

Widener University   
Delaware Law School

**GRADUATE PROGRAMS**

**(SJD and LLM)**

**STUDENT HANDBOOK**

**ACADEMIC YEAR 2017-2018**

## **RESERVATION OF RIGHTS STATEMENT**

It is the policy of Widener University not to discriminate on the basis of sex, gender, pregnancy status, age, race, national origin or ethnicity, religion, disability, status as a veteran of the Vietnam era or other covered veteran, sexual orientation, gender identity, marital status or genetic information in its educational programs, admissions policies, employment practices, financial aid, or other school-administered programs or activities. This policy is enforced under various federal and state laws, including Title VII of the Civil Rights Act of 1964 as amended by the Civil Rights Act of 1991, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act and the Americans with Disabilities Act. Further, in compliance with state and federal laws, Widener University will provide the following information upon request to the Senior Vice President, Administration & Finance, Widener University, One University Place, Chester, PA 19013, (610) 499-4151: (a) copies of documents pertinent to the University's accreditations, approvals, or licensing by external agencies or governmental bodies; (b) reports on crime statistics and information on safety policies and procedures; and (c) information regarding gender equity relative to intercollegiate athletic programs. Comments or requests for information regarding services and resources for disabled students should be directed to: Director of Disability Services, Widener University, One University Place, Chester, PA 19013, (610) 499-1270, or Office of Student Affairs, Delaware Campus of Widener University, P.O. Box 7474, Wilmington, DE 19803, (302) 477-2142.

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.

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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 Title IX Coordinator is Grace Karmioli, Assistant Director, Employee Relations, One University Place, Chester, PA 19013, Tel. 610-499-1301, Email: gckarmioli@widener.edu. The University has also appointed several Deputy Title IX Coordinators. Students on the Chester, Pennsylvania campus and Continuing Studies students with Title IX issues are encouraged to contact Catherine Bermudez, Assistant Dean for Residence Life, Deputy Title IX Coordinator for Students on the Chester, Pennsylvania campus and Continuing Studies Students, One University Place, Chester, PA 19013, Tel: 610-499-4392, Email: cabermudez@widener.edu or Larissa Gillespie, Senior Women's Athletic Administrator and Assistant Director of Athletics, Deputy Title IX Coordinator for Athletics, One University Place, Chester, PA 19013, Tel: (610)-499-4434, Email: lagillespie@widener.edu. Students at Delaware Law School with Title IX issues are encouraged to contact Susan Goldberg, Associate Dean for Student Services, Deputy Title IX Coordinator for the Delaware Law School, 4601 Concord Pike, Wilmington, DE 19803, Tel: (302)-477-2173, Email: slgoldberg@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 OCR can be found at: [www.ed.gov/about/offices/list/ocr/index.html](http://www.ed.gov/about/offices/list/ocr/index.html).

Questions about Title IX may be directed to OCR as well as to the University's Title IX Coordinator or Deputy Coordinators. 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 and Delaware Law School.

## **PHOTO NOTIFICATION**

Delaware Law School reserves the right to photograph and videotape students, faculty, staff, guests and visitors while on university property and university-sponsored functions off our campuses. These images, video, and audio may be used on the Widener University Delaware Law School website and associated sites such as Flickr and Facebook, and for promotional purposes, including use in the university magazines, newsletters, press releases, booklets, brochures and other publications.

## **MISSION**

Delaware Law School offers students a vibrant and dynamic environment from which to enter the legal profession. We encourage students to be lifelong learners who are actively engaged in the development of the law. Widener University Delaware Law School gives students a strong foundation in the fundamental theories and principles of law, and then provides opportunities for students to concentrate in specialty areas and to hone their legal and writing skills through individualized, hands-on experience in the classroom, in clinics, in externships, and through public service. Widener University Delaware Law School fosters and encourages creative and innovative faculty scholarship that contributes to the improvement of the law. We promote service to the legal community and the public by our faculty, students and staff for the betterment of the communities we serve.

## **VISION**

Delaware Law School is invested in the success of those we serve. We are unified in our commitment to provide excellent and personalized guidance and service to all students, alumni and the greater legal community. We achieve this commitment through collective expertise, integrity, and professionalism.

**DELAWARE LAW SCHOOL  
SJD & LLM PROGRAMS  
STUDENT HANDBOOK**

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# DELAWARE LAW SCHOOL STUDENT HANDBOOK AND ACADEMIC CODE

## ACADEMIC CODE. DEFINITIONS AND EFFECTIVE DATE

### Definitions.

The following definitions apply to this Academic Code:

(a) **Academic Year.** The academic year begins July 1 and runs through June 30. Each academic year begins with the summer term, which is followed by the fall and spring semesters.

(b) **Doctor of Juridical Science (SJD).** This program is designed for those wishing to demonstrate scholarly achievement in the field of corporate law and policy, the Doctor of Juridical Science in Corporate and Business Law program is open to candidates who possess a JD (or international equivalent) and a LLM in corporate law or a related field. An SJD candidate must be a full-time student in residence at Delaware Law School for two academic years. SJD candidates must complete 14 credits the first year and 14 credits the second year, and 4 credits in the third year of the program for a total of 32 credits for graduation. After two years, students who successfully complete their residency requirements are not required to be full-time students, unless they are residing in the U.S. on a student visa. Students may continue their research in the third year away from the law school for a period up to one year. The degree must be completed in a period of 3 years. Attendance at classes, programs, or conferences relating to the candidate's research may be recommended or required by Dissertation Supervisor. The SJD candidate must correspond regularly with his/her Dissertation Supervisor (e.g., several times per semester but no less than 3 communications) to discuss the student's progress and future steps in the research process. The candidate should periodically submit written drafts to the Dissertation Supervisor for review, comment, and revision. To earn the SJD degree, the student must complete a dissertation of at least 75,000 words, including notes. The dissertation may be in the form of a book or article, and may consist of up to 3 non-duplicative articles or chapters. The dissertation must be of publishable quality, and must be published or accepted for publication unless the Director of the Institute waives that requirement. Completion of the dissertation will be supervised by a dissertation committee. The student must also submit annual written progress reports describing research and writing activities and performance in course work, if any. Finally, the student must make a satisfactory oral defense of the dissertation before the dissertation committee, and must orally present the dissertation in a forum open to the Law School community and the public. The dissertation must be on a subject matter within the expertise of the faculty of the Law School.

(c) **Master of Laws (LLM).** This program is open to graduates of ABA-approved United States Juris Doctor programs and students educated abroad who have completed a first degree in law from a non-U.S. law school that fulfills the academic requirements for the practice of law in that



country. To earn a Master of Laws, the student must complete 24 semester hours of coursework (all coursework must be completed within 4 years of matriculation). Students may select to pursue an LLM in Corporate Law & Finance, or pursue an LLM under one of the concentrations offered under the General LLM degree requirements. The General LLM concentrations are as follows: Corporate & Business Law, American Legal Studies, Corporate Law Regulatory Analysis & Compliance, Health Law Regulatory Analysis & Compliance, Higher Education Compliance.

**Effective Date.**

The provisions of the Academic Code as amended are effective for all students matriculating on or after January 1, 2015, unless otherwise provided.

**GRADUATION REQUIREMENTS**

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

(a) **Academic Credits.** A student must earn the following credits in the respective programs:

- 24 academic credits in the LLM program, or
- 36 academic credits in the SJD program

(1) **Cumulative Grade Point Average.** A student must complete all law school studies with a cumulative grade point average of at least a 2.000 for students educated abroad and for whom English is not their native language, and at least 2.500 for U.S. residents or students holding a U.S. juris doctor degree (as computed using the rules set forth in Paragraph Grade Pont Average of the Code).

(2) **Completion of All Required Courses.** A student must earn a passing grade in each required course. See Paragraph Examination Process of the Code for rules relating to this requirement.

(b) **Character and Fitness.** Students have a continuing duty to update the information provided in the application to the Law School to reflect any changes since law school matriculation.

(c) **Petition to Graduate.** Every student must apply for graduation by filing an online petition to graduate and the accompanying forms not later than the time frame as provided by the Registrars office for Winter and Spring graduation. 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 Paragraph Graduation Requirements 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.

(d) **Commencement Prior to Completion of Classes.** Students who have a satisfactory grade point average as defined in section Graduation Requirements A, 1, have petitioned to graduate, and have less than 9 credits to complete in their program and who are registered for those 9 credits in the summer semester of the year in which they intend to graduate, may process in the May commencement ceremony.

Students who are taking their final 9 credits in the fall semester, may process in the following year's May commencement ceremony.

### **Program Completion of Degree Requirements.**

(a) **General Rule.** Students must complete all academic requirements as follows:

- LLM Program 24 credit hours within 48 months of matriculation
- SJD Program 8 credit hours within 24 months of matriculation

(b) **Matriculation.** For purposes of this section, matriculation shall mean the date on which a student first begins graduate legal studies at Widener University Delaware Law School.

## **ACADEMIC CREDITS & COURSE LOAD**

### **Definitions.**

The following definitions apply to this Part:

(a) **Classroom Credit.** Credit earned for receipt of a passing grade in any course which meets on a regular basis in a classroom setting during the academic year.

(b) **Directed Research Credit.** Credit earned for satisfactory completion of a research project which satisfies the requirements set forth in paragraph Directed Research of the Code.

### **Academic Credits.**

(a) **General Rule.** A student may satisfy the academic credit graduation requirement described in paragraph Graduation Requirements of the Code by earning classroom credits, non-classroom credits, clinical credits and directed research credits.

(b) **Limitations.** Academic credit earned under paragraph Academic Credits 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 paragraph Course Load of the Code.

(2) **Non-Classroom Credit.** No student may earn more than 8 non-classroom credits. International students intending to take a Bar Exam in the United States should refer to the specific limitations promulgated by the specific rules of that state.

(3) **Directed Research Credit.** In general, no student may earn more than 2 directed research credits. A student may earn up to an additional 2 directed research credits with approval of the Assistant Dean of Graduate Programs. Upon petition of the academic

advisor, The Assistant Dean of Graduate Programs, may grant a request for this additional directed research.

(4) **Transfer Credits.** At the Assistant Dean's discretion, a candidate for the Master of Law degree may transfer credits for courses taken at an institution if the courses were completed with a grade of B or better; and the work was completed no earlier than three years prior to the date of matriculation for the graduate degree at Widener University Delaware Law School. The Assistant Dean's decision to grant or deny transfer credit is not appealable. No more than nine hours of transfer credits can count toward the Master of Law degree. Transfer grades will not be counted in computing the student's cumulative grade point average.

### **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 5 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.

(c) **Limitation on Credits Earned Each Semester.** A student may earn no more than 2 directed research credits. See paragraph Academic Credits of the Academic Code.

(d) **Eligibility.** A student whose cumulative grade point average is less than 2.300 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.

### **Course Load.**

(a) **Full Time Student.** The normal academic course load for a full time student is greater than 8 credit hours per semester. Student status is fixed as of the last day of drop add.

(b) **Part Time Student.** The normal academic course load for a part time student is less than 8 credit hours per semester. Half-time course load is 4 credits of coursework in any given semester. Student status is fixed as of the last day of drop add.

(c) **Summer Semester Course Load.** A normal academic load during the summer semester for a full time student is 6 credit hours per semester and 3 credit hours for a part time student. Student status is fixed as of the last day of drop add. Also see paragraph Course Load of the Academic Code for rules regarding international students course load requirements.

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

(1) **Full Time Students.** A full time student must obtain permission from the Office of Graduate Programs before registering for more than 16 credit hours of semester long course work or fewer than 8 credit hours in any semester.

(2) **Part Time Students.** A part time student must obtain permission from the Office of Graduate Programs to register for fewer than 3 credit hours in any semester. The student is not permitted to enroll in more than 8 credit hours of semester long course work.

(e) **International Students.** Any graduate student from a non-ABA accredited school enrolled at Delaware Law must comply with all visa status requirements. Any questions should be directed to International Student Services at 610-449-4498. More information is available at [http://www.widener.edu/campus\\_life/resources/intl/](http://www.widener.edu/campus_life/resources/intl/).

**Withdrawal from Courses.**

(a) **Hardship.** The Dean of Graduate Programs 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 Dean of Graduate Programs is appealable to the Dean of the Delaware Law School.

(b) **Withdraws.** A student may withdraw from an elective course at any time during the first 6 weeks of the semester (or the first 2 weeks of the summer term) by filing a notice of withdrawal with the Registrar. If the course is a required course, the student must file a Dean's Action Form. The Dean's Action Form can be obtained from the Office of the Registrar and will require approval from the academic advisor in the Office of Graduate Programs.

(1) Students receiving financial aid shall comply with all financial aid requirements for purposes of enforcement of the withdraw and refund policies. For further explanation see <http://law.widener.edu/Admissions/Discover/CostsandFinancialAid/TuitionandFees.aspx>

(c) **Report of W for Dropped Course.** The Registrar shall record a "W" for any course dropped by a student after the end of the Add/Drop period.

**Withdrawal from Program.**

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.

**CREDIT HOURS**

**Definition.**

**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 paragraph Credit Hours of the Code.

## **EXAMINATION AND GRADING**

### **Grading System.**

(a) **Grades Issued.** The Law School grade structure for all registered course is as follows:

A+ = 4.000	C+ = 2.300	F = 0.000
A = 4.000	C = 2.000	W = Withdrawal
A- = 3.700	C- = 1.700	AU = Audit Only
B+ = 3.300	D+ = 1.300	I = Incomplete
B = 3.000	D = 1.000	P = Pass
B- = 2.700		
IW = Involuntary Withdrawal		
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 in receipt of a grade from that professor.

### **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.

### **Grade for Classroom Performance.**

An instructor may give a grade of plus or minus for each student’s classroom performance during any courses other than first year courses. Such grade is issued in addition to an examination grade or grade derived from papers, projects or other graded course work. A plus or minus grade issued under this section shall change the student’s grade for the course by one third of a grade or one step (e.g., from C+ to B- or from B to B+). An instructor wishing to grade classroom performance under this section must announce the criteria applicable to the classroom

performance grade within the first two weeks of class. At the conclusion of the course, the instructor will receive a grade adjustment sheet for all students in the course. If the instructor has complied with the requirements of this section, a “plus” or “minus” may be issued for any student. No student may be minused to an “F”. No student may be plussed to a “D” from an “F” or to an “A+” from an “A”.

### **Grade Changes.**

(a) **General Rule.** Any grade for a course, seminar or special course submitted by an instructor is final when received by the Registrar and may not be changed by the instructor.

(b) **Exception.** A grade given by an instructor in a course, seminar or special course may be changed by the instructor if the original grade was recorded as an “Incomplete.” The instructor may submit the correct letter grade to the Registrar for inclusion in the affected student’s transcript.

(c) **Student Application for Change of Grade.** A student may apply for a change of grade on the grounds that the grade was awarded contrary to the provisions of the Academic Code, or was the proximate result of discrimination on account of 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.

(d) **Faculty Application for Change of Grade.** An instructor may apply to the Dean or Vice Dean for a change of grade upon a showing of good cause. For purposes of this subsection, “good cause” is limited to a clerical error in recording a grade or other similar situation.

### **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.

### **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 all seminars, for Advanced Skills courses and for courses in which students earn Non-Classroom Credit, Directed Research Credit, unless required by the professor teaching the course.

(c) **Materials Permitted at an Examination.** During the first 2 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 allowable in the exam must be left on the side of the room. Cell phones may not be brought into the exam room. An instructor may conduct an “open book” examination.

(1) Students requiring additional materials for examinations must have these materials approved by the faculty member in accordance with the requirements of Paragraph Examination Process.

(d) **Take Home Examinations.** An instructor may give a take home examination. Such examinations must be given during the regularly scheduled time for examinations. Each student in the course in which a take home examination is given must pick up the examination from the Office of the Registrar or the faculty member at the designated time during working hours on the day scheduled for the start of the examination, and must return the examination to the Office of the Registrar at the designated time during working hours on the day scheduled for completion of the exam. Students may not fax or email their exams.

(e) **Mid-Term Examinations.** An instructor may give a mid-term examination. An instructor who intends to give a mid-term examination must notify students during the first week of class that a mid-term exam is planned for the course.

(f) **Anonymous Grading.**

(1) **General Rule.** All examinations may be 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 paragraph Misconduct of the Student Code of Conduct.

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

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

(h) **Accommodations.** Students may apply for an accommodation by submitting a Dean’s Action Form available at the Registrar’s Office, and upon confirmation that the student meets the necessary criteria, student may receive an accommodation. Accommodations may include dictionaries, electronic or paper translation materials (translation materials or devices must be

independent and not accessible through lap-tops, tablets or cell phones), 1/3 additional time for language accommodations for students whose first language is not English, or other accommodations as approved by the Assistant Dean of Graduate Programs. Students who have been educated abroad, and who have received their undergraduate degree or equivalent from an institution in which English was not the official language, are eligible for a language accommodation. Students who demonstrate proof of language proficiency with an official test score of a minimum of 83 for TOEFL or 6.5 for IELTS are not eligible for accommodations based on language, despite the terms mentioned above in this paragraph.

### **Departure from Examination Schedule.**

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

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

(c) **Procedure for Deferral of Examination.** Students seeking to defer an examination must submit a Dean's Action Request Form and provide documentation supporting the request to the Assistant Dean of Graduate Programs by the date set 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 Assistant Dean of Graduate Programs of such cause for deferral by the date posted by the Registrar's Office. If the Assistant Dean of Graduate Programs grants permission to defer an examination, the Registrar shall notify the instructor whose examination will be deferred. The affected faculty member may prepare a new examination to be given at the make-up time for the student whose examination has been deferred.

(d) **Timing of Deferred Examinations.** Deferred examinations must be taken 1) on the scheduled examination make-up date for that semester 2) at a time approved by the Assistant Dean of Graduate Programs 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.

### **Rules Concerning Examinations.**



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

(b) **Exam Soft.** Students wishing to use Exam Soft must sign up at the Registrar’s Office and pay the fee **by the deadline imposed by 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 Exam Soft.

(c) **Reporting Grades.** Instructors shall report all course grades to the Registrar within the time period prescribed per semester, and grades will be released to students as determined by the Registrar’s Office.

**ATTENDANCE**

**Attendance Standards.**

(a) **General Rule.** No student may miss more than 20% of the regularly scheduled classes in any course or seminar, or more than 20% of the regularly scheduled clinical work periods in any course, seminar or special course. Any student who misses more than 20% of the classes scheduled for any course will not be permitted to take a final examination or submit additional work. If the student is more than 15 minutes late for any class, the student will be marked absent. If more than the allowed absences occur, the instructor shall notify the Registrar in writing, and the Registrar shall enter an “involuntary withdrawal” (IW) on the student's transcript. A student who is involuntarily withdrawn the subsequent semester from the same course(s), or substituted course(s), will receive a failing grade for the course(s) in accordance with Paragraph Attendance Standards.

**FALL AND SPRING SEMESTER ATTENDANCE STANDARDS**

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

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

transcript. You will be responsible to pay for the course(s). If the student is a financial aid recipient, the student must contact the Financial Aid Office. The student may retake the course(s) or substituted course(s), as deemed appropriate by the student's academic advisor, during the next scheduled offering. If the student retakes the course and again misses more than twenty percent of the scheduled classes, the instructor shall notify the Registrar in writing and the Registrar shall enter a failure (F) on the student's transcript. A student may petition the Office of the Assistant Dean of Graduate Programs in writing for a variance from this rule on grounds of substantial hardship only.

(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.

## **DISMISSAL AND REINSTATEMENT**

### **Academic Standing and 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 by any provision below shall be academically dismissed from the law school. A first year student's 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 will be counseled by the academic advisor and placed on academic probation.

### **Notice of Dismissal.**

(a) **Dismissal by Assistant Dean of Graduate Programs.** Each student dismissed for poor scholarship pursuant to paragraph Academic Standing & Academic Dismissal of the Code shall be notified of the dismissal in writing by the Assistant Dean of Graduate Programs. 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.

### **Effect of Academic Dismissal.**

(a) **Dismissal Following Spring Semester.** If a student is dismissed following the release of grades for the spring semester, the student shall be dropped from all courses for the following academic year and shall receive a refund of any tuition paid with respect to the next academic year. A student who enrolls in courses at the Law School (or at another accredited law school pursuant to 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.

### **Readmission after Dismissal.**

(a) **General Rule.** Any student dismissed for poor scholarship who was not reinstated immediately following dismissal pursuant to paragraph Dismissal and Reinstatement of the Code shall not be readmitted to Delaware Law School unless the Dean and the Admissions Committee determine that the requirements of ABA Standard 505 have been satisfied. This section shall also apply to those students who have been dismissed from another law school and are seeking admission to Delaware Law School.

(b) **Application for Readmission.** A former student may apply for readmission to Delaware Law School at any time after the end of the 1 year period beginning on the date notice of dismissal is deemed effective under Paragraph Dismissal and Reinstatement. An application for readmission must be submitted to the Graduate Programs Office by the deadline established for admissions applications established by the Graduate Programs Office for the year in question. The form of the readmission application shall be the same as that prescribed for all students applying to Delaware Law School.

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

### **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.

## RESIDENCE LIFE AND STUDENT SAFETY

### CAMPUS SAFETY, SECURITY AND EMERGENCY SERVICES

#### EMERGENCY PROCEDURES

##### COMMUTER STUDENT EMERGENCY NOTIFICATION POLICY

If a commuting student has a family emergency and needs to be reached while on campus, the Office of Campus Safety should be called at 302-477-2200. Campus Safety will make every effort to locate the student using the most appropriate means. It is strongly recommended that commuting students provide their families with a copy of their schedule to save time if such an emergency should occur.

##### EMERGENCY WEATHER CLOSING AND CANCELLATION OF CLASSES

The policy for closing the university in an emergency starts with the understanding that all essential areas of the university will be adequately staffed, even if classes are canceled and even if the university is "closed." The president will make the decision to cancel day and weekend classes by 6:30 a.m. The decision to cancel evening classes will be made by 2:30 p.m. Students, faculty, and staff are ultimately responsible for their own safety and decisions about travel to campus. The most expedient way to receive notification that the university's hours of operation are affected is through e2 Campus, CampusAlert system. This alert system notifies users directly via text message and e-mail. Widener strongly encourages all Widener students, faculty, and staff to register for this emergency notification system. To do so, log in to your CampusCruiser account and go to "Announcements." Select "Campus Alert Emergency Notification," or call Campus Safety at 302-477-2200. Students may also check these information sources to find out whether a campus is closed or classes are cancelled:

- widener.edu (all campuses)
- delawarelaw.widener.edu (Delaware Law School)
- CampusCruiser, Campus section: Widener University Alerts
- Widener University Information Lines:
  - Main (Chester) Campus, 610-499-4600 or 610-499-4000
  - Delaware Law School, 302-477-2149

##### FIRE ALARMS AND EMERGENCY PROCEDURES

Although most of our buildings are modern fire-resistant structures, they contain things that will burn—rugs, drapes, furniture, and floor tiles—along with things that will not only burn but may generate toxic fumes. Compounding this situation is the periodic heavy traffic of buildings. A fire in this situation could result in panic, unless each of us knows what to do and how to do it. For this reason, unannounced drills are held throughout the year. ***Those who fail to cooperate during a drill or alarm will be subject to campus discipline.***

##### Before a fire:

- Learn the location of all fire alarm stations in your area and how to activate them.
- Learn the location of the portable fire extinguishers and how to use them.
- Learn the locations of all exits and ways to use them.

**On discovering a fire:**

- Sound the alarm immediately.
- Call the Office of Campus Safety at 302-477-2200.
- If possible, shut all doors and windows in the immediate vicinity of the fire, shut off all equipment and utilities, and use the appropriate type of extinguisher on the fire.
- Evacuate the building immediately. Once outside the building, follow directions of university officials to move to a safe staging area.

**On hearing the fire alarm sound:**

- Close all windows and doors in your area.
- Evacuate the building immediately.
- Do **not** use elevators: They may stop if power fails, causing occupants to become trapped.
- Walk (don't run) at a safe speed and use the nearest accessible exit.
- Do not re-enter the building until an official "all clear" has been given by a Campus Safety representative. Fire alarms, fire hoses, and fire extinguishers are emergency safety devices and must not be used for other purposes. Tampering with such equipment is a violation of university and state regulations. Those found guilty are subject to sanctions, including expulsion from the university, as well as adjudication in courts of law. The fire safety system is vital to the life and safety of each member of the university. By setting false fire alarms, individuals jeopardize the safety of all. Because the life of each member of the community could depend on the appropriate response to the alarm bells, it is the responsibility of all to see to it that the system is effective.

**OTHER FIRE SAFETY REGULATIONS**

- Smoking is prohibited at Widener University, both indoors and outdoors.
- No open fires are permitted anywhere on campus at any time.
- Lighted candles and burning incense are strictly prohibited.
- The individual use of a hibachi, grill, or any other open cooking equipment is prohibited. Permits may be issued on a special request basis by the Office of Residence Life for campus programming. However, at no time are gas or propane grills permitted on university property.
- Coffee pots, corn poppers, and other cooking devices with self-contained, thermostatically controlled heating elements must be used with extreme care. Immersion coils, hot plates, appliances with open coils or burners, George Forman grills, and any non-thermostatically controlled appliances are not permitted and will be subject to confiscation. Only equipment that has been tested to be safe (UL or Factory of Mutual Approval) and is in good repair should be used.
- Restrictions on seasonal decorations:
  - No one is permitted to have a live decorative tree in his or her room, office, or lounge area.
  - Artificial trees are permitted, but decorative lights of any sort are prohibited.
  - Christmas lights and decorative hanging lights are not permitted around the walls or doors.
  - Decorations are permitted on the outside of doors and around windows, but please keep them to a minimum.
  - No decorations are permitted to hang from the ceiling.

## **MEDICAL EMERGENCY**

When a medical emergency occurs, call the Office of Campus Safety at 302-477-2200. Be prepared with the following information: name of the injured or ill individual, description of the emergency, and location of the individual. Based upon the information received, instructions will be given by trained individuals in Campus Safety for the course of action to be taken. If necessary, Campus Safety Officers will see that the patient is appropriately transported to a medical facility for treatment.

## **PERSONAL INJURY**

The university takes reasonable precautions with regard to the physical safety of students and personnel, especially when students are engaged in athletic, laboratory, or shop activities; however, the university disclaims liability for injuries that may be incurred. If a medical emergency necessitates that a student receives treatment from a hospital or healthcare provider in the area, all charges for such treatment are the responsibility of the student.

## **CAMPUS SAFETY CAMPUS SECURITY AND FIRE SAFETY REPORTS**

Widener is committed to the safety and security of all members of the Widener University community. The university's annual Campus Security and Fire Safety Reports are on the Widener website and contain information on campus security and personal safety, including crime prevention, university law enforcement authority, crime reporting policies, disciplinary procedures, and other campus security matters. The Campus Security Report contains statistics for the three previous calendar years on reported crimes that occurred on campus, in certain off-campus buildings and property owned and controlled by the university, and on public property within or immediately adjacent to and accessible from campus. The Fire Safety Report contains information on fire safety systems in on-campus student housing facilities, the number of fire drills held during the previous year, the university's policies on portable electrical appliances, smoking, and open flames in student housing facilities, the university's procedures for student housing evacuation in the case of a fire, policies regarding fire safety education and training programs provided to students and employees, a listing of persons or organizations to which fires should be reported, and plans for future improvements in fire safety. It also contains statistics for the three most recent calendar years concerning the number of fires and cause of each fire in each on-campus student housing facility, the number of persons who received fire-related injuries that resulted in treatment at a medical facility, the number of deaths related to a fire, and the value of property damage caused by a fire. The Campus Safety Reports for Main Campus and the Fire Safety report for the Main Campus are available online at [http://www.widener.edu/about/widener\\_leadership/administrative/campussafety/annualsecurityfiresafetyreport/default.aspx](http://www.widener.edu/about/widener_leadership/administrative/campussafety/annualsecurityfiresafetyreport/default.aspx).

The annual security report for the Delaware Campus is available online. If you would like a printed copy of these reports, contact the Campus Safety Office at 302-477-2200 to have a copy mailed to you. The information in these reports is required by law and is provided by the Campus Safety Office.

## **LOCKS AND LOCK MECHANISMS**

No student or member of the Widener University community may duplicate or transfer keys to rooms, outer doors, or any university property. No additional lock mechanism may be installed by anyone other than the University Locksmith Shop.

## **SHUTTLE AND ESCORT SERVICE**

In the spring and fall semesters, the Office of Campus Safety also offers a campus escort service for individual protection and a transport service to or from nearby medical facilities for emergencies.

## **THEFT**

*The university is not responsible for personal property that is lost, stolen, or damaged. It is advisable to protect belongings with insurance through family homeowner's policy or a student services insurance company.* If a theft (or suspicion of one) should occur, report it immediately to Campus Safety, and to a resident assistant if applicable. Reporting the loss to the university is necessary for making a claim for the lost article with an insurance company. Persons found guilty of taking another person's property or money will be subject to the strongest sanctions possible, not excluding suspension from the university or appearance before a court magistrate under action brought by the victims.

## **PROTECTING YOURSELF WALKING AROUND CAMPUS**

When walking around campus, be sure to tell someone where you are going. If it is after dark, it is suggested that you walk with someone. For your safety, a Campus Safety escort service is available by dialing 302-477-2200.

## **DO NOT ALLOW UNAUTHORIZED ENTRY**

Campus buildings are for the use of university members only. When entering or leaving buildings, be sure the door closes behind you. Never prop open doors, thereby inviting unauthorized personnel into buildings. Never let unauthorized people into campus buildings. Report any suspicious persons to Campus Safety.

## **PARKING**

When walking to parking lots, have keys ready before getting to your car. Park in well-lighted areas if returning to your car after dark. Using the "buddy system" is encouraged.

## **LOCK WINDOWS AND DOORS**

Resident students should take care to keep all windows and doors locked.

- Leaving the door open for even a minute is an invitation to theft or attack.
- Always lock your abode, whether it is vacant or occupied.
- Find out who is knocking before opening the door.
- Never leave doors propped open.
- Keep your keys safe.
  - Do not lend your keys to anyone.
  - Do not leave keys lying around in the open.
  - Never let anyone use a key that has been entrusted to you.
  - If your key is lost or stolen, report it immediately and have your lock replaced.

## **STUDENT HEALTH SERVICES**

All students are encouraged to view the health services offered by Widener University. Services are offered for all students, both US and international. For complete information, range of services, health forms, and other resources please visit the Student Health Services website for complete information: [http://www.widener.edu/campus\\_life/wellness/health/default.aspx](http://www.widener.edu/campus_life/wellness/health/default.aspx).

## **INTERNATIONAL STUDENT SERVICES**

The Office of International Student Services (ISS) assists international students with immigration requirements and cultural adjustment. We serve as an advocate for international students and provide opportunities for cross-cultural interaction which facilitates the development of global mobility competence and global citizenship in all Widener students. All forms and required documents can be found through the ISS office by visiting the International Student Services website for complete information. For more information, please visit our website at [www.widener.edu/iss](http://www.widener.edu/iss)

## **WRITING ASSISTANCE**

The Writing Center is open to all members of the university community and provides help for any writing assignment regardless of the course. At the Writing Center, students work one on one with an instructor whose job it is to meet their individual needs. The center is beneficial to both the good writer who wants additional polishing as well as the student who is having difficulty. Appointments are strongly suggested and students use the center on their own initiative or at the suggestion of a faculty member. The writing center can be reached by phone at 610-499-4332. For more complete information visit the Writing Center website at: [www.widener.edu/academics/schools/arts\\_sciences/writing\\_ctr/](http://www.widener.edu/academics/schools/arts_sciences/writing_ctr/)

## **RESIDENCE LIFE AND HOUSING PROCEDURES**

Housing and residence life is directed by the Office of Campus Services which is located in the Passmore House. Upon arrival residence will receive their room assignments, dormitory lease, Residency Life Handbook, and all other related documents and important information related to residency while studying here at Widener Law. All questions regarding residency rules and procedures should be directed to the Office of Campus Services at 302-477-2231.



## **DELAWARE LAW SCHOOL STUDENT CODE OF CONDUCT**

Membership in the legal profession requires conduct that meets exacting and demanding ethical standards. As persons preparing for that profession, Delaware Law School LLM students are required to meet the highest standards of the profession, including but not limited to honesty, integrity, and professionalism and a commitment to treat others with respect, dignity and courtesy. Delaware Law School hereby establishes rules by which its students shall be governed in their conduct at the law school, as participants in any law school activity, and in relationship to any other member of the law school community. Student conduct alleged to be in violation of this Student Code of Conduct will be governed solely according to policies and procedures described in this code.

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

- (b) **Dean.** The Dean of Delaware Law School.
  - (c) **Vice Dean.** The Vice Dean for Delaware Law School.
  - (d) **Office of the Dean of Students.** The Office of Student Affairs Delaware Law School.
  - (e) **Dean of Graduate and Compliance Programs.** The Office of Graduate Programs Delaware Law School.
  - (f) **Law School.** Widener University Delaware Law School.
  - (g) **Registrar.** The office of the Registrar at Delaware Law School.
  - (h) **Code.** The Academic Code of Widener University Delaware Law School.
  - (i) **International Students.** Students who are not US citizens or permanent residents of the US and who have a foreign first degree in law from a non-ABA accredited institution
- (h) **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 an or his or her application materials.
- (i) **Accused.** The student against whom a complaint alleging violation of the Student Code of Conduct has been lodged.

## **Jurisdiction**

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

## **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. 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 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.

## **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.

## **Initial Notice to Student.**

When the Code calls for notice to a student, it shall be sufficient to deliver notice in person, 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.

**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.

**Confidentiality.**

Honor Council members, as well as conciliators, shall indefinitely maintain the confidentiality of medical, admissions and academic records obtained during the course of the complaint process.

**VIOLATIONS AND SANCTIONS**

**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) General Provisions Concerning Violations.**

1. Knowledge of Authorities. Students are presumed to know the provisions of the Code, the policies and rules of Widener University and of the Delaware Law School, and the policies and rules of courses in which the students are enrolled.
2. 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.
3. 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.
4. 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.

Under this code, a student may be subject to disciplinary action when he or she engages in unprofessional conduct, including but not limited to the following:

- (a) Making any written or verbal statement to a Law School employee that contains any material misrepresentation or omission related to admission,

financial aid, academic credit, standing, grading, employment or any matter related to enforcement of this code.

(b) Making any material misrepresentation to individuals not affiliated with the Law School with regard to grades, class rank, academic standing, honors, or involvement in any law school activity.

(c) Submitting plagiarized work in any law school activity, including but not limited to courses, seminars, clinics, externships, clerkships, practicum placements, competitions and efforts to seek employment. In this code, plagiarism includes, but is not limited to, the use of verbatim or nearly verbatim language of others without the use of quotation marks, footnotes and/or other appropriate source attribution; the substantial misappropriation of another's ideas without appropriate attribution; and the substantial misappropriation of another's work, organization or pattern without appropriate attribution.

(d) Submitting for academic credit the same or substantially the same work that has already been submitted (or is simultaneously being submitted) for academic credit in another course or academic program or work previously completed to satisfy employment, voluntary or other obligations in a setting outside the Law School.

(e) Submitting for academic credit work completed by another.

(f) Misrepresenting one's presence or absence or that of another in a class or other law school activity for which attendance is taken.

(g) Violating any policy regarding an examination or other written product or presentation to be submitted for evaluation. This includes, but is not limited to:

1. Possessing or consulting, during an examination, any source of information not expressly authorized by the assigning faculty member.
2. Giving, receiving or exchanging any unauthorized information with regard to an examination prior to or during the examination, including viewing the examination materials of another student during the examination.
3. Intentionally breaching the confidentiality of the grading process.
4. Discussing any aspect of an examination with a student scheduled to take the examination who has not yet done so.
5. Removing an examination (in any form, including electronic) or a student's notes (including one's own) regarding an examination from the examination room without authorization.

6. Taking an examination for another student or allowing another person to take one's own examination.
7. Intentionally breaching the security of an examination in any way
8. Failing to stop writing or otherwise responding to an examination once the examination time limit has been reached.
9. Collaborating with another student or students on an examination, project or other class assignment without express faculty permission.
10. Intentionally distracting or disturbing others or otherwise interfering with or disrupting the administration of an examination.
11. Using a false or misleading excuse to postpone the taking of an examination or submission of a paper or other assignment at the regularly scheduled time.

- (h) Intentionally disrupting a class or other Law School sanctioned or sponsored activity.
- (i) Intentionally stealing, destroying, damaging, defacing or hiding Law School property or that of another law student or employee of the law school, including electronic data.
- (j) Removing library materials from the Law School Library without authorization.
- (k) Using Law School student access to databases licensed at this university for outside employment, other activities unrelated to Law School courses, research or activities, or in any way that violates licensing agreements.
- (l) Threatening, harassing, assaulting or intentionally interfering with the work of a Law School student or employee.
- (m) Failing to cooperate with the investigation of any allegation of misconduct under this code.
- (n) Failing to report to Law School authorities any misconduct, observed or heard, under this code.

## **PROCEDURES**

### **Initial Complaint**

If a student has reason to believe that a student may have committed an act of misconduct, as defined above, he or she shall report the suspected or alleged academic misconduct to the Registrar or the Assistant Dean of Graduate Programs and provide documentation, where applicable, of the suspected or alleged misconduct. This process may also be initiated by a member of the law school faculty or staff. A complaint may be lodged anonymously. The Registrar or the Assistant Dean of Graduate Programs 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 Assistant Dean of Graduate Programs shall review all complaints to determine 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.

(e) The Assistant Dean of Graduate Programs shall investigate the merits of the complaint. If, after investigating the allegations of the complaint, there is reason to believe, in light of the complaint and any additional information collected, that the accused has violated the Code, an investigation shall be conducted according to §304 and §305 of this Code.

### **Notice**

The Assistant Dean of Graduate Programs shall notify, in writing, the student or students suspected or accused of the alleged act of misconduct. Such notice shall include copies of any applicable documentation (e.g., a copy of the paper with the allegedly plagiarized sections highlighted along with a copy of the source material with the applicable sections highlighted). Where the allegation is one of academic dishonesty and a grade is due to be entered, the Assistant Dean of Graduate Programs shall provide a copy of the notice to the Registrar with the direction to enter a grade of Incomplete (“I”) until the matter is resolved. Any such notice is confidential and shall be kept separate from the student’s other Law School records.

### **Emergency Suspensions**

(a) In extreme, dangerous or unusual circumstances the Law 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 students, faculty or employees of the Law School. Before such suspension takes place the Law 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 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 §305.

### **Investigation**

The Assistant Dean of Graduate Programs will consult with the student within a reasonable period of time but as close as possible to the report and notice of the suspected or alleged misconduct. As part of the investigation, the Assistant Dean of Graduate Programs may consult with faculty, staff, students and/or others who may have some knowledge of the suspected or alleged misconduct.

## **Informal Resolution Meeting & Sanctions**

(a) If the allegation is one of academic dishonesty, the faculty member involved may also attend such meeting. Neither the faculty member nor the student shall be represented or accompanied by an attorney or any other advisor, and no record of this informal meeting need be preserved. As a result of this meeting, with the agreement of the faculty member, the student may consent to appropriate sanctions including but not limited to:

- (1) Admonition – An oral statement to the student that he or she has violated a Law School standard of academic honesty.
- (2) Revision of Work – Requiring the student to replace or revise the work in which dishonesty occurred. (A grade of Incomplete will be entered pending replacement or revision of the work.)
- (3) Reduction in Grade – With respect to the particular assignment/examination or the course.
- (4) Mandatory Resignation – To be indicated on the transcript by an “R.”
- (5) Failure for Reason of Academic Dishonesty – To be indicated on the transcript by an “F.”

(b) If the suspected or alleged misconduct does not involve academic dishonesty, the student will be offered the opportunity to meet with the Dean for Student Affairs and the Assistant Dean of Graduate Programs in an attempt to resolve the matter. The student shall not be represented or accompanied by an attorney or any other advisor, and no record of this informal meeting need be preserved. As a result of this meeting, the student may consent to an appropriate sanction including but not limited to:

- (1) Admonition – An oral statement to the student that he or she has violated the Code of Conduct, with or without a written statement of admonition placed in the student’s file.
- (2) Warning – An oral statement to the student that he or she has violated the Code of Conduct and that further misconduct may result in more serious disciplinary action, with or without a written statement of warning placed in the student’s file.
- (3) Censure – A written reprimand detailing the violation and a warning of more serious disciplinary action if the student engages in further misconduct in violation of the code, with a written statement of censure to be placed in the student’s file.
- (4) Probation – A specified period of time during which the student will be excluded from certain Law School privileges and activities and/or required to meet certain specified conditions in order to avoid more serious disciplinary action. A written statement of this sanction and the reasons for it will be placed in the student’s file.
- (5) Suspension – Exclusion from enrollment and other Law School privileges or activities for a specific period of time. A written statement of this sanction and the reasons for it will be placed in the student’s file.
- (6) Expulsion – Termination of the student’s enrollment either permanently or for an indefinite period of time, with conditions for later enrollment (if any) to be specified. A written statement of this sanction and the reasons for it will be placed in the student’s file.
- (7) Restitution – In addition to, or instead of, any of the above sanctions, financial reimbursement for damage, destruction or misappropriation of property.

### **Determination and Recommended Sanction**

If no informal resolution is agreed to, the Assistant Dean of Graduate Programs will provide a findings determination to the student. The Assistant Dean of Graduate Programs shall advise the student of the sanctions in a “notice of decision and sanctions” letter.

### **Determination of Guilt and Recommended Sanctions**

If the Dean for Student Affairs and the Assistant Dean of Graduate Programs find that the student committed an act of misconduct, the recommend sanctions may be one or more of the following:

(a) In the case of academic dishonesty, any of the sanctions that the Instructor could have imposed as a consequence of an informal resolution meeting (Admonition; Revision of work; Reduction in grade; Mandatory resignation from the course; or Failure for reason of academic dishonesty) as well as Censure, Probation, Suspension or Expulsion, as those sanctions are defined above. Regardless of other sanctions, if a student is found guilty of academic dishonesty, a statement shall be placed in the student’s academic record along with a description of the act of dishonesty. Such statement shall be disclosed to the Character and Fitness Committee or similar body of any jurisdiction for which the student seeks admission to the bar.

(b) In the case of any other violation of the Code of Conduct, any of the following sanctions: Admonition, Warning, Censure, Probation, Suspension, Expulsion and Restitution, as defined above.

### **Finding of Not Guilty**

If the Assistant Dean of Graduate Programs find that the student has not committed an act of academic misconduct under this Code, the matter shall be deemed closed and all copies of documentation, other than of a confidential file maintained separately by the Dean for Student Affairs, shall be destroyed.

### **Notice of Decision**

The student shall be notified of all decisions (including any finding of guilt and recommended sanctions) by letter, a copy of which shall become part of the confidential file maintained separately by the Assistant Dean of Graduate Programs. If the student has been found guilty, the letter shall advise the student of the sanction(s) and the right to appeal.

### **Appeal**

The student may appeal the recommended sanction(s) to the Dean of the Law School. This appeal must be made in writing and within 72 hours of the “notice of decision and sanctions” letter. The Assistant Dean of Graduate Programs shall provide the Dean of the Law School with a written statement of the evidence against the student, copies of any evidentiary documents or photographs, and the names of potential witnesses.

### **Dean’s Decision Upon Appeal**

If the student so chooses to appeal the decision of the Assistant Dean of Graduate Programs, the final determination of the sanction(s) to be imposed is to be made by the Dean of the Law School. In his or her discretion, the Law Dean may impose any sanction approved in this Code, except that he or she may not impose a sanction more severe than that presented in the



determination and notice of sanctions letter. The Law Dean shall make his or her decision solely upon the basis of the report and documents provided by the Assistant Dean of Graduate Programs and the written statement of the student. The decision of the Law Dean is final and neither the student nor any other person shall have a right of appeal from that decision.

**Miscellaneous  
Amendments.**

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

**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.

**Effective Date.**

This Code of Conduct will become effective on the first day of January 2015.

## WIDENER UNIVERSITY-WIDE POLICIES

### POLICY FOR ADDRESSING ISSUES OF STUDENTS WITH DISABILITIES

1. **Statement of Policy.** It is the policy of Widener University (“University”) to provide reasonable academic accommodations necessary to afford equal opportunity and accessibility in all University programs for qualified students with professionally verified disabilities. It is further the policy of the University to provide reasonable accommodations necessary to afford equal opportunity and accessibility for qualified individuals with professionally verified disabilities in employment. The University recognizes both its legal obligations to make reasonable accommodations designed to provide overall educational program and employment opportunity accessibility for qualified persons with disabilities as well as the benefits that may be offered from the skills and talents of those with disabilities. In keeping with these principles, the University seeks to accommodate qualified students and employees with disabilities on an individual basis based upon specific information and assessment data documented by a qualified professional. Faculty members also play an important role in ensuring equal educational opportunity and access for students and must recognize that modifications can be made in the classroom or in teaching style to accommodate individual students without affecting academic integrity. However, while the University will strive to accommodate students as fully as possible, reasonable accommodations do not include measures which fundamentally alter an academic program, which place an undue financial or administrative burden or hardship on the University, or which pose a safety risk to the individual or others. In the admissions and employment application processes, the University does not discriminate on the basis of disability, and any information concerning a student or employee applicant’s disability provided during the admissions or application process will be on a voluntary or optional basis and will be kept confidential in accordance with applicable law. Following admission of a student applicant or the extension of an employment offer to an applicant for employment, the University invites and encourages voluntary self-identification by individuals with disabilities for purposes of verifying the disability and identifying the reasonable accommodations that the University will provide. It is the responsibility of disabled individuals who seek an accommodation to identify themselves to the appropriate University representative. This Policy shall apply to all schools and colleges of the University and all employees of the University.

2. **Definitions.** As used in this Policy, the following definitions shall apply:

- (a) “Director of Disabilities Services” means the Director of Disabilities Services of Widener University.
- (b) “Dean” means the Dean of the Widener University School of Law.
- (c) “Person with a Disability” means any person who: (i) has a physical or mental impairment which substantially limits one or more major life activities; (ii) has a record of such impairment; or (iii) is regarded as having such impairment.
- (d) “Provost” means the Provost of Widener University.
- (e) “Qualified Person with a Disability” means either (i) a Person with a Disability who meets the academic and technical standards requisite to admission and participation in the individual’s selected educational program and activities offered by the University; or (ii) a Person with a

Disability who can perform the essential functions of the individual's current or desired employment position with or without reasonable accommodation.

(f) "Reasonable Accommodation" means a possible action that the University may take to accommodate a Qualified Person with a Disability which does not cause an undue hardship or burden to the University. In the context of a Request for Academic Accommodation, a Reasonable Accommodation is a modification or adjustment to an academic program that enables a Qualified Person with a Disability full access to participation in such program without altering the fundamental purpose or requirements of the program. Accommodations are intended to be effective and reasonable; they may not be exactly what the Qualified Person with a Disability requests.

(g) "Request for Academic Accommodation" means any request made by a student for an accommodation covered by Section 4(d) hereof.

(h) "Request for Employment Accommodation" means any request made by an employee for an accommodation to enable the employee to perform the essential functions of his or her position.

(i) "Request for Non-Academic Accommodation" means any request made by a student for an accommodation not covered by Section 4(d) hereof.

(j) "University" means Widener University.

(k) "Vice President for Administration and Finance" means the Vice President for Administration and Finance of Widener University.

**3. Procedures for Requesting Accommodations.** A Qualified Person with a Disability may request accommodations as follows:

(a) Persons to whom Requests for Accommodation Must be Submitted. Requests for accommodation shall be made as follows:

(i) All undergraduate students and all graduate students other than law school students must submit their requests for accommodation to the Director of Disabilities Services, Widener University, One University Place, Chester, Pennsylvania 19013, telephone number 610-499-4179.

(ii) Law students must submit their requests for accommodation to the Dean of Students. The Dean of Students shall promptly forward such requests to the Director of Disabilities Services.

(iii) All employees on the campus of the University must submit their requests for accommodation to the Director of Administration, Widener University, One University Place, Chester, Pennsylvania 19013, telephone number 610-499-4182.

(iv) All employees on the campus of the University must submit their requests for Accommodations to the Associate Dean of Business/Administration, at his/her respective addresses on such campuses, telephone number 302-477-2248. The Associate Dean of Business/Administration shall promptly forward such requests to the Director of Administration. The individuals identified above to whom requests for accommodation must be directed are referred to herein as the "Disability Coordinators".

(b) Manner of Requesting Academic Accommodation. A student making a Request for Academic Accommodation must timely submit the request, together with verification of disability as provided for in subsections 3(d) and (e) below, to the appropriate Disability Coordinator. Where the Disability Coordinator is a Dean of Students, such Dean of Students shall promptly forward such Request for Academic Accommodation and verification of disability to the Director of Disabilities Services.

(c) Manner of Requesting Non-Academic Accommodation or Employment Accommodation. A student making a Request for Non-Academic Accommodation or an employee making a Request for Employment Accommodation must timely submit the request, together with verification of disability as provided for in subsections 3(d) and (e) below, to the appropriate Disability Coordinator. The Disability Coordinator shall promptly forward such Request and verification of disability to either the Director of Disabilities Services or the Director of Administration, as applicable and where necessary.

(d) Verification of Physical Disabilities. An individual with a physical disability must provide recent professional verification certified by a licensed physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other professional health care provider who is qualified in the diagnosis of the disability. The verification must reflect the individual's present level of functioning of the major life activity affected by the disability. The cost of obtaining the professional verification shall be borne by the individual. If the initial verification is incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, the University shall have the discretion to require supplemental assessment of a physical disability. The cost of the supplemental assessment shall be borne by the individual. If the University requires an additional assessment for purposes of obtaining a second professional opinion, then the University shall bear any cost not covered by any third party payor.

(e) Verification of Learning Disability or Attention Deficit Disorder. A student with a learning disability or attention deficit disorder must provide recent professional testing and evaluation results which reflect the individual's present level of processing information and present achievement level. The cost of obtaining the professional verification shall be borne by the student. The assessment must provide data which supports the Requests for Academic Accommodation. In the event that a student requests an academic accommodation that is not supported by the data in the assessment or, if the initial verification is incomplete or inadequate to determine the extent of the disability, then it is incumbent on the student to obtain supplemental testing or assessment at the student's expense. If the University requires an additional assessment for purposes of obtaining a second professional opinion, then the University shall bear any cost not covered by any third party payor.

(f) University Right to Waive Verification. The University reserves the right in its sole and absolute discretion to waive the verification requirements set forth in this Section 3. Any such waiver must be in writing and signed by either the Vice President for Administration and Finance, the Provost, or the Dean.

#### **4. Procedures for Determination of Reasonable Accommodations.**

(a) The Director of Disabilities Services or the Director of Administration (hereinafter "Evaluator") will review all documents submitted to verify a disability and will conduct a personal interview to explore the needs of the individual.

(b) Individuals may be asked to submit to the Evaluator a history of accommodations received in postsecondary institutions or in places of employment. Such a history of accommodations will be

subject to verification by the institution or place of employment that facilitated the accommodations.

(c) After considering the verification documents, the results of the personal interview, and the history of accommodations, the Evaluator will prepare a schedule of the accommodations appropriate for the individual to receive from the University. In arriving at such schedule, the Evaluator may consult with appropriate faculty and administrative staff of the University and professional consultants to the University.

(d) Reasonable academic accommodations designed to provide equal opportunity to students with disabilities may be made in the following three areas:

(i) Academic Program. Accommodations in this category include those necessary to enable a student to enroll in, study for, attend and participate in classes, and may include, without limitation, modification of course load, allowing extra time to complete assignments, reproducing print materials, charts and graphs in large print, allowing note-takers to attend classes and transcribe lectures, and recording lectures or use of assistive listening devices.

(ii) Examinations. Examination accommodations will be made as necessary to minimize the effect of a particular disability. Any accommodations in the conduct of examinations which alter the form of the examination shall be made in consultation with the faculty member or instructor of the course for which the accommodation is sought. Additional forms of examination accommodations include, without limitation, allowing extra time to complete exams, allowing alternate test formats and permitting a student to take an exam in an alternate location to allow for use of needed equipment.

(iii) Auxiliary Aids. To the extent feasible, the University shall either provide or assist students with disabilities in acquiring educational auxiliary aids designed to enable them to participate fully in the academic program and may do so by contacting existing resources, such as federal, state and community agencies, private charitable organizations, and individual volunteers.

(e) The Evaluator shall provide the schedule of accommodations to the individual requesting accommodations. In cases involving academic accommodations, the schedule of accommodations will be provided to the student on a form(s) which the student will be responsible for providing to the appropriate instructor(s).

(f) Each individual receiving accommodations shall meet upon request with the Evaluator to review the effectiveness of the accommodations listed on the schedule. Each individual shall immediately report any dissatisfaction with an accommodation to the Evaluator, who shall attempt to resolve any such dissatisfaction. If resolution cannot be achieved, the individual may file a grievance in accordance with Section 6 of this Policy. Additionally, the schedule shall be subject to review and possible termination upon any change in the nature of the individual's disability or the individual's failure to properly utilize the services provided.

(g) Services for individuals who improperly procure accommodations under this Policy will be immediately terminated. Students who improperly procure accommodations under this Policy may be subject to possible disciplinary action under the applicable Student Code of Conduct. Employees who improperly procure accommodations under this Policy may be subject to disciplinary action up to and including termination of employment.

(h) Subject to applicable rules of confidentiality, the Evaluator shall provide information to appropriate administrative officers, staff and faculty when necessary to arrange for efficient administration of accommodations.

#### **5. Records and Privacy.**

(a) The University shall maintain the confidentiality, to the extent practical, of all records relating to accommodations based upon disability. The records shall include the documentation submitted to verify the disability. The University will retain such records for a period of five years from the date of separation or graduation from the University or as otherwise required by applicable law.

(b) All documents produced by consultants in the performance of services for the University shall be and shall remain the property of the University.

**6. Grievance Procedures.** Individuals who remain dissatisfied with accommodations provided or not provided to them by the University following conclusion of the procedures set forth in Section 4 of this Policy may file grievances as follows:

(a) All grievances generally must be in writing and filed with the Grievance Officer (as hereinafter defined) as soon as possible but not later than thirty (30) days after conclusion of the procedures set forth in Section 4 of this Policy. Alternate means of filing grievances, such as personal interviews or a tape recording of the grievance, will be made available as needed upon request to the Director of Disabilities Services.

(b) With respect to all grievances relating to Requests for Academic Accommodations, the Grievance Officer shall be the Provost or his/her designee. Notice of any such grievance shall be given to the Vice President for Administration and Finance by the Grievance Officer. With respect to all grievances relating to Requests for Non-Academic Accommodations and/or Requests for Employment Accommodations, the Grievance Officer shall be the Vice President for Administration and Finance or his/her designee.

(c) Within fifteen (15) days after receipt of the grievance, the Grievance Officer will meet with the aggrieved individual to discuss the grievance and possible resolutions. The Grievance Officer may, but shall not be required to, form a committee of three individuals, including the Grievance Officer, to meet with the aggrieved individual, either at the time of such initial meeting or within a reasonable period of time thereafter. The other members of the committee shall be selected by the Grievance Officer in his/her sole discretion. It is intended, but not required, that one or both of the other members of the committee shall have education, background, experience and/or training in fields applicable to the grievance at issue. The Grievance Officer and/or the committee shall conduct such investigation and the Grievance Officer may assign such duties to the committee members as the Grievance Officer shall deem appropriate in the circumstances.

(d) Within fifteen (15) days after the later to occur of the initial meeting between the aggrieved individual and the Grievance Officer or the meeting between the aggrieved individual and the

committee formed by the Grievance Officer, the Grievance Officer shall respond to the grievance in writing, or where applicable in a format accessible to the aggrieved individual, with a final determination of the grievance.

**7. Miscellaneous.**

(a) Effective Date. This Policy shall be effective as of January 1, 2014.

(b) Amendments. This Policy may be amended, altered, modified or repealed at any time in the sole and absolute discretion of the University. Students are encouraged to visit the disability services website for current information and additional resources at <http://www.widener.edu/academics/support/disabilities/>

(c) Time Periods. A failure by the University or any of its employees, agents or representatives to comply with any time limit specified in this Policy shall not be deemed a waiver of any finding or conclusion reached by or on behalf of the University, nor shall any such failure operate to create any claim against or impose any liability on the University.

(d) Effect of Formal Remedies. Nothing in this Policy is intended to prevent an individual from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts. However, if an individual so proceeds, such individual cannot pursue University-based dispute resolution and any University-based proceeding may be terminated immediately in the sole discretion of the University. The University may in its discretion conduct or continue to conduct its own investigation of the matter.

(e) Conflicts of Interest/Bias. Any claims of conflict of interest or bias shall be raised at or prior to the time of filing a grievance under this Policy or shall be waived.

The Legal Information Center is one of the major law libraries in the region containing an outstanding print collection which is complemented by a vast array of electronic resources. It is designed to serve as the gateway to your legal research needs. The combined collection of the Wilmington and Harrisburg campus libraries contains nearly 600,000 volumes and volume equivalents. The core focus of the collection is on United States legal materials with particular strengths in corporate, health, tax and constitutional law. We are a selective depository for United States government documents. The homepage offers easy links to facilitate legal research.

Knowledgeable and highly experienced librarians are easily accessible to students and always willing to provide personal assistance in researching the law, both in person and online. For a complete description of our services and policies consult the homepage.

**HOURS:**

**Current semester hours are posted at <http://delawarelaw.widener.edu/current-students/library/about-the-library/library-hours-reference-hours/>**

To verify hours, call (302) 477-2244 for a recorded message.

**KEY CONTACTS**

General Information (302) 477-2244

Reference (302) 477-2114

Document Delivery (ILL) (302) 477-2297

Administration (302) 477-2113

Fax (302) 477-2240

Reach us by email: [LawLibRef@widener.edu](mailto:LawLibRef@widener.edu)

**LINK TO OUR HOMEPAGE**

**<http://delawarelaw.widener.edu/current-students/library/>**



**DELAWARE LAW SCHOOL  
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:

(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) “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, University College students, and Weekend College students will be considered as “independent,” unless the student specifically informs the Registrar’s office 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.

(d) “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.

(1) 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, fulltime 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.

(2) 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.

(e) "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.

(f) "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.

(g) "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:

(1) records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute;

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

(3) 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;

(4) 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;

(5) 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

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

(h) "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.

(i) "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.

(j) "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:

(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 100 professional responsibilities for the University;

- (2) 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;
- (3) 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;
- (4) under certain specific conditions, authorized representatives of the United States Attorney General for law enforcement purposes;
- (5) 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;
- (6) 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;
- (7) 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;
- (8) accrediting organizations in order to carry out their accrediting functions; (9) parents of a Dependent Student, as defined in this Policy;
- (10) 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;
- (11) 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;
- (12) 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 or the School of Law, as applicable;
- (13) the disclosure is to the student;
- (14) 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 non-forcible 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 sexual 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;

(15) 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;

(16) 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;

(17) 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

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

(b) 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.

(c) 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.

(2) 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.

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

(i) financial records of the parents of the student or any information contained therein;  
(ii) 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 (iii) if the student has signed a waiver of the student's right of access in accordance with subsection (4) below, confidential recommendations –

(A) respecting admission to any educational agency or institution;

(B) respecting an application for employment, and

(C) respecting the receipt of an honor or honorary recognition.

(4) 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.

(5) 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.

(6) 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.

##### **(b) Procedures for Access to Records.**

(1) A request by a student (or the parent of a Dependent Student) to inspect his or her Education Records shall be made to the office which maintains such records. Each office maintaining Education Records shall designate a person to receive and process 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.

(2) 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.**

(3) 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.

(4) 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.

(5) 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, 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 the Registrar's Office 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 University.

(b) 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.

(c) 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.

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

(e) This Policy shall be effective as of the commencement of the 2009-2010 academic year.

This Policy may be amended, supplemented or revoked by the University at any time.



## **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 or Delaware 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.

**DELAWARE LAW SCHOOL**  
**Tobacco-Free Enforcement Policy**  
**For Faculty, Staff, Students, Visitors Contractors and Guests**

**Purpose**

Widener University and Delaware Law School are dedicated to providing and promoting a healthy and productive environment for 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, Delaware Law School 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. 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 Widener University and the Delaware Law School 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 Delaware Law School 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 University 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.

### **Campus Tobacco-Free Boundaries**

Widener University 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.

Delaware Law School 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.

Commonwealth Law School 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 DELAWARE LAW SCHOOL**  
**Alcohol & Controlled Substances Policy**  
**For Students, Visitors and Guests**

**Alcoholic Beverages and Controlled Substances Policy**

Federal law requires that in order for an institution of higher education to receive federal funds, it must adopt and implement a program to prevent the possession, use, or distribution of illegal or illicit drugs and alcohol by students and employees. In keeping with the foregoing, all students are required to strictly adhere to the standards of conduct outlined below.

a) Alcoholic Beverages: In keeping with the laws of Pennsylvania and Delaware, university policy regarding alcoholic beverages is as follows:

- 1) It is illegal for any person under 21 years of age to possess alcoholic beverages or to attempt to purchase or to consume or transport any alcoholic beverage within Pennsylvania or Delaware.
- 2) It is illegal for any person to sell or give alcoholic beverages of any kind to a minor.
- 3) It is illegal for any person to misrepresent his or her own age or the age of any other person to obtain alcoholic beverages. For students and their guests of legal age, alcoholic beverages are confined to resident rooms with doors closed, or to a location designated and approved by the Student Affairs Office. All individual students or guests in any student room must be of legal age (21 years or older) when alcohol is present. Alcohol is prohibited in all public areas, including, without limitation, porches, lounges, stairs, lobbies, classrooms, hallways, and offices. In those situations in which exceptions are made, the university reserves the right to require additional procedures to ensure safety and responsible consumption. No alcohol is permitted in Schwartz Athletic Center, and alcoholic beverages are not allowed in the University Center unless during an event where all in attendance are of age and the sponsoring group has received the explicit written permission of the associate provost and dean of students. No alcohol is permitted in the university stadium during athletic events or at university athletic events played elsewhere. Public intoxication is also prohibited, regardless of age. Special procedures may exist for 21-and-older events, particularly those involving alcohol. Organizations are responsible for abiding by the university's alcohol policy. In addition, Widener University does not permit organizations contracting with third party vendors to facilitate "open bar" events. Alcohol consumption at organization events must be in accordance with the Inter-Fraternity Council BYOB standards for all organizations, including a cash sale per drink or its equivalent.

b) Bulk Container Policy: Widener University promotes an environment that complies with the laws of Pennsylvania and Delaware and our university alcohol policy. We do permit individual students who are 21 years of age or older to possess and consume alcoholic beverages within their individual room, suite, or apartment, as long as no one under the age of 21 is present. The university does have a bulk container policy that regulates the amount of alcohol a student who is 21 or older may possess in our residence halls or while on university property. The essential elements of that policy are as follows:

- 1) No kegs or beer balls are permitted in the residence halls or on university property.
- 2) No alcoholic punch/mix/concoction is permitted in the residence halls or on university property.

3) No student may possess more than two total units in any combination of the following list of alcohol unit amounts:

- One gallon of wine.
- One liter of hard liquor or natural or distilled spirits used or intended for consumption.
- One case of beer or malt products (24 12-ounce bottles or cans).
- One case of wine coolers or similar alcoholic products (24 12-ounce bottles or cans). Bulk amounts and common sources of alcohol are strictly prohibited for individual and campus organizations unless provided by a third-party vendor and registered with the Student Affairs Office. Examples of bulk amounts and common sources of alcohol are kegs and beer balls or jug wines. Alcohol used in violation of university policy will be confiscated.

The laws of Pennsylvania and Delaware carry strict sanctions for violation of alcohol-related offenses, including jail sentences, substantial fines, and revocation of one's driver's license. Additionally, the City of Chester enforces an ordinance that prohibits open containers (e.g., cans, bottles, cups, squeeze bottles, etc.) of alcohol in outdoor public areas, including streets, roofs, porches, yards, sidewalks, and any external areas of the residence structure that are construed as part of the Widener University Main Campus. Students are reminded that off-campus violations of the university Alcoholic Beverages and Controlled Substances Policy are subject to disciplinary action via the Campus Judicial System.

In addition, empty alcoholic containers and paraphernalia—including wine bottles, beer cans/bottles, liquor bottles of any size, shot glasses, beer bongs and funnels—are prohibited on university property, including those for decorative purposes.

c) Drugs and Other Controlled Substances: The possession, use, and sale of illegal drugs, narcotics, and other controlled substances is a federal and state offense subject to mandatory heavy fines and imprisonment. The university cannot and will not shield students from the law and its consequences. Widener University must and will cooperate with law enforcement agencies.

Any Widener University student who (1) possesses, uses, or distributes narcotics or illegal drugs or drug-related paraphernalia either on or off campus (not specifically prescribed by a physician or without the knowledge of the associate provost and dean of students on the Chester Campus or the associate dean of student affairs on the Wilmington Campus or the dean of students on the Harrisburg Campus); (2) brings such narcotics or illegal drugs or drug-related paraphernalia onto university premises; or (3) causes such narcotics or illegal drugs or drug-related paraphernalia to be brought onto university premises may be suspended, dismissed, expelled, and/or referred for prosecution. Any antisocial conduct resulting from illegal drugs or other controlled substances will result in appropriate disciplinary action up to and including expulsion from the university. Applicable federal law states that any student convicted of various illegal drug offenses will lose his or her student aid eligibility for specified periods of time depending upon whether the conviction was for use or sale and how many times the student has been convicted.

(d) Prohibited Conduct: The following nonexclusive list of behaviors may result in disciplinary action, including suspension, dismissal, expulsion, and referral for prosecution:

1) Disobedience of any of the general regulations as noted in the Student Code of Conduct, Student Handbook, Student Drug and Alcohol Policy, or any other generally available set of guidelines.

- 2) The possession, use, or distribution, either on or off campus, of illegal or illicit drugs, drug paraphernalia, narcotics, or medicine requiring a physician's prescription and used without such prescription.
- 3) Violation of federal, state, or local criminal laws.
- 4) Violation of the university's policies on the use and possession of alcoholic beverages as outlined in university publications such as the Student Handbook and Student Drug and Alcohol Policy.

Students are reminded that violations of university policy are not limited to the above list. Rather, this information is provided merely to highlight some important rules and regulations which must be observed.

### **The Health Risks of Substance Abuse**

For the benefit of every Widener University student, a list has been prepared to heighten awareness of the dangers of drugs and their effects upon the user and is available as an addendum on the Widener Law website. The list is for illustrative purposes only and is not all-inclusive. Any doubts as to which are considered illicit should be raised with Student Affairs, Health Center, or Counseling Center professionals.

**WIDENER UNIVERSITY DELAWARE LAW SCHOOL  
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.

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;

(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 is not in a position to 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 that the safety of all Minors on campus is provided for, 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 safety hazards and liabilities 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 - Administration of the details of the program or activity on forms provided by that department. 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 & Finance and the Associate Vice President for Administration. Information provided 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.

2. Background checks: A successful background check 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 four (3) years thereafter. Background checks may be conducted by an outside contractor with the approval of the Associate Vice President -Administration at the contractor's expense, though certain background requests may be accessed directly by the applicant (e.g., Pennsylvania Child Abuse History Clearance [http://www/dpw.state.pa.us/resources/documents/pdf/fillinforms/dpw\\_childabuse.pdf](http://www/dpw.state.pa.us/resources/documents/pdf/fillinforms/dpw_childabuse.pdf)). Background check request forms and information will be available from the Associate Vice President-Administration. 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 request forms and has subsequently received clearance to participate. The Associate Vice President Administration will maintain a roster of individuals who have been cleared to participate and the dates on which a new background check will be required. The background check 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. The University may accept successful documented background clearances from governmental agencies (e.g., School Districts) that have been completed within four (4) years from the start date of employment. 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 Administration 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 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, and the two adults remain in each other's presence at all times.
- (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.
- (c) 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.

**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 shall be effective as of 2012, and may be amended at any time thereafter by the President of the University.

**EXHIBIT "A"**  
**WIDENER UNIVERSITY DELAWARE LAW SCHOOL**  
**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. 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:**

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 of Administration 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.

2. 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 of Administration 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.

b. [http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/form/s\\_001762.pdf](http://www.dpw.state.pa.us/ucmprd/groups/webcontent/documents/form/s_001762.pdf) or from the University's Associate Vice President of Administration.

c. This clearance may not be submitted online. 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.** While the University does not require that all individuals who have direct contact with minors submit to a federal background check, out of state residents must attach a copy of their FBI Clearance Form (FD-258) in order to process this clearance.

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 of Administration 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.

4. 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 of Administration 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.

## **WIDENER UNIVERSITY DELAWARE LAW SCHOOL INFORMATION TECHNOLOGY SERVICES**

Widener University's computing resources are managed by the Office of Information Technology Services (ITS), which is located on the second floor of Academic Center North (ACN) on the Main Campus and also has offices on the Wilmington and Harrisburg campuses. ITS provides central computing resources, including Internet access via LAN and wireless, numerous lab-based academic-specific software applications, residential computing connections, and technical support. ITS maintains general-purpose labs on all campuses, with two on the Chester campus and one each on the Wilmington and Harrisburg campuses. Students are issued a network login and password to access the computers in the general labs. ITS maintains several computer classrooms throughout the university and provides support for Main Campus classrooms equipped with multimedia presentations (DE and HB classrooms are supported by Media Services).

ITS also provides CampusCruiser as the web-based information portal for the university. Widener University provides each student with an e-mail account and other multiple services on CampusCruiser. All "official" university correspondence will be sent to student's CampusCruiser e-mail accounts. It is the student's responsibility to routinely check their e-mail. CampusCruiser allows the university community to access personal and group calendars, e-mail, class schedules, and campus events. CampusCruiser also allows users to register for classes and review personal academic information such as GPA, financial status, and more.

**Student Employment:** ITS is also a major student employer for both work study and non-work study positions. ITS currently employs over 30 Lab Attendants/Consultants for work in the University's general computing labs, 6 Student Support Techs, 2 Accounts Payable Clerks who assist our purchasing specialist with the daily operations of accounts payable, and 3 Technical Assistants who assist our professional staff on a daily basis. For more information on our Student Employment, please visit the Student Computing virtual office in CampusCruiser.

**Student Technical Support:** The university is dedicated to providing both commuter and residential students technical support through the ITS Student Technical Support program. Students are hired and trained extensively by the ITS department to be the first line of support for students experiencing technical problems with their computers. This includes virus issues, spyware/adware removal, software incompatibility, hardware issues, and problems connecting to the university's network. A walk-in support office is also available to students throughout the week, located in the ITS offices. For additional information about the Student Computing Support Center visit the Student Computing virtual office in CampusCruiser.

## **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 Guide to Fees and Payment at <http://Widener.edu/BursarOffice>.

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

All other policies regarding financial aid shall be found by reviewing the webpage at <http://law.widener.edu/Admissions/Discover/CostsandFinancialAid.aspx>