining anonymous with the employer. The Assistant Dean shall inform the complainant, however, that remaining anonymous may hinder the ability to investigate or otherwise handle the complaint.
3. Upon receipt of a written complaint, the Assistant Dean shall report the incident to the Dean of the Law School. The Assistant Dean shall then investigate the complaint by interviewing the complaining party and, if appropriate, other parties who interviewed with the employer.
4. If the conduct complained of appears to the Assistant Dean to establish a violation of the School's nondiscrimination policy, the Assistant Dean shall inform the employer of the complaint. The Assistant Dean shall seek the employer's response to the complaint.
5. The Assistant Dean shall inform the Dean of the Law School when the investigation is completed and describe the positions of the parties. The Assistant Dean shall also recommend a course of action, including the imposition of sanctions where appropriate, which must be approved by the Dean of the Law School prior to implementation.
6. If any sanctions are to be imposed, the Assistant Dean shall be responsible for imposing them, unless otherwise advised by the Dean of the Law School.
7. The Assistant Dean shall keep the complainant informed of all relevant developments with regard to the complaint, such as the employer's response to the inquiry and the sanctions to be imposed, if any. The complainant should also be informed that if the complainant is interested in pursuing remedies outside those provided for in the above policy, they should contact legal counsel.

**FOR FURTHER INFORMATION REGARDING THESE POLICIES AND PROCEDURES,
PLEASE CONSULT THE CAREER DEVELOPMENT OFFICE.**

COMPUTING AND INFORMATION TECHNOLOGY

Computing resources are managed by the Office of Information Technology Services (ITS). The main offices are located on the Chester campus on the second floor of Academic Center North (ACN). Teaching and Learning Technologies (TLT) is located in the Wolfgram Memorial Library on the lower level. The Delaware campus office is located in the Main Law building on the first floor. The Harrisburg campus office is located in the library building on the second floor. For information about ITS, including hours, services, student discounts, employment opportunities, and more, visit widener.edu/ITS.

Students are issued an email account, a university loginID, and a password. These credentials are used to access email, Wi-Fi, computers around campus including general and instructional labs, and other online resources. All official university correspondence will be sent to students' university issued email account.

In addition, ITS maintains and supports Internet access and general-purpose computing labs on all campuses. On the Chester campus, ITS maintains computer classrooms and provides support for classrooms equipped with multimedia equipment.

Student technical support is available at the ITS Office on the first floor of the main law building on the Delaware Campus. Services include basic hardware/software support, virus/malware remediation, and problems connecting to the university's network. Operating hours are from 8:30a.m. until 4:30p.m Monday through Friday.

ITS support is also available through our partnership with an external support center to offer technical support to members of Widener University 24 hours a day, 7 days a week. Students can submit a service request by going to quickticket.widener.edu. Students can always reach a support specialist by calling the ITS HelpDesk at 302-477-2221.

FINANCIAL INFORMATION

Billing/Student Account Statement Information

Complete information on tuition billing, due dates, payment and payment plan options, direct deposit of refunds, and withdrawal policies can be found in the Law School Tuition and Fees Payment Guide at <http://Widener.edu/BursarOffice>.

You will be able to view a copy of your student account and your online activity through *myWidener* and the “My Online Student Account” function. If you have a monthly balance due, you will also be able to view the balance through your e-bill. Each time we upload an e-bill, you will receive an email notification to your Widener assigned email address. All electronic statements will be sent to any authorized users that have been set up by the student.

How to Pay

To pay ON-LINE with a credit card (Visa, MasterCard, American Express, Discover) or via Direct Debit from a checking or savings account:

Step #1	Log on to your Widener account through <i>myWidener</i>
Step #2	Enter “payment” in the search bar
Step #3	Click on “My Online Student Account”
Step #4	Enter your Widener Student ID and PIN Number
Step #5	Follow the step by step instructions to log into your online student account

Parents and other payers authorized by a student can directly access the Widener Student Billing and Account website at: www.widener.edu/ebill.

There is no charge for using electronic-check (e-check) from a personal checking or savings account as a payment method. Credit card payments will be charged a 2.85% service fee.

Important Note about Credit Card Payments/Refund Policy

Payments made toward student tuition accounts using a credit card will be charged a 2.85% service fee by our credit card vendor TouchNet/Paypath. The service fee is non-refundable, even if the student account payment is refunded. Authorization of a credit card payment to a student account signifies acceptance of these terms.

If you would like to mail your payment (checks only):

Make your check payable to Widener University and write your student identification number on the check. The cancelled check will serve as your receipt. Please enclose payment and mail to:

Widener University
Delaware Law School Office of the Bursar
4601 Concord Pike
Wilmington, DE 19803-0406

If you need to wire tuition payments to Widener University, email your request to the University Bursar at busoffmc@widener.edu including student name and Widener ID in the body of the email.

University Payment Plans

Payment plans are designed to assist students in managing the “gap” or balance remaining after all charges and financial aid have been applied to the student account. Widener University assesses charges by semester; the statement of account will reflect charges for the current semester tuition, fees, and housing. Your financial aid award letter also breaks up your annual award by semester and applies financial aid to your student account by semester. Widener payment plans are designed to assist in covering each semester balance.

Widener University offers two (2) semester based payment plans:

3 Month Summer Semester Payment Plan Enrollment Fee: \$50 (Non-refundable)

The 3 month semester payment plan is available for the summer semester. This plan distributes the total semester estimated net charges across 3 months with payments due:

Summer Semester – May, June, and July

4 Month Fall / 4 Month Spring Semester Payment Plans Enrollment Fee: \$50 per semester (Non-refundable)

The 4 month semester payment plan is available for both the fall and spring semesters. This plan distributes the total semester estimated net charges across 4 months with payments due:

Fall Semester – August, September, October, and November

Spring Semester – January, February, March, and April

If you have any questions regarding payment plans or payment options contact the Office of the Bursar at DelawareLawBursar@widener.edu or call 302-477-2181.

How To Enroll In A Widener University Payment Plan

Step #1	Log on to your Widener account through <i>myWidener</i>
Step #2	Enter “payment” in the search bar
Step #3	Click on “My Online Student Account”
Step #4	Enter your Widener Student ID and PIN Number
Step #5	Follow the step by step instructions to log into your online student account

To access your online student account, you will need your Widener student ID and PIN number. If you do not have your Widener student ID or PIN number, just log onto *myWidener* and enter “PIN” in the search bar. Click on What’s My ID and PIN.

Parents and other payers authorized by a student can directly access the Widener Student Billing and Account website at: www.widener.edu/ebill.

If you have any questions regarding payment plans or payment options contact the Office of the Bursar at DelawareLawBursar@widener.edu call 302-477-2181.

Late Payment Fees

The late payment fee of \$125 (Non-refundable) is assessed to all student accounts each semester that is not financially cleared as of the payment due date section on the bill.

Late payment fees will be assessed regardless of the source of payment. It is the student's responsibility to ensure that all payments have been received, payment plan enrollment has been completed, financial aid paperwork has been completed or third party authorizations have been received by the published due dates.

A \$25 (Non-refundable) late fee will be assessed to payment plan accounts for each payment that is past due.

Insufficient Fund Fees

A fee of \$25 (Non-refundable) will be assessed for insufficient funds; which include invalid account numbers and stop payments, from any check or ACH payment that is returned.

Receiving Your Excess Financial Aid

The Office of the Bursar, in partnership with the Financial Aid Office, disburses financial aid to student accounts daily. All financial aid is applied to your outstanding charges on your student account. If you have more financial aid than charges, you may be entitled to have these funds remitted to you. Financial aid refunds are available through direct deposit or paper check option. Paper checks will automatically be mailed to the address in Widener's Administrative system.

Step #1	Log on to your Widener account through <i>myWidener</i>
Step #2	Enter "Bank Information" in the search bar
Step #3	Click on "Bank Info for Refund"
Step #4	Fill out bank numbers/check agree/click submit

To sign up for Direct Deposit, which is our preferred method of delivery, the electronic form is available through *myWidener*. Financial aid refunds are available through ACH or paper check option. Paper checks will automatically be mailed to the address in the system.

University Complete Withdrawal Policy

Adjustments to charges for complete withdrawal will be effective on the date written notice is received by the appropriate program office of Widener University. At that point the total withdrawal policy and refunding of semester charges is enacted. Students have a drop/add period at the start of each semester to adjust their schedule of courses. Once drop/add ends, semester course schedules are set and there is no refund issued when a student does a course withdrawal (a "W" is noted on the student transcript) from one or more courses throughout the semester unless the student is withdrawing from all courses in the semester.

FINANCIAL AID INFORMATION

Tuition and Fees

Tuition is charged on a per credit basis depending on your program. Tuition and fees are set annually by the University. Please follow this link to the University's Tuition Rate and Payment Guide: <http://Widener.edu/BursarOffice>.

Types of Aid

Federal Direct Loans

Federal Direct Unsubsidized Loan - Graduate students may borrow up to \$20,500 per year from this program. The aggregate for this program (including undergraduate debt) is \$138,500 of which no more than \$65,000 can be from the subsidized* loan program. The Department of Education calculates a fixed interest rate on an annual basis and that interest rate will apply for the life of the loan. The interest rate calculation is based on the 10 year Treasury Note sold at the last auction prior to June 1 plus 3.60 percent. Interest for the 2020-2021 academic year is fixed at 4.30% and accrues from the day the loan is disbursed. Repayment begins six months after the student graduates or ceases at least half-time enrollment. Students may elect to make interest payments while in school, or have the unpaid interest capitalized once they enter repayment.

**The Budget Control Act of 2011 eliminated the Federal Direct Subsidized Loans for Graduate and Professional students for periods of enrollment beginning on or after July 1, 2012.*

Federal Direct GradPLUS Loan- Widener University Delaware Law recommends that students needing additional funding after borrowing the maximum Federal Unsubsidized Loan apply for a Federal GradPLUS Loan.

The GradPLUS Loan does require a credit check. *The credit check is based on credit history, not credit score. Lack of a credit history does not negatively affect your ability to be approved.* Students not able to borrow on the strength of their own credit history will be offered an *endorser* option. A student may generally borrow up to their cost of attendance minus all other aid received. The U.S. Department of Education calculates a fixed interest rate on an annual basis and that interest rate will apply for the life of the loan. The interest rate calculation is based on the 10 year Treasury Note sold at the last auction prior to June 1 plus 4.60 percent. The interest rate for the 2019-2020 academic year is fixed at 8.300%.

Students may elect to make interest payments on the GradPLUS loan while in school, or have the unpaid interest capitalized. Repayment on the loan begins 60 days from disbursement. However, an in-school deferment will automatically be applied as long as a student remains enrolled at least half-time. A post half-time enrollment deferment will allow repayment to begin six months from graduation or when a student drops below half time status.

Campus-Based Programs

Federal Work Study - FWS is need-based as determined by information submitted on the Free Application for Federal Student Aid (FAFSA) and reserved for the neediest students. Widener University receives a yearly allocation from the Federal government to fund the program. To be

considered for this program, returning students must complete the FAFSA, indicate on the FAFSA that they are interested in Work Study and submit the Delaware Law Financial Aid Data Form to the Financial Aid Office by the priority filing deadline, generally April 2st.

Grants

Delaware State Grant - This grant is available to Delaware residents only. Eligibility is determined by the Delaware Higher Education Commission. Awards are based on need and cumulative grade point average. The Free Application for Federal Student Aid (FAFSA) must be received by the Central Processing Center by April 15th to be considered.

Scholarships

Incoming students are reviewed for merit-based scholarships upon their admission to the Law School and the award is renewable for the duration of their career provided the required GPA is maintained. The Financial Aid Office reviews first year students after their first year for merit based scholarships if funds are available and the Widener Scholars loan program funding that are applied to the fall semester of their second year and remainder of their career at Widener University Delaware Law School provided they maintain the required cumulative GPA and conditions set forth in their award letter.

Merit-Based Scholarships are reviewed for retention once spring grades are released. Students must maintain the required cumulative GPA to have their scholarships renewed for the next academic year. Scholarship awards are based on a student's division at the time of the award. Changes in division may result in a change in scholarship amount and will be reviewed on a case by case basis. A regular division student may change to an extended division student in their last semester without change in scholarship amount provided the amount of the scholarship is less than the cost of the semester. A change in division to FLEX will result in the loss of scholarship.

*Students who apply to the Office of Student Affairs for an exception to the Delaware Faculty Policy Section 201(c) Completion of First Year Courses should be aware that they will not be considered for the first year rising awards as the awards are made based on a cohort of students that begin their JD program together and complete the required first year course load.

Endowed scholarships are listed on the Delaware Law website online with applications due in the spring. There are also various foundations, bar associations and organizations which provide assistance to qualified students.

We maintain an outside scholarship database(pdf).

Follow these steps to access the file:

1. Go to <http://delawarelaw.widener.edu/>
2. Select Prospective Students
3. Select Financing Your Education
4. Select Types of Aid
5. Select Scholarships
6. Select Outside Scholarships

Veterans Education Benefits

The Registrar Office is the office that certifies enrollment to the Department of Veterans Affairs. Please provide a copy of your certificate of eligibility to have your enrollment reported. Widener does participate in the Yellow Ribbon Program.

The Yellow Ribbon Program

The Yellow Ribbon Program, part of the Post-9/11 GI Bill, is a voluntary program that allows universities to fund additional tuition expenses exceeding the amount of the core benefit provided by the Post-9/11 GI Bill, which is determined based on the highest public in-state undergraduate tuition rate. Institutions participating in the Yellow Ribbon Program can contribute up to 50% of the expenses that exceed the base benefit, and the Department of Veterans Affairs then matches the amount provided by the institution.

Delaware Law will fund an unlimited number of JD students with an unlimited contribution per student, not to exceed the cost of tuition.

Students must provide a copy of your Certificate of Eligibility approved for the Post-9/11 GI Bill at the rate of 100% with at least 5 months of eligibility remaining.

Students participating in the Yellow Ribbon program will pay nothing out of pocket towards their tuition for the fall and spring semesters. Summer expenses will be determined by how much of the maximum award was used during the fall and spring. After the base award, the Law School and VA will split the balance of the tuition due. The contribution will be paid by grant or scholarship with any previously awarded scholarship funds constituting the school's Yellow Ribbon contribution to that student.

Veterans Benefits and Transition Act of 2018

A student who anticipates receiving educational assistance under chapter 31, Vocational Rehabilitation and Employment, or chapter 33, Post-9/11 GI Bill benefits is provided with the opportunity to enroll in and attend classes, without any late fee being imposed, even if the student's anticipated educational assistance from the VA Educational Benefits has not yet arrived at the University. In addition, a student will be able to utilize all University student services, including the library.

This policy is in place for students who have provided to Widener University a certificate of eligibility for entitlement (this may include a Statement of Benefits obtained from the Department of Veterans Affairs' (VA) website e-Benefits, or a VAF 28-1905 form for chapter 31 authorization purposes for the upcoming term.

The policy may cease once the VA has made payment to the University OR 90 days after the University has received the certificate of eligibility and certified tuition and fees.

For Chapter 31 and Chapter 33 Educational Benefit recipients, Widener University requires students to complete a form and possibly provide additional information to the VA Certifying Official so their certification of enrollment is accurate.

The Financial Aid Application Process

To apply for any form of financial aid administered by the Law School, students should follow the checklist below:

☑ **Free Application for Federal Student Aid (FAFSA):** Submit the FAFSA online at <https://studentaid.gov>. You will be prompted to create a FSA User ID if you have not already done so. You will use your 2018 Federal Tax Information to complete your FAFSA. We recommend that you utilize the IRS Data Retrieval Tool as this will greatly speed up the process and help to eliminate input errors. The results of the processed FAFSA will be sent to the student and school electronically, provided our school code is indicated. **Our school code is B04724.** If Widener University School of Law-DE is not listed on your FAFSA, please go online to add our code.

☑ **Widener University Delaware Law School Financial Aid Data Form (complete and submit online at <https://delawarelaw.widener.edu/dataform>)**
Students should indicate on the form the amount of funding they would like to receive from the Federal Direct Subsidized/Unsubsidized Loan Program. Incoming students should return the form as soon as possible. Returning students have a priority filing **deadline of April 2, 2020** to receive consideration for Federal Work-Study funding. Alternatively, the Data Form can be downloaded from <https://delawarelaw.widener.edu/faforms>.

☑ **Federal Direct Loan Applications** – The FAFSA is not a loan application, but is used to determine eligibility for Federal Student Aid (FSA) programs. Therefore, all incoming students and returning students borrowing for the first time in 2020-21 must complete a Federal Direct Subsidized/Unsubsidized Master Promissory Note (MPN) online at <https://studentaid.gov>. When completing the MPN you'll notice that you do not need to enter a requested loan amount. The Direct Loan MPN is a serial note that is valid for ten years and the borrower authorizes the school annually to increase the aggregate limit. Returning students that borrowed a Federal Direct Subsidized/Unsubsidized Loan in 2019-20 should complete the requested loan amount box on the Financial Aid Data Form authorizing Delaware Law to certify a loan.

☑ **Federal Direct GradPLUS Loan Applications** – (<https://studentaid.gov>)
Students can log onto <https://studentloans.gov> after May 2, 2020 and select “Apply for a Direct PLUS Loan”, “Graduate”, to complete the Federal Direct GradPLUS Loan application. Students borrowing this loan for the first time will also need to complete a Federal Direct GradPLUS Master Promissory Note (MPN). To do this you must select “Complete GradPLUS MPN (Master Promissory Note)” from the list located on the home page. Returning students should not need to complete a new MPN as long as they were approved for this loan based on their own credit. However, if you needed an endorser to sign for this loan, you will need to complete a new MPN each time that you request a new Federal Direct GradPLUS loan.

Note: Verification Paperwork

Some students are selected for a process called verification. These students will be contacted to complete additional information. If selected, please provide the information in a timely manner.

Financial Aid Packaging Policy

After receiving the required information, student files are reviewed in accordance with Delaware Law's packaging policy. Delaware Law School's packaging policy requires that the expected student contribution (EFC) be subtracted from the total cost of attendance (COA) to determine financial need. Students must also maintain satisfactory academic progress as stated in the student handbook to be considered for aid. The Satisfactory Academic Progress Standards, definitions and appeal instructions are also available at <http://www.widener.edu/lawfinaid> .

Delaware Law's packaging policy requires that the first level of need be met by any institutional or outside scholarships. The second source of funding will be the Federal Direct Loan program. If there is any remaining need, then eligibility for Federal Work-Study is determined, provided the priority filing deadline for returning students has been met. After the Financial Aid Office has made a determination of eligibility, students are notified of their awards. This award may be pending if all required forms have not been completed accurately by the student.

Loans will be certified by the Financial Aid Office to the Department of Education. Once a loan has been accepted by the Department of Education and a signed MPN is on file, funds will be disbursed. Disbursement of federal loans may not occur until seven days prior to the start of the semester.

Widener University Delaware Law School recommends that students needing additional funding after borrowing the maximum Federal Unsubsidized Loan apply for a Federal GradPLUS Loan.

Useful Websites

These sites offer links to numerous financial aid and scholarship web pages. Any credible scholarship or grant will not require a down payment to guarantee the award. Be wary of organizations that charge a fee to conduct a scholarship search on your behalf.

<https://studentloans.gov> Direct Loan Stafford and Graduate PLUS MPN completion website

<https://fafsa.gov> Free Application for Federal Student Aid

<https://studentaid.gov> Department of Education

<https://www.annualcreditreport.com> Centralized Service to Request Free Annual Credit Reports

<https://www.accesslex.org/maxonline> – Personal Financial Program for Law Students

<http://nasfaa.org> National Association of Student Financial Aid Administrators

<https://www.fastweb.com/> Scholarship Search Engine

<https://www.princetonreview.com/> Princeton Review Information

www.finaid.org The Smart Student Guide to Financial Aid

<https://www.collegeboard.org/> College Board Scholarship Search

FOR MORE INFORMATION OR ASSISTANCE

Financial Aid Office
Widener University Delaware Law School
4601 Concord Pike
Wilmington, DE 19803-0406
t: 302-477-2272
f: 302-477-2034

DelawareLawFinAid@widener.edu

Policy on Protective Action

The university reserves the right and authority at all times to take protective action with respect to a student when, in the sole discretion of the university, the university believes that a student may pose a threat to the health, safety, or welfare of the student, other identified individuals, or the university community; or that a student may be endangered by his or her continuing presence on campus.

Protective actions may include removal of a student from campus, campus residence, or any campus facility, limitation of access to campus housing facilities or other campus facilities, restriction of communication or contact with any individual or group, the requirement to secure advance authorization to engage in a specified activity or any other action deemed appropriate by the university. The university may take protective action whenever it determines, based upon information or evidence in its possession, that circumstances warrant such action. Widener may consult with any university or outside professionals or law enforcement agencies in making its determination. This power shall apply regardless of whether disciplinary proceedings have been or are intended to be initiated against any student or whether any student has been charged with any crime. The university also reserves the right to search any vehicle on university property or any real property owned or controlled by the university whenever the university has any suspicion of prohibited conduct.

Whenever feasible, a representative or representatives of the university will meet with the student prior to implementing protective action. In the event that the university makes any such determination of protective action, the university shall notify the student, and where deemed advisable, the parents or guardians of the student, of the action taken and the period of time within which the student must comply, which may be immediately. In the event the student does not comply voluntarily, the university may notify the local police department to effectuate the protective action. The university shall also notify the student, either contemporaneously with the notice of protective action or thereafter, of the timing and the conditions pursuant to which the protective action may be discontinued. Within five days after notification to the student of the protective action, the student and parent or guardian may request an opportunity to meet with the dean of student affairs, the associate provost, and/or his or her designee.

The university may also, in its sole discretion, at any time, notify the student that such student's circumstances shall be processed in accordance with the interim sanction provisions of the Student Code of Conduct or any other provisions of any applicable Code of Conduct or other university policy, rule, or regulation. This policy is intended to be interpreted broadly so as to afford to the university any right or power it reasonably believes is necessary to protect the health, safety, or welfare of any member of the university community or others.

Weapons Policy

The possession and/or use of offensive weapons of any kind are strictly prohibited on all university campuses. Offensive weapons include, without limitation, firearms of any kind, guns, pellet guns, B.B. guns, paintball guns, dart guns, ammunition, bows and arrows, darts, chemicals, flammable materials, items that constitute a fire hazard, fireworks, explosives, any instrument that can hurl a projectile, sling shots, brass knuckles, knives, hunting knives, switchblades, and any other cutting instrument as determined within the sole discretion of the university, except those whose sole purpose is related to the preparation or consumption of food. In addition, items that are not generally considered as weapons but could be used or viewed as a weapon are prohibited. All offensive weapons and similar items will be confiscated immediately. Students violating this policy will be severely sanctioned, up to and including expulsion. The university will report such violations to the authorities if warranted. Pepper spray and mace are considered to be offensive weapons; however, possession of these items and the like for self-defense purposes is permitted.

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