



STUDENT HANDBOOK

2026-2027



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INTRODUCTION

The Roger Williams University School of Law Student Handbook is a compilation of documents relevant to the student's career at the law school. The materials in the Student Handbook will be supplemented from time to time on-line in order to improve it, provide more complete coverage, and keep it current. The current version is available online.

The Student Handbook is both notice to you of the regulations and interpretations included therein and a guide to the operating rules of the law school.

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MISSION AND GOALS OF THE SCHOOL OF LAW

The mission of RWU Law is to prepare students for success in the public and private sectors and to promote social justice and the rule of law through engaged teaching, learning, and scholarship. In support of that mission, we strive to:

1. Provide an excellent legal education that is focused on the development of students' analytical, ethical, and other practice skills through the exploration of legal doctrine, policy, history and theory, including the relationship between law and social inequality.
2. Provide students guided opportunities to provide pro bono legal assistance to unrepresented individuals and organizations.
3. Attract and retain a student body, faculty, and staff with diverse backgrounds and experiences, especially those historically underrepresented in the legal profession.
4. Produce meaningful legal scholarship that provides analysis, insights, or information to lawyers, judges, legislators, policymakers, scholars, journalists, and the public-at-large.
5. Provide service to the legal profession and the wider community.

DISCLAIMER

The School of Law reserves the right to modify the requirements for admission and graduation, to change the program of study, to amend any regulation affecting the student body, to increase tuition and fees, and to dismiss from the law school any student at any time, if it is deemed by the School of Law to be in the best interest of the School of Law or the students to do so. Nothing in this Student Handbook may be considered as setting forth terms of a contract between a student or prospective student and the Roger Williams University School of Law.

AMERICAN BAR ASSOCIATION ACCREDITATION AND MEMBERSHIP IN ASSOCIATION OF AMERICAN LAW SCHOOLS

The School of Law received full approval from the American Bar Association on February 14, 1997. Under current state policies, all students who graduate from law schools that have full approval from the American Bar Association may seek admission to the Bar in all fifty states and the District of Columbia. The School of Law was granted membership in the Association of American Law Schools in July 2006.

ACADEMIC FREEDOM

The wellbeing of an academic institution and of society in general can be maintained only if individuals and groups exercise their responsibility and freedom to search for the truth and to speak that truth as it is discovered. As members of a collegial community, the faculty, administrators, and students at Roger Williams University School of Law must extend to one another the trust and respect that creates the appropriate environment for the exercise of academic freedom.

PART ONE: UNIVERSITY AND SCHOOL OF LAW REGULATIONS

In consideration for attending Roger Williams University (including its School of Law) (the “University”), all students are obligated to comply with the Roger Williams University Student Handbook's rules and procedures, with which they are expected to familiarize themselves and understand.

What students may expect at the University can be found in the [University Catalog](#), on the [University policies](#) website and in the Roger Williams University Student Handbook. Although the Student Handbook is no longer printed as a physical “handbook,” the [student handbook website](#) is designed to acquaint students with the behavioral standards expected of them as members of University community and the processes that will be followed if expectations are not met. The policies and rules delineated in the Student Handbook apply to all students enrolled at the University, including students enrolled at the School of Law, and students are responsible to comply with such policies and rules. Ignorance of a policy or rule will not be considered an excuse for failure to observe it.

Members of the University community enjoy the rights and privileges associated with their status, but also are bound by the laws of the surrounding community. Student status does not protect a University student from the consequences of violating local, state, or federal laws.

While the Student Handbook provides a review of general policies, guidelines and resources, the University reserves the right to revise its policies and rules at any time in its sole discretion. Revised policies will be posted on the University's website. The Student Handbook is developed by the Division of Student Life. Corrections or information for the Handbook should be submitted to rwustudentlife@rwu.edu

For a full list of Roger Williams University's policies, please refer to the [Policies & Guidelines page](#) of the University's website.

Please note the ABA does require publication of rules and policies for non-discrimination, however, Interpretation 205-6 provides the following guidance:

The requirements stated in Standards 205(a) and 205(b) that a law school adopt, publish, and adhere to policies regarding non-discrimination and equality of opportunity may be satisfied by adopting, publishing, and adhering to policies of a parent institution that comply with this Standard.

PART TWO. ACADEMIC CODE OF ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW

ARTICLE ONE. PROGRAM

Section 101. Definitions.

As used in this Code:

(a). “Academic Standards Committee” means the Academic Standards Committee of the School of Law as appointed by the Dean.

- (b). "Associate Dean" means the Associate Dean for Academic Affairs or appointed delegate.
- (c). "Dean" means the Dean or appointed delegate.
- (d). "Dean of Admissions" means the Associate Dean for Enrollment and Strategic Initiatives.
- (e) "Dean of Students" means the Associate Dean for Student Life and Operations.
- (f). "Law school" or "School of Law" means Roger Williams University School of Law.
- (g). "Full time student" means any student who is enrolled in twelve or more credit hours of course work.

Section 102. Petitions.

Unless otherwise specified, petitions authorized by this Code must be filed with the Associate Dean on a [Dean's Variance Form](#). Unless otherwise specified, appeals from the denial of such petitions shall be made to the Dean.

Section 103. Years Allowed for Completion of Degree Requirements.

Under normal circumstances, full-time students must complete all degree requirements within three years after initial matriculation. Any petition for variance from the normal time limit must be approved by the Associate Dean. All degree requirements must be completed no earlier than 24 months and no later than 84 months after a student has commenced law study at the law school or a law school from which the school has accepted transfer credit.

Section 104. Graduation Requirements – J.D. Program

The academic requirements for graduation from the J.D. Program are as follows:

- (a). *Grade Point Average*. A 2.20 cumulative grade point average is required for graduation.
- (b). *Required Courses*. Candidates for graduation must have successfully completed each course required for graduation. The courses required for graduation are:

LAW 600 Civil Procedure
 LAW 604 Contracts
 LAW 623 Criminal Law
 LAW 627 Criminal Procedure: Investigation
 LAW 610 Legal Practice I
 LAW 611 Legal Practice II
 LAW 612 Foundations of Legal Studies *
 LAW 646 Legal Practice III**
 LAW 622 Property
 LAW 616 Torts
 LAW 639 Constitutional Law
 LAW 645 Evidence
 LAW 655 Professional Responsibility
 LAW 635 Business Associations

LAW 825 Race and the Foundations of American Law
LAW 889 Applied Legal Reasoning (taken in final semester)***

* Foundations of Legal Studies is required for students entering fall 2024 and after.

**The Legal Practice III course requirement is waived for students who have a class rank in the top 25%, as determined at the end of their first semester or at the end of their first year.

*** Applied Legal Reasoning course requirement is waived for students who earn a minimum 3.0 GPA after their 1L classes.

(c). *Experiential Education Requirement.* Each student must complete the Experiential Education Requirement, which may be satisfied by taking any course or courses designated as “Experiential Education” for a total of at least six credits. For purposes of satisfying this requirement, Legal Practice III shall be designated as an Experiential Education course and be counted toward the six-credit requirement. In addition, an in-house clinical program, a field clinic, the fieldwork component of a clinical externship program, and any additional course designated by the Associate Dean as an Experiential Education course shall be counted as toward the six-credit requirement.

(d). *Credit Hours.* Ninety (90) semester hours of passing course work are required for graduation.

(e). *Writing Requirement.* Must be completed as required under section 106.

(f). *Pro Bono Experiential Learning Requirement.* Must be completed as required under Section 107.

(g). *Required Bar Perspective Courses.* Students beginning enrollment in fall 2025 and after are required to complete three one-credit bar perspective courses in their third year of law school. This requirement is waived for students who earn a minimum 3.0 GPA after completion of their required first year courses

Section 105. Graduation Requirements – M.S.L. Program

(a). *Required Courses.* The following courses are required for completion of the Master of Studies in Law:

- Introduction to the Study of Law
- One First Year Required Course
- Capstone Seminar/Directed Research

(b). *Credits.* To obtain the MSL degree, a student must earn a grade of “Proficient” or better in thirty (30) credits of course work.

Section 106. Graduation Writing Requirement.

In order to graduate every student, under the direct supervision of a professor or director of an institute, must write an individually authored paper that reflects substantial legal research; presents a legal argument that is well-developed, organized, and supported; is at least 5500 words long; and is of sufficient quality to earn a grade of “C” or higher. With the approval of the supervising professor or director, students may also submit shorter papers totaling 5500 words, as long as each paper is at least 1500 words long and meets these requirements.

Students should work closely with the supervising professor or director in completing this paper or papers, submitting preliminary drafting stages, such as a thesis statement, an outline, and a first draft. At each stage, the supervising professor or director should provide thorough feedback on the student's work.

The graduation writing requirement may be fulfilled by: (a) a directed research paper or papers under Section 211 of this Code, (b) a paper or papers submitted in a seminar or course in which the paper or papers in total count for at least one-half of the final course grade, or (c) a paper supervised by a professor or director submitted to acquire or maintain Law Review membership.

Examples of formats that would fulfill the graduation writing requirement are an academic-style paper, a legal brief, a research or bench memo, or a judicial opinion.

Students must obtain written certification that they completed the graduation writing requirement from the supervising professor or director or, for papers supervised in an adjunct-taught seminar, from the Associate Dean. Students shall submit the [Certification of Graduation Writing Requirement](#) to the supervising professor or director at the same time they submit the final version of the paper or papers for which they seek to satisfy the requirement. Students are responsible for ensuring that a certification form signed by the supervising professor or director is delivered to the Office of Student Finance and Records well in advance of their graduation date. To ensure uniformity in the treatment of the papers supervised by adjunct faculty in seminars, the Associate Dean will review the papers before they are certified as satisfying the requirement.

Section 107. Pro Bono Experiential Learning Requirement.

Prior to graduation each student must engage in fifty (50) hours of law-related pro bono work. All work satisfying this requirement must be donated; neither monetary compensation nor academic credit may be exchanged for this work. Pro bono work, as used in this section, means working with indigent clients, non-profit organizations (including, but not limited to, 501(c)(3) organizations), public interest groups, the judiciary, government, and private practitioners handling pro bono cases. The law school's Associate Director of Pro Bono Programs will oversee the placement of students in pro bono opportunities and will certify satisfactory completion of this requirement. Every graduating student must complete their pro bono work no later than thirty (30) days in advance of their anticipated graduation date to allow for processing.

ARTICLE TWO. ENROLLMENT

Section 201. Course Load.

(a). *Full-Time Enrollment.* Normally, full-time students will enroll in 14 to 16 credit hours per semester. A full-time student is not permitted without advanced approval from the Associate Dean to register for more than 16 credits or fewer than 12. Permission may not be granted to register for more than 18 credits per semester.

(b). *Part-time Enrollment.* Normally, part-time students will enroll in 6 to 9 credits per semester. A part-time student is not permitted without advanced approval from the Associate Dean to register for more than 11.5 credits or fewer than 6 credits.

(c). Summer Term Enrollment. A normal academic course load for any student in summer school is three to four academic credits. A student is not permitted to register for more than four academic credits without the prior approval of the Associate Dean.

Section 202. Credit Hour Calculation Policy.

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

The Law School shall determine credit hours for coursework and other academic activity in the manner set forth herein. The determination largely depends on the classification of the academic activity in question, in the manner described below.

I. Calculating Classroom or Direct Faculty Instruction Credit Hours

(a). According to Standard 310(b)(1): A credit hour is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.

(b). Fifty minutes suffices for one hour of classroom or direct faculty instruction. An “hour” for out-of-class student work is sixty minutes. The fifteen-week period may include one week for a final examination. In-class time for the fifteenth week must be accounted for, either through time dedicated to a final examination or through time for additional instruction.

(c). The Law School may award credit hours for coursework that extends over any period of time, if the coursework entails no less than the minimum total amounts of classroom or direct faculty instruction and of out-of-class student work.

(d). If a comprehensive final exam is given (in class or take-home), it shall be scheduled during the examination period. Typically, the duration of an exam will be at least 60 minutes per credit. However, this is not an exact requirement. For example, several four credit courses finish the course with a three hour exam. The reduced time takes into account the additional time required for a student to prepare for an exam in a four-credit course. If multiple assessments are given throughout a course, the allotted time for the aggregate of the assessments, including the final examination, must total at least 60 minutes per credit or the reasonable equivalent. Faculty members may, at their discretion, require additional time for completion of an examination. For example, some three credit courses finish the course with a take-home exam 24 hours or more.

(e). Summary:

(i). In terms of total time, 42.5 hours per credit is required: 15 “hours” in class (50 minute “hours”) and twice that – 30 hours – out of class (60 minute hours).

(ii). Classes in which a final exam is scheduled should include 42.5 hours per credit spent in class, preparing for class (reading or completing class assignments or assessments), and preparing for and taking an exam.

(iii). Classes in which a paper or papers is required should include 42.5 hours per credit of time spent in class, preparing for class (reading or completing class assignments or assessments), and researching and writing the required paper(s). This provision includes seminar courses.

(iv). For courses that do not meet on a weekly basis, the total hours of classroom and out-of-class student work shall total at least 42.5 hours per credit.

(v). Any faculty member who must miss a regularly scheduled class session for any reason must schedule a make-up class of equal time, live or on-line.

II. Calculating Out-Of-Class Student Work Hours

(a). Out-of-class student work may include, but is not limited to: reading assignments, additional reading of treatises and course related materials, case briefing, written assignments other than examinations, problem sets, participating in out-of-class simulations and role playing exercises, research assignments, posting to an on-line discussion board, court or other observations, meetings with the instructor, practice questions and practice exams, CALI exercises, participating in study groups, review sessions, and other work that assists in the comprehension of course content, such as outlining and studying for examinations. The criteria for estimating out of class work will be set by the Faculty.

(b). All Faculty shall submit their syllabi to the Associate Dean. In so doing, the course instructor certifies that the class time and outside work reasonably approximates the requirements of Standard 310(b)(1).

(c). The Associate Dean shall keep all course syllabi on file and review them on a regular basis to determine whether assignments and outside work complies with Standard 310(b)(1).

III. Calculating Credit Hours For Online Learning Classes

(a). Students may receive credit to the extent allowed by ABA Standards for online learning courses that are in compliance with ABA Standards.

(b). Online learning courses shall require at least 42.5 hours of student work per credit, consistent with Standard 310(b)(1).

(c). The Associate Dean shall collect and review online learning course syllabi on a regular basis to determine whether such courses comply with Standard 310(b).

IV. Calculating Credit Hours for Clinics, Externships, and Semesters-in Practice

(a). According to Standard 310(b)(2): A credit hour is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time. However, there is no minimum requirement amount of in-class instruction required. Compliance with Standard 310(b)(2) requires instead “at least an equivalent amount of work as required in [Standard 310(b)(1)].”

(b). The requirement of 42.5 hours per credit may include time spent in class, performing field placement or clinic work, preparing for class or completing class assignments (e.g., reflective writing assignments),

and preparing for and taking an exam, if applicable. Credit granted for such a course shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.

(c). Students enrolled in clinical courses, externships, and semesters-in practice must complete required hours in accordance with established clinic, externship and semester-in practice policies. Credit may be withheld for any student who fails to comply with this requirement.

V. Calculating Credit Hours For Independent Research Projects or Directed Study

(a). A student may earn up to two units of academic credit per semester and up to four units of academic credit in total through a directed research project under the supervision of a full-time faculty member or a director of an institute or an adjunct professor. To earn directed research credit, a student must submit an individually authored paper to the supervising professor or director. Students must complete the equivalent of 42.5 hours of work per credit. As a general rule, one credit may be awarded for a paper that is at least 3000 words long; two credits may be awarded for a paper that is at least 5500 words long. With the approval of the supervising professor or director, students may write more than one shorter paper to receive these credits, as long as each paper is at least 1500 words long and the total word count of the papers meets the 3000 or 5500 word requirement. The student and supervising professor or director must agree in advance on the number of credits to be earned for any semester and on other details of the project. The student must then register for the number of directed research credits to be earned for that semester. The supervising professor or director is to submit a letter grade for the student upon completion of the project.

(b). For students undertaking an Independent Research Project or Directed Study, the supervising faculty member or the Associate Dean shall submit to the Registrar a form at the end of the project, certifying that based on the work product of the student, the faculty member estimates that the student worked at least 42.5 hours per credit awarded. The Registrar's office will retain the forms. Credit may be withheld for any student who fails to comply with this requirement.

VI. Calculating Credit Hours For Journal and Law Review Participation

(a). Students must complete a minimum of 42.5 hours of work per credit.

(b). The criteria for estimating Law Review work will be set by the Faculty Advisor(s) of the Law Review.

VII. Calculating Credit Hours For Co-Curricular Competitions (e.g., Moot Court, and Trial Advocacy Competitions)

(a). Students may participate in co-curricular competitions without receiving credit. If the student wishes to receive academic credit, the student shall do so through an Independent Research Project.

(b). Students must complete a minimum of the equivalent of 42.5 hours of work per credit. As in V.B, the supervising faculty member shall submit to the Registrar a form at the end of the competition, certifying that based on the work product of the student, the faculty member estimates that the student worked at least 42.5 hours per credit awarded. The Registrar's office will retain the forms. Credit may be withheld for any student who fails to comply with this requirement.

VIII. Course Approval

- (a). All proposals for new courses must include a paragraph justifying the number of credits to be awarded, including a description of both classroom hours and the estimate of out-of-class work. The Curriculum Committee must assess this information when determining how many credit hours should be granted for the course or other academic activity. In approving new courses, the Curriculum Committee will determine whether the number credits to be awarded complies with Standard 310(b).
- (b). The Chair of the Curriculum Committee and the Associate Dean shall keep these forms on file.

Section 203. Other Academic Programs.

A student is not allowed to take course work in another academic program (including a joint degree program) or become a visitor or auditor or enroll in any other school, college, university, institute, law school, or other program without the advanced written permission of the Associate Dean. Students may only receive academic credit for courses taken at the graduate level.

Section 204. Permission to Visit.

A student enrolled in the School of Law must request approval to attend another law school approved by the American Bar Association as a visiting student. Permission may be granted by the Associate Dean only when the circumstances necessitating the request are extraordinary and beyond the control of the student and where denial of the request would result in substantial personal or family hardship.

Section 205. Approval of Visitation.

A student who wishes to visit during summer session or during the academic year must file a written petition to visit with the Associate Dean. Except for emergency situations, the petition must be filed at least sixty (60) days prior to the date of the first date of classes of an academic year or fourteen (14) days prior to the summer session in which the student wishes to visit. Permission may not be granted to take a course required for graduation from Roger Williams University School of Law.

Section 206. Visiting Status.

- (a). *Course Loads During Visitation.* A student may not take a course load in another law school upon visitation that exceeds the maximum course load authorized by Section 201 of this Code.
- (b). *Unapproved Visitation.* Transfer credits from any period of visitation that was not approved in advance by the School of Law will not be allowed toward residency or toward the required number of credit hours for graduation.
- (c). *Reporting of Grades for Visiting Students.* The School of Law will accept transfer credit for courses taken at another institution only if the course was approved in advance and the student earned a grade of C+ or higher. Approved transfer credits will be reported as "Pass." Grades of C to D- do not meet the minimum requirement for transfer and will be recorded as "NC" (No Credit). Failing grades will be reported as "F" and treated as failing grades for institutional purposes. These Pass/Fail designations, "Pass," "NC," and "F" will not count toward the limitation on Pass/Fail coursework outlined in Section 213.

Section 207. Outside Employment.

First year, full-time students are strongly encouraged not to undertake employment outside of the law school and in no event more than twenty hours of employment per week during the academic year, including employment both inside and outside of the law school. Upper-level, full-time students are strongly encouraged not to undertake employment of more than 20 hours per week during the academic year, including employment both inside and outside of the law school. Students engaged in outside employment above the recommended limits are encouraged to petition for reduced or part-time enrollment status.

Section 208. Summer Term.

The School of Law conducts a summer term. A normal academic course load for any student in summer school is three to four academic credits. A student is not permitted to register for more than four academic credits without the prior approval of the Associate Dean. A student on academic probation may not register for the summer term without prior approval of the Associate Dean.

Section 209. Auditing Courses.

(a). *Registration.* Prior to the end of the Add/Drop period, a student may register to audit an elective course with permission of the professor if the Associate Dean certifies that space is available and an overload for the student would not result. The Associate Dean may grant a change from a credit to an audit enrollment within six weeks of the beginning of the term. A student may not change a course from a credit to an audit enrollment if the change will result in less than 12 credit hours. An audited course may not subsequently be taken for credit.

(b). *Course Requirements.* Attendance requirements must be met or a grade of "WF" will be entered. A grade of "AU" "Audit" will be awarded. Audited courses are not included in calculating graduation requirements.

(c). *Tuition.* Tuition for auditing is calculated on the same basis as courses taken for credit.

Section 210. Non-Classroom Credit.

(a). *Minimum Grade Point Average.* Any student whose cumulative grade point average is less than 2.20 may not register for non-classroom credit.

(b). *Limitations.* A student may receive no more than nineteen credits for non-classroom credit.

(c). *Roger Williams Law Review.* A member of the Roger Williams Law Review may earn either one or two ungraded (pass) academic credits per semester up to a cumulative total of four academic credits for satisfactory participation in the work of the Law Review. The Faculty Advisor to the Law Review must certify the award of academic credit to a member for any particular semester.

(d). *Competitions.* A student who competes in an external competition representing the law school may earn either one or two academic ungraded (pass) credits per semester up to a cumulative total of three academic credits for satisfactory participation in external competitions. The Director of Competitions, after consulting with the faculty coach, must certify the award of academic credit to a competitor for any particular semester.

(e). *Directed Research*. Directed Research is a type of non-classroom credit included within the limitations set forth in Section 210(b).

(f). *Clinical Externship Program*. The fieldwork component of a clinical externship program is a type of non-classroom credit included within the limitations set forth in section 210(b).

Section 211. Directed Research.

A student may earn up to two units of academic credit per semester and up to four units of academic credit in total through a directed research project under the supervision of a full-time faculty member or a director of an institute. A student may also complete a directed research project under the supervision of an adjunct professor the directed research and the final paper is approved by the Associate Dean. To earn directed research credit, a student must submit an individually authored paper to the supervising professor or director. As a general rule, one credit may be awarded for a paper that is at least 3000 words long; two credits may be awarded for a paper that is at least 5500 words long.

With the approval of the supervising professor or director, students may write more than one shorter paper to receive these credits, as long as each paper is at least 1500 words long and the total word count of the papers meets the 3000- or 5500-word requirement.

The student and supervising professor or director must agree in advance on the number of credits to be earned for any semester and on other details of the project. The student must then register for the number of directed research credits to be earned for that semester. The supervising professor or director is to submit a letter grade for the student upon completion of the project.

Section 212. Clinical Credit.

(a). *Total Number of Clinical Credits*. A student may receive up to twenty (20) credits for participating in a School of Law clinical program. These credits may include credits for participating in an in-house clinical program, an advanced clinic, or the fieldwork component of a clinical externship program. A student may enroll in two traditional clinical externships in separate semesters, in two in-house clinics in separate semesters, in one traditional clinical externship and one in-house clinic in separate semesters, or in one Semester-in-Practice Clinical Externship (for twelve credits of fieldwork) and one in-house clinic in separate semesters. If the student can do so without exceeding the twenty-credit limitation imposed by this rule, a student may also earn two credits in an advanced clinic.

(b). *Clinical Externship Program*. No student may receive more than twelve credits for the fieldwork component of a clinical externship program.

(c). *In-House Clinical Program*. No student may receive more than sixteen academic credits for participating in an in-house clinical program, nor more than two academic credits for participating in an advanced clinic.

(d). *Eligibility*. Any student whose cumulative grade point average is less than 2.20 may not register for any clinical program. To be eligible for the New York Pro Bono Scholars program, a student must have completed their first year with a GPA that ranked in the top half of the class.

(e). *Grading.* Clinical courses will be graded in accordance with the grade structure set forth in Section 402 of this Code. The fieldwork component of a clinical externship program will be graded on a pass/fail basis in accordance with the grade structure set forth in Section 405 of this Code.

Section 213. Limitation On Pass/Fail Credits.

A student may not undertake more than nineteen (19) credits of coursework with Pass/Fail grading.

ARTICLE THREE. WITHDRAWAL.

Section 301. Add/Drop Period.

A student may add or drop from an elective course at any time within the time period designated for add/drop, or in the case of a course that begins beyond that date within three days of the first class meeting, by filing a drop request with the Office of Student Finance and Records. A student may not withdraw from a required course at anytime without permission from the Associate Dean. After the add/drop period, a student must file a petition with the Associate Dean for approval to withdraw from any elective course without academic penalty.

Section 302. Withdrawal from Courses.

Permission from the Associate Dean is required to withdraw from all courses after the add/drop period. Permission to withdraw from one or more courses after the add/drop period is not automatic. A student should not stop attending classes without Associate Dean approval.

(a). A student shall request permission on a Dean's Variance form submitted to the Associate Dean. The petition shall include a reason for the request and include relevant documentation, if appropriate.

(b). In a course in which students are assigned substantial presentations, simulations or group work, a student may withdraw only with the permission of both the instructor and the Associate Dean. Normally, such permission will not be granted.

(c). In an externship or clinical course, a student may withdraw only with the permission of both the instructor and the Associate Dean. The rights of clients will be a paramount consideration.

(d). *Consequences of Withdrawal.* Ordinarily, a course from which a student has been permitted to withdraw shall remain on the student's transcript with an entry of "W."

(e). *Appeal.* If the Associate Dean denies a request for withdrawal from any course, the student may file a written petition to the Dean not later than five days following the date of the Associate Dean's denial. The petition should substantially conform to Form AC Three.

(f). *Report of "WF" for Unauthorized Withdrawal.* The Associate Dean shall cause to be recorded a "WF" for any course dropped by any student without approval after the end of the drop-add period.

Section 303. Withdrawal From School.

(a). *Notice of Withdrawal.* A student who wishes to withdraw from all courses must submit a withdrawal form to the Office of Student Records & Finance. No student may withdraw after the examination period begins or while grades are pending. Students are responsible for notifying the School of Law if they plan to withdraw. Non-attendance or non-payment does not constitute an official withdrawal or course drop.

(b). *Withdrawal Presumed.* A student who does not attend any regularly scheduled classes for a period of more than the permitted number of absences and who has not been granted leave of absence is presumed to have withdrawn from the School of Law and is ineligible to return to the School of Law unless granted Reactivation of Enrollment under Section 307. Students are also presumed withdrawn if they do not enroll in the following fall or spring semester and have not been approved for a leave of absence.

Section 304. Tuition Refund Policy.

Students who withdraw from school will have their tuition (less non-refundable deposits) adjusted in accordance with the schedules set forth below. All fees charged by the law school are non-refundable.

During the Fall or Spring Semester

Before first day of classes	100% tuition, room, board and fees; forfeit deposits
Within the first week of classes	100% tuition, prorate room & board; forfeit deposits
Within the second week of classes	80% tuition, room & board
Within the third week of classes	60% tuition, room & board; fees non-refundable
within the fourth week of classes	40% tuition, room & board; fees non-refundable
After the fourth week of classes	0%

During the Summer Session

Prior to the first class meeting	100% tuition and fees
Prior to the second class meeting	50% tuition; fees non-refundable
Prior to the third class meeting	25% tuition; fees non-refundable
After the third class meeting	0% No refund

Section 305. Leave of Absence.

(a). *Leave of Absence.* A student who must withdraw from all classes for good cause, including illness of the student, death or illness of a family member, job change, active duty assignment in the armed forces, or for other reasons, may request permission for a Leave of Absence from the Associate Dean on a Dean's Variance Form. Supporting documentation will be required. In granting a Leave of Absence, the Associate Dean may impose requirements for a student's return to classes.

(b). *Period of Leave.* A Leave of Absence will normally be granted for a period of one academic semester. A student may submit a written request for an extension of leave for an additional consecutive semester.

(c). *Ineligible to Take Courses While on Leave.* A student may not register for any course work while on leave of absence, but may make up any deferred final examinations or complete any deferred incomplete seminar papers, course papers, or directed research papers outstanding on the date he or she is granted a leave. Students on leave are not considered actively enrolled for institutional purposes and reporting.

Section 306. Emergency Suspension from the School of Law.

In emergency situations, the Dean, the Associate Dean for Academic Affairs, or the Dean of Students or, in their absence, their designees, may suspend a student on an interim basis. Such suspension will occur if, in the judgment and sole discretion of the applicable Dean or designee, the student constitutes a danger to themselves, others, or property.

If an interim suspension is imposed, the School will notify the student of this fact and of the right to appear before the applicable Dean or designee to demonstrate that continued presence in the School of Law does not constitute a danger. Such a meeting shall be scheduled as soon as practical after receiving the student's request. The applicable Dean or designee, in their judgment and sole discretion, may maintain or lift the suspension.

Section 307. Reactivation of Enrollment.

(a). *General.* A student who has withdrawn from the law school may petition for Reactivation of Enrollment by submitting a letter to the Associate Dean of Academic Affairs.

(b). *Form and Style of Petition.* The Petition shall be by letter to the Associate Dean of Academic Affairs and shall include an explanation of the reason for withdrawal, information about the candidate's time away from the law school, and reasons for seeking to return. The candidate must provide an updated Character and Fitness disclosure to their original application for admission and shall include academic transcripts for any course work completed. The petitioner may include supporting documents as appropriate and relevant.

(c). *Time for Filing Petition.* The application for Reactivation shall be received at least 45 days prior to the academic term for which reactivation is sought.

(d). *Reactivation Committee.* Petitions for Reactivation shall be evaluated by a Reactivation Committee that will evaluate the candidate for Reactivation, including a determination regarding academic standing and scholarship. The Committee reserves the right to have the candidate complete the full admissions process for new or transfer students. The Reactivation Committee shall include the Associate Dean for Academic Affairs, the Dean of Students, the Dean of Admissions or designee, Faculty Chair of the Admissions Committee, and the Registrar.

(e). *Eligibility.* Only students in good academic standing at the time of withdrawal are eligible for Reactivation of Enrollment. A student who was academically dismissed or who has a cumulative GPA below the standard for academic advancement is ineligible for Reactivation of Enrollment and must apply for Reinstatement under Article VII.

ARTICLE FOUR. GRADES.

Section 401. Reporting Grades.

Instructors shall report all course grades to the Office of Student Finance and Records within thirty (28) days of the administration of the course examination, except for the grades of students whose anonymous numbers have been identified as graduating students which grades shall be completed by the date established by the School of Law for submission of grades for graduating students for that term.

Section 402. Grading System – J.D. Program

The School of Law grade structure for all course work is as follows:

A = 4.00	C = 2.00	NC = no credit
A- = 3.67	C- = 1.67	W = withdraw
B+ = 3.33	D+ = 1.33	WF = withdrawal/fail
B = 3.00	D = 1.00	AU = audit only
B- = 2.67	D- = 0.67	I = incomplete
C+ = 2.33	F = 0.00	P = pass

Section 403. Grading System – M.S.L. Program

- (a). Course work for students in the Master of Studies in Law program will be graded separately from J.D. students, using an Honors/ Good/Proficient/Unsatisfactory system.
- (b). The Faculty contemplates that work completed by students in the program will ordinarily be sufficient to earn a grade of “Good,” while recognizing that an individual’s performance in a given course may fall above or below that standard.
- (c). To obtain the M.S.L. degree, a student must earn a grade of “Proficient” or better in 30 credits worth of course work.
- (d). A faculty member will receive a separate roster for MSL students in the class. When reporting the final grade, the faculty member will enter a grade of Honors, Good, Proficient, or Unsatisfactory and submit those grades to the Office of Student Finance and Records. The Office will then translate the grade for the student’s transcript: Honors = A; Good = B+; Proficient = B-; Unsatisfactory = F. The transcript will reflect that the student received those letter grades, but there will be a notation at the bottom of the transcript indicating that A = Honors, B+ = Good, B- = Proficient, and F = Unsatisfactory.

Section 404. Grade Normalization.

The law faculty has adopted a two-tiered grade normalization policy for graded courses. Under this policy, a faculty member who is teaching a first year required course must distribute grades so that the mean or average grade for the class falls within the range of 2.65 to 2.85. A faculty member teaching one of the second year required courses must distribute grades so that the mean or average grade for the class falls within the range 2.80 to 3.10. Faculty whose grades fall outside those limits are required to request a variance from the Associate Dean before grades are distributed.

Section 405. Pass-Fail Courses.

In a course designated pass/fail, a grade of "P" (Pass) is assigned if the student satisfactorily completes the course. A grade of "P" in a pass-fail course does not have a grade point value, but is intended to reflect work equivalent to the letter grades of "A" through "C". "NC" means that no credit is received for the course. A grade of "NC" in a pass-fail course is intended to reflect work equivalent to the letter grades "C-" through "D-". A grade of "F" (Fail) in a pass-fail course is treated as if it were a letter grade of "F". Courses taken on a pass-fail basis that are passed shall not be considered in computing a student’s grade point average.

Section 406. Incomplete Grades.

A grade of "I" (Incomplete) may be assigned for a good cause as determined by the instructor. The instructor must submit a final grade reflecting the completed work at the conclusion of the semester or session following the semester or session for which the Incomplete was recorded. The Office of Student Finance and Records will automatically convert the "I" grade to a final grade of "F" if a change of grade has not been submitted by the instructor on or before the last day that grades are due for the semester or session following the semester or session for which the Incomplete was recorded.

Section 407. Failing Grades.

If a student fails a required course, the course must be repeated until successfully completed. Prerequisite courses must be passed prior to enrollment in an advanced course.

Section 408. Grading of Retaken Courses Due to Grade of "F".

(a). *Required Courses.* When a student fails a required course, that "F" is recorded and becomes part of the Grade Point Average calculations. The student must repeat the course and obtain a passing grade. The "F" will not be removed from the transcript. The new grade for the failed course will be shown on the transcript as repeat work and will be used as the grade for the course to calculate the Grade Point Average.

(b). *Elective Courses.* When a student fails an elective course, an "F" is recorded and becomes part of the Grade Point Average calculations. If the student elects to repeat the course, the "F" will not be removed from the transcript and the new grade for the failed course will be shown on the transcript as repeat work and will be used as the grade for the course to calculate the Grade Point Average.

Section 409. Cumulative GPA.

The cumulative grade point average is calculated by totaling up the GPA points for each class attempted and then dividing by the number of earned credits. The grades are as described in Section 402 of this code. Grade point averages are calculated to the third or thousandths decimal place and are not rounded upward or downward. Grade point averages are calculated for every student upon the submission of course grades for each semester and summer term, where applicable. Courses taken on a pass-fail basis that are passed shall not be considered in computing a student's grade point average.

Section 410. Class Rank.

(a). *Timing of Ranking.* Students will be ranked after spring semester grades are finalized. Students who have earned more than 32 academic credits will be ranked in the rising third year class. Students who have earned between 24 and 32 academic credits will be ranked in the rising second year class. Students who have earned fewer than 24 academic credits will not be ranked. August and December graduates will be assigned a final class rank with the graduating class in the following spring.

(b). *Ranking Process.* Only students in the top half of each class will receive an official class rank that will appear on academic transcripts. The grade point average for the 50th percentile will be published at the time that rankings are released.

Section 411. Grade Changes.

(a). *General Rule.* Course grades submitted by an instructor are final when received by the Office of Student Finance and Records and may not be changed by the instructor except as prescribed below.

(b). *Instructor's Application for Change of Grade.* An instructor may apply to the Associate Dean for change of a final grade for good cause. Good cause is limited to clerical error in recording a grade, egregious error in grading, or other like circumstances.

(c). *Student's Application for Change of Grade.* A presumption of regularity and impartiality attaches to the grades recorded by instructors at the School of Law, particularly in a course in which a grade was assigned on the basis of an anonymous grading system. A student may apply for a change of grade only on the grounds that a grade was awarded on a basis other than the work done by the student in the course. The burden of proof is on the student to prove the allegations. A student desiring to petition for a grade change must complete a petition substantially in accordance with Form AC Two, contained in the Appendix. A petition under this section must be filed within 30 days of the report of the grade in question. In any instance in which the Associate Dean for Academic Affairs receives a student's petition for change of grade, the Associate Dean will promptly notify the instructor who submitted the original grade.

Section 412. Graduation Honors (JD)

(a). *Summa Cum Laude.* A summa cum laude graduate must have a cumulative grade point average of 3.75 or higher as of commencement and must have completed all academic work required for receipt of degree.

(b). *Magna Cum Laude.* A magna cum laude graduate must have a cumulative grade point average of at least 3.50 but less than 3.75 as of commencement and must have completed all academic work required for receipt of degree.

(c). *Cum Laude.* A cum laude graduate must have a cumulative grade point average of at least 3.25 but less than 3.50 as of commencement and must have completed all academic work required for receipt of degree.

(d). *Valedictorian.* In order to qualify as class valedictorian, a student must have earned at least 70 graded credits at Roger Williams University School of Law.

Section 413. Graduation Honors (MSL)

To obtain the M.S.L. degree, a student must earn a grade of "Proficient" or better in 30 credits worth of course work. M.S.L. students who complete at least nine credits of course work with a grade of "Honors" and the rest "Good" shall receive the M.S.L. degree *cum laude*; those who complete at least 15 credits of course work with a grade of "Honors" and the rest "Good" shall receive the M.S.L. degree *magna cum laude*; and those who complete at least 24 credits with a grade of "Honors" and the rest "Good" shall receive the M.S.L. degree *summa cum laude*."

Section 414. Additional Grading Considerations

(a). *Grade for Classroom Performance.* An instructor may give a grade of plus or minus for each student's classroom performance during any course. Such grade is in addition to any examination grade, grade

derived from papers or projects, or other graded course work. The instructor wishing to grade classroom performance under this subsection must announce the criteria for such grading within two weeks of the start of class. After submitting the examination grade anonymously, the instructor will receive a grade adjustment sheet for all students in the course, which shall contain the names of the students, matched with the numbers assigned to them, and their anonymously submitted grades. If the instructor has complied with this subsection, the instructor may enter a "Plus" or "Minus" for any student. No student may be minused into an "F." No student may be plussed beyond an "A." For courses designated as seminars, and those that involve substantial simulations, drafting exercises or presentations of research, classroom performance may be graded at the discretion of the instructor with no limitation on the percentage of the final grade represented by said classroom performance. However, a plus or minus for mere classroom performance unrelated to a simulation, drafting exercise or presentation of research is otherwise subject to the limitations of this section.

(b). *Attendance and Grading.* Above and beyond the mandatory provisions of Academic Code Section 801, an instructor may reduce a student's grade or impose a failing grade for what the instructor deems to be inadequate attendance during any course. An instructor wishing to consider classroom attendance under this subsection in assigning a final grade for the course must announce the grading policy in writing 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 this subsection, she or he may enter any grade for any student consistent with the announced policy. A reduction of grade under this subsection shall not preclude the entering of a grade of "WF" on account of excessive absence under Section 801.

(c). *Submission of Papers in Lieu of Final Examination.* With the permission of the Associate Dean, an instructor may use one or more papers for a portion of the final grade in an elective course or the entire grade in a seminar.

ARTICLE FIVE. EXAMS.

Section 501. Examination Process.

(a). *Necessity of Evaluation.* The scholastic achievement of students shall be evaluated from the inception of their studies. As part of the testing of scholastic achievement, a written examination of suitable length and complexity shall be required in every course for which credit is given except clinical work, legal practice courses, experiential education courses, and courses involving extensive written work such as legal drafting courses, seminars, and individual research projects.

(b). *Materials Permitted at an Examination.* Each instructor should define the materials permitted in the examination by the end of the second week of classes. An instructor may conduct an "open book" examination. Students must bring their own writing instruments or computer, if permitted, to examinations. Other than materials specified by the instructor and writing instruments, students may not bring any item into an examination room without permission of the Associate Dean. The immediately preceding sentence prohibits the presence of briefcases, bookbags, notebooks, purses, or pocketbooks in the examination room.

(c). *Take Home Examinations.* With the permission of the Associate Dean an instructor may give a take-home examination.

(d). *Anonymous Grading.* All examinations are graded anonymously. 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.

Section 502. Conflict in Examination Schedule.

A student may request relief from the examination schedule from the Office of Student Finance and Records if the student has two examinations on the same day. This request must be made at least 30 days prior to the examination period.

Section 503. Rescheduled Examination.

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

(b). *No Right to Reschedule.* No student has the right to reschedule an examination. A student who fails to take an examination when scheduled to do so will receive an "F" for the examination, unless the examination has been rescheduled according to the procedure outlined in this section. Relief from this provision may be obtained only by petition to the Associate Dean.

(c). *Procedure for Requesting Rescheduled Examination.* No professor can grant an examination reschedule. Students are not to approach a professor about rescheduling an examination because of the potential to breach anonymity. Students are not to disclose to a professor the fact that an examination reschedule request has been granted by the Associate Dean.

If a student desires to reschedule an examination, the student must file a written petition on a Dean's Variance Form requesting reschedule of a final examination with the Associate Dean as early as possible and at least 24 hours prior to the scheduled time for the examination for which the student seeks to reschedule.

(d). *Emergency Rescheduled Examination.* If a student is unable to take an examination for good cause that arises within 24 hours immediately prior to the final examination time, the student may contact the Dean of Students or the Associate Dean for permission to reschedule the examination. Good cause is limited to an emergency outside the student's control. Documentation is required.

(e). *Confirming Emergency Reschedule.* The student must submit a formal written request in confirmation of the emergency reschedule within forty-eight (48) hours from its grant. This request must be supported by persuasive evidence of some extraordinary event beyond the student's control that led the student to miss the examination. The extraordinary event must be the cause in fact of the student missing the examination.

(f). *Illness During Exam.* If a student becomes ill during an examination or is otherwise unable to continue and complete the examination, the student should notify the proctor and leave the examination "response book(s)" and any other examination materials with the proctor. The proctor should write down the name, year, and course of the student who leaves the examination and notify the Office of Student Finance and Records as soon as possible.

(g). *Required Medical Documentation.* When a student requests a rescheduled examination or obtains an emergency reschedule for medical reasons, the student must provide verification of the medical condition which necessitated reschedule of the examination.

Section 504. Regulations Concerning Examinations.

(a). *Faculty Available During Examinations.* Faculty shall be available for contact during the administration of their examinations unless excused by the Dean or Associate Dean.

(b). *Proctors.* Faculty members should not proctor their own examinations. The Director of Student Finance and Records will ensure that an adequate number of qualified examination proctors are available for each final examination. Proctors will pass out examinations, response books, and other materials and receive and record examinations by anonymous number at the end of every examination. Proctors will also monitor the activities of students during the examination.

(c). *Honor Code.* Students certify compliance with all requirements of the Honor Code on all examinations by sitting for and submitting such examination.

Section 505. Retention of Examinations.

Examinations that are not returned to students will be retained for a period of one year. At that point, examinations will be destroyed.

ARTICLE SIX. ADVANCEMENT AND EVALUATION.

This article describes the academic standards students must achieve in order to advance to the next year of legal education or to be recommended for the Juris Doctor degree. A student who fails to satisfy the standards for advancement or graduation is academically disqualified.

Section 601. Period of Review.

Each student will be evaluated for academic advancement at the end of the spring semester regardless of the number of credits completed at that time. In extraordinary circumstances, such as an extended leave of absence, the Associate Dean in consultation with the Dean of Students may postpone the evaluation for academic advancement until a student completes 24 credits.

Section 602. Academic Supervision Requirements

(a). *Academic Supervision Definition.* A student with a cumulative GPA below 2.5 will be placed on Academic Supervision.

(b). Students on Academic Supervision must complete the following requirements:

- 1) Review exam and course performance for each course from the previous semester or academic term.
- 2) Enroll in the appropriate Academic Excellence course. Students on academic supervision after their fall semester in their first year must enroll in the spring semester Legal Analysis and Writing (LAW). Students on academic supervision after their first year must enroll in the fall semester Foundations of Legal Studies course.

- 3) Meet individually with a member of the Academic Excellence Program to receive recommendations to improve academic performance and skills development. Recommendations from this meeting could include, but are not limited to:
 - (i) Meeting regularly with the Academic Excellence department, writing fellows and/or teaching assistants.
 - (ii) Meeting with the Associate Director of Academic Excellence or Writing Specialist to diagnose writing issues; and
 - (iii) Enrolling in a reduced course load or as a part-time status.
- 4) Prior to course registration each semester, attend a mandatory course advising meeting with the student's faculty advisor or with the Director of Academic Excellence. Among other recommendations, the Director of Academic Excellence strongly recommends that the student enroll in bar-tested courses, courses that focus on increasing a student's writing and analytical skills, and to participate in in-house clinics rather than externships.

Section 603. Academic Probation.

- (a). *Academic Probation Definition.* A student with a cumulative GPA below 2.20 will be placed on Academic Probation. Any student on probationary status is not in good academic standing and may not register for summer courses or for directed research without the Associate Dean's prior approval. Students on Academic Probation may not register for clinics or externships and are ineligible for graduation as detailed in Handbook Section 104.
- (b). *Academic Probation Requirements.* Students on academic probation must complete all requirements for students on Academic Supervision, as detailed above. Additionally, students on Academic Probation must meet with either the Associate Dean for Academic Affairs or the Dean of Students, either of whom will review with the student all factors impacting the student's academic success and direct the student to appropriate resources and support. The Associate Dean or Dean of Students may impose any of the following conditions on enrollment:
 1. Reduction in academic course load;
 2. Reduction in or eliminating outside employment for a full-time student;
 3. Repetition of specified courses;
 4. Limitations on courses or programs that the student may take;
 5. Any other course of action the Associate Dean or Dean of Students deems appropriate to maximize the student's chance of academic and bar success.

Section 604. Advancement Standards: Required Courses.

To be eligible to advance to the next year of legal education or to graduate, a student must have completed all courses required of the student's class with passing grades (i.e., grades higher than "F"). This requirement may be waived by the Associate Dean for good cause for advancement, but not for graduation.

Section 605. Advancement Standards: Cumulative GPA.

The minimum cumulative standard for advancement to the second year is a cumulative GPA of 2.00. The minimum standard for advancement to the third year is a cumulative GPA of 2.20.

Section 606. Annual GPA.

The "Annual GPA" is the grade point average for work undertaken at the School of Law during the immediately preceding year. For the purpose of determining eligibility for advancement under Sections 604, 605, and 607, the preceding year includes the previous summer session and the fall and spring semesters. It does not include the current summer session.

Section 607. Advancement Standards: Annual GPA.

The minimum annual standard for advancement to the third year is an annual GPA of 2.00.

Section 608. Scholarship Review Policies.

(a). *Review Process.* Adjustments in scholarship awards will be determined by the Scholarship Review Committee, which is comprised of the Associate Dean for Academic Affairs, the Dean of Students, the Dean of Admissions, and others that the Dean may designate. All scholarship awards are reviewed at the end of each spring semester for retention purposes based on academic performance and other scholarship criteria. Scholarships that require a student to maintain a specified class rank or grade point average will be evaluated at the end of each spring semester.

(b). *First Year Students with Fewer Than 24 Credits.* All students will be evaluated for scholarship retention purposes at the end of the spring semester of the first year regardless of the number of academic credits that the student has completed at that time. Because students with fewer than 24 academic credits are not ranked, scholarship determinations for any such student will be based upon that student's grade point average and a determination of where that student would rank in the first year class had the student been ranked. The Scholarship Review Committee may postpone a scholarship decision until the completion of the semester in which the student earns the 24th credit, including summer semesters. Any decision to postpone a scholarship decision will be communicated to the student in writing.

(c). *Impact of Scholarship Adjustment.* When a scholarship is adjusted based upon a review at the end of the spring semester, that scholarship award will go into effect beginning in the following fall semester.

(d). *Appeal Process.* A student may file an appeal of a scholarship adjustment to the Scholarship Review Committee. An appeal must be filed in writing with the Associate Dean for Academic Affairs within 30 days of the notification of the scholarship adjustment. The Scholarship Review Committee will notify the student in writing of its decision on the appeal.

ARTICLE SEVEN. DISMISSAL AND REINSTATEMENT

Section 701. Notice of Automatic Dismissal.

Any student who fails to meet academic standards shall be dismissed automatically. Each student dismissed shall be notified by the Associate Dean using the student's University-issued email address. The notice will be accompanied by a statement of the Academic Code provisions relating to dismissal and reinstatement and an outline of the procedure for filing a petition for reinstatement. The dismissed student may also request the Associate Dean provide, at any point during the dismissal or reinstatement petition process, a document summarizing the past five years of the Registrar's Bar pass rates and graduation data for students who were either reinstated or readmitted to the law school following academic dismissal.

Section 702. Requirements for Petition of Reinstatement.

Petitions for Reinstatement following academic dismissal shall note whether the Academic Dismissal occurred at the end of first year or in subsequent years, be typed, be labeled “Petition for Reinstatement After Academic Dismissal,” and conform substantially to Form AC One attached to this handbook.

Section 703. Reinstatement After First Year Dismissal.

(a). *Eligibility.* Students academically dismissed between the first and second year (“First Year Dismissed Students”) may be reinstated only if approved by the Academic Standards Committee.

(b). *Procedure and Timing.* First Year Dismissed Students may only be reinstated at the beginning of the fall semester. First Year Dismissed Students seeking reinstatement must file a fully completed petition for reinstatement with the Associate Dean for Academic Affairs between March 1 and May 1 of either the first or second academic year following the academic dismissal, using Form AC One attached to this Handbook. (For example, a First Year Dismissed Student academically dismissed at the end of Spring 2026 may apply between March 1, 2027 and May 1, 2027 for reinstatement in the Fall 2027 semester or between March 1, 2028 and May 1, 2028 reinstatement in the Fall 2028 semester.)

(c). *Repeating Courses.* Students reinstated under this section shall be required to repeat all first- year courses unless the Academic Standards Committee waives this requirement. There is a presumption that all courses shall be repeated absent extraordinary circumstances.

Section 704. Reinstatement After Subsequent Year Dismissals.

(a). *Eligibility.* Students academically dismissed in or after the second year (“Subsequent Year Dismissed Students”) may be reinstated only if the student has not been academically dismissed from the law school before and only if approved by the Academic Standards Committee.

(b). *Procedure and Timing.* Subsequent Year Dismissed Students may be reinstated as soon as the next semester. Subsequent Year Dismissed Students seeking reinstatement must file a fully completed petition for reinstatement with the Associate Dean for Academic Affairs at least 30 days before the first day of classes for the semester for which reinstatement is sought and no more than one year after notice of dismissal. Petitions shall use Form AC One attached to this Handbook.

(c). *Repeating Courses.* The Academic Standards Committee will decide which courses, if any, must be repeated by each Subsequent Year Dismissed Student.

Section 705. Effect of Academic Dismissal on Summer Enrollment.

If a student receives notice of dismissal while the student is in attendance at the law school during the summer session, the student is ineligible to take any final examinations or submit any papers or projects for grades for that session unless the Associate Dean of Academic Affairs decides otherwise.

Section 706. Guidelines for Reinstatement Review

(a). *Standard for Reinstatement.* All dismissed students must overcome a high presumption against reinstatement. The law school follows the American Bar Association’s Standards for the Approval of Law Schools, and the law school shall not reinstate or readmit a student who has been disqualified previously for academic reasons without an affirmative showing that the prior disqualification does not indicate a

lack of capacity to complete the J.D. program and be admitted to the bar.

(b). *Specification of Reason for Academic Failure.* The petitioner must overcome the high presumption against reinstatement by providing reasons that the academic disqualification does not indicate the lack of capacity to complete its program of legal education and be admitted to the bar but rather was the result of a specific issue or issues.

(c). *Extraordinary Circumstances Caused Failure.* The petitioner must also allege and prove that any issues specified for having caused academic failure, as required by subsection (b) above, have been adequately resolved and will no longer be an impediment to academic success.

(d). *Medical or Psychological Causes.* If the extraordinary circumstances raised by the petitioner are related to physical or psychological incapacity in the course of a semester or before or during an examination, medical documentation of the condition and its impact must accompany the petition.

(e). *Initial Review of Petition.* The Associate Dean for Academic Affairs shall initially review each Form AC One petition for reinstatement. If the Associate Dean is able to confirm the petition has been fully and properly completed under Section 702 above, the Associate Dean shall forward the approved petition to the Academic Standards Committee for review.

(f). *Final Decision-Maker.* The Academic Standards Committee shall make all final decisions regarding reinstatement petitions using the above Standard for Reinstatement.

(g). *Decision Process.* The Academic Standards Committee shall solicit the input of the Registrar, Associate Dean of Students, Director of Academic Excellence, and Associate Dean of Academic Affairs regarding each reinstatement petition prior to making a decision. (Only members of the Academic Standards Committee may vote on reinstatement petition decisions.) The Academic Standards Committee shall consider the most recent five years of the law school's bar passage data and graduation data for students who were either reinstated or readmitted to RWU Law following academic dismissal, and any other information it deems relevant in deciding whether the dismissed student meets the above Standard for Reinstatement. To reinstate an academically dismissed student, two-thirds of the Academic Standards Committee must vote in favor of reinstatement after review and discussion of the reinstatement petition. If the Committee votes in favor of reinstatement of a First Year Dismissed Student, it may then consider whether there are any extraordinary circumstances under Section 703 that would justify making an exception to the requirement of repeating all required first year courses; such an exception will be granted only if approved by a majority of the Committee. If the Committee votes in favor of reinstatement of a Subsequent Year Dismissed Student, as referenced in Section 704, it shall then review and vote, by majority, on which, if any, courses must be repeated.

(h). *Decision Notification.* The Academic Standards Committee shall deliver its decision in writing to the Associate Dean for Academic Affairs, who shall (a) notify the petitioning student of the decision, in writing; and (b) place a copy of the decision in the student's file. The decision will include at least: (a) approval or denial of petition; (b) if approved, confirmation of repeated course requirements or exceptions; and (c) if approved, a document summarizing the past five years of the Registrar's Bar pass rates and graduation data for students who were either reinstated or readmitted to the law school following academic dismissal.

Section 707. Effect of Repeated Courses on Transcript and GPA.

When a dismissed student is reinstated, the dismissed student's transcript will include a notation indicating dismissal for academic reasons and later reinstatement. Grades received prior to academic dismissal will not be removed from the transcript and grades received in repeated courses will be labeled to show the course was repeated. Only new grades for repeated courses (whether higher or lower than the earlier grades) will be used to determine GPA, and old grades for repeated courses will not be used to determine GPA.

Section 708. Readmission after Disqualification for Academic Reasons.

A first-year student who does not file a timely petition for reinstatement or who is denied reinstatement under Section 703 may apply for readmission only after the two-year window for petitions for reinstatement has closed. A Subsequent Year Dismissed Student who does not file a timely petition for reinstatement or who is not reinstated under Section 704 may apply for readmission only after waiting at least six months following notification of dismissal. An academically dismissed student shall be readmitted only by decision of the Admissions Committee and Dean. The remainder of this section shall also apply to students seeking admission to the law school from another law school after academic disqualification.

(a). *Filing Date and Form.* The student shall submit an application to the Dean of Admissions of the law school in conformity with regular application deadlines. The admissions application shall be the same as that prescribed for all students applying to the law school.

(b). *Standard for Readmission.* The law school follows the American Bar Association's Standards for the Approval of Law Schools, and the law school shall not reinstate or readmit a student who has been disqualified previously for academic reasons without an affirmative showing that the prior disqualification does not indicate a lack of capacity to complete the J.D. program and be admitted to the bar.

ARTICLE EIGHT. ATTENDANCE AND CLASS RECORDINGS

Section 801. Attendance Policy

American Bar Association accreditation standards require law schools to adopt, publish, and adhere to sound academic standards, including those for regular class attendance. Consistent with this directive, the School of Law faculty believes that dependability is an essential characteristic of a good lawyer. The Law School's objective is not only to ensure academic success, of which attendance is a major component, but also the development of professionalism.

(a). *General Principles.* Attending class is an essential part of legal education. During class, students learn from the instructor, from class discussion, and from each other. While students will at times have legitimate reasons to miss a class, students should endeavor whenever possible to attend and should not miss class without an excuse for non-attendance that would be acceptable in a professional setting.

(b). *Attendance Records by Faculty.* Faculty should routinely record attendance at individual class sessions. Faculty have no authority to excuse absences or to allow more absences than the Attendance Policy permits.

- a. A student who is unprepared in class but present may be counted as absent if the instructor announces at the beginning of the semester that unprepared students will be counted as absent.
 - b. A student who enters class late or leaves class early may be counted as absent. Unless stated otherwise by the professor, an absence under this subsection shall count as an absence for the entire class period.
 - c. Absences during the add/drop period shall not count when a student is not yet enrolled in the course.
 - d. Absences from classes that are rescheduled for the convenience of the instructor shall not count toward the 20% absence rule, except for first year classes rescheduled during one of the official first year "make-up" periods, Legal Practice I & II classes rescheduled according to the syllabus, and classes rescheduled by the law school administration due to inclement weather or some other emergency situation.
- (c). *Student Responsibility.* Students are responsible for monitoring their compliance with the Attendance Policy and for keeping documentation of reasons for all absences. Students need not inform an instructor in advance of an absence unless a particular instructor has requested to be so informed. Student falsification of attendance records is a violation of the RWU School of Law Honor Code.
- (d). *Maximum Absences Permitted (20% Absence Rule).* A student violates the attendance policy if the student is absent for 20% or more of the total class meetings (the "20% absence rule"). The 20% absence rule is intended to cover all absences, including those for professionally acceptable reasons.

Examples:

- 1) A class that meets three times each week meets a total of 39 times throughout the semester. A student will exceed the permissible absences when the eighth class is missed.
 - 2) A class that meets two times each week meets a total of 26 times throughout the semester. A student will exceed the permissible absences when the fifth class is missed.
 - 3) A class that meets once each week meets a total of 13 times throughout the semester. A student will exceed the permissible absences when the third class is missed.
- (e). *Violation of the Attendance Policy.* If a student exceeds the maximum absences in a course, the instructor shall immediately notify the Associate Dean and provide the dates of the absences. The Associate Dean shall promptly notify the student of the attendance violation.
- (f). *Petition for Relief.* Within seven (7) calendar days, the student may submit a "Petition for Relief from the Rules on Attendance," conforming substantially to Form AC Four. The Petition shall provide the reason for and circumstance of each absence, with appropriate documentation. The student should continue to attend the course while the petition is pending.
- (g). *Decision on Petition for Relief for the Rules on Attendance.* The Associate Dean shall issue a decision as to which of the following consequences is most appropriate. The Associate Dean may refer the Petition to the Academic Standards Committee for a decision under this section if the petition is unclear, or for other good cause.

- (i) *Continued enrollment.* The student shall be allowed to stay in the course if (1) most of the student's total absences are for professionally acceptable reasons, as defined in (h) below; and (2) the student can proficiently complete the course if permitted to remain enrolled. Any subsequent absences by the student in that course shall be grounds for reporting the student to the Associate Dean for violation of the attendance policy.
 - (ii) *Entry of "W" Grade.* A grade of "W" shall be entered if continued enrollment is not appropriate but good cause exists to allow the student to withdraw rather than fail the course. A student's poor performance in early assessments or fear of failing an exam does not, by itself, constitute "good cause" for withdrawal.
 - (iii) *Entry of "WF" Grade.* A grade of "WF" shall be entered for a student who fails, without good cause, to timely submit a Petition for Relief for the on Attendance to the Associate's Dean's notice of attendance violation or where neither continued enrollment nor withdrawal is appropriate (for example, where a student has missed numerous classes without offering professionally acceptable reasons).
- (h). *Professionally acceptable reasons for absence.* While students should schedule non-class matters not to conflict with class times, emergencies and conflicts arise that cannot be avoided by advance planning. Upon a Petition for Relief from the Rules on Attendance, the Associate Dean or Academic Standards Committee, shall treat as excusable those absences attributable to reasons that would be generally acceptable in a professional setting.
- (i) Examples of professionally acceptable reasons for an absence include:
 - Illness or medical condition of student or household member that precludes in-person attendance
 - Non-elective surgical procedures or urgent medical appointments
 - Death or birth of a close family member
 - Religious observances
 - Sudden cancellation of student's daycare arrangement or closure of child's school
 - Job interview that could not be scheduled at another time
 - Required court appearance that could not be scheduled at another time or military service obligations
 - Essential family-related events that the student lacks control in scheduling
 - (ii) Examples of reasons that would *not* generally be professionally acceptable reasons for an absence include:
 - Vacation plans
 - Social engagements or non-emergency, personal appointments
 - Failure to adequately plan for timely arrival
- (i). *Advance Ruling Concerning Attendance.* When a student knows, in advance, of circumstances that will require missing a week or more of classes, the student may seek an advance ruling from the Associate Dean as to whether the absences would be considered professionally acceptable. The ruling shall be provided to the student and will bind the law school in subsequent proceedings related to a violation of the attendance policy. The number of classes excused under such a ruling shall be

appropriate to the circumstances and shall not ordinarily exceed more than two weeks of classes. In some instances, a W in the course may be an appropriate remedy under this policy. The Associate Dean will not issue advanced rulings for individual absences.

Section 802. Petition for Relief from Associate Dean's Decision Under Section 801(g)

- (a). *Petition Process*: If a student is dissatisfied with a decision rendered by the Associate Dean of Academic Affairs under section 801, the student may file a "Petition for Relief from Associate Dean's Decision under Section 801" with the Academic Standards Committee of the faculty. Such petition must be filed within seven (7) calendar days of the Associate Dean's notice of decision to the student. The petition for relief from the Associate Dean's decision under section 801 must include as an attachment the student's original Petition for Relief from the Rules on Attendance filed under section 801 and must offer reasons why the Academic Standards Committee should grant relief from the decision of the Associate Dean.
- (b). *Standard for Relief*: The Academic Standards Committee shall apply the standards set out in section 801 above in ruling on the petition.
- (c). *Attend Classes Pending Review*: The student should continue to attend the course while the petition is pending. Section 803. Class Recording Policy

Section 803. Class Recording Policy

(a). *Recording Obligation*. Each instructor shall create recordings capturing the visual and auditory material presented in each class, to the extent technologically possible, and preserve those recordings until at least the end of the exam period for the semester at issue. This duty to record shall be subject to the exceptions below:

- (i) *Confidential Client Information*: Recordings shall not be made of any part of a class that involves discussion of confidential client information.
- (ii) *Sensitive Discussion Topics*: Instructors may, in their discretion, not record those parts of a class dedicated to discussing topics so sensitive or personal that recording is likely to inhibit the conversation.
- (iii) *Instructor Opt-Out*: An instructor may opt out of this recording requirement for a course as follows:
 - 1) The instructor shall provide written notice of the decision to opt out to the Associate Dean of Academic Affairs before the course schedule for the relevant semester is drafted. This information shall be included in the published course schedule before the course registration period begins.
 - 2) In addition, at least one week before the start of the course, the instructor must notify students, through an announcement on the Bridges (or other web) course site and in the course syllabus, that the instructor has opted out of the recording requirement.
 - 3) When an instructor has opted out of the recording requirement, the instructor shall provide any student entitled to class recording(s) under section (b) with the substantial equivalent of the class recording(s) through any of the following means:

- recorded mini-lecture(s);

- outline(s), PowerPoint slide deck(s), or other written material(s) authored by the instructor; or
- class notes taken by a teaching assistant or paid note-taker.

(d). *Access to Class Recordings*: A student who was absent from class for a professionally acceptable reason as detailed in Section 801 may submit a written request to the instructor for the class recording, stating the professionally acceptable reason for the absence. If the instructor needs additional input to determine if the absence would be considered professionally acceptable, the professor may contact the Associate Dean or the Dean of Students for guidance.

(e). *Remote Observation of an In-Person Class*: Students who anticipate being unable to attend an in-person class may, in advance of the class, request permission to observe the class by remote means (such as live online access via Zoom). Instructors are encouraged, but not required, to grant such requests. An instructor may place conditions on such access (for example, that the student may observe only).

(f). *Student recordings prohibited*. No student may record a class without the express permission of the professor teaching the class.

(g). *Additional Provisions*:

- (i) A student's enrollment at Roger Williams University School of Law constitutes consent to class recording and dissemination under this policy.
- (ii) A student may not copy, download, or share any part of a class recording except by express written permission of the instructor. Any violation of this provision constitutes an Honor Code violation.
- (iii) Instructors may choose, in their discretion, to make class recordings or the substantial equivalent of class recordings available more broadly than this policy requires.
- (iv) A student's use of class recordings or the substantial equivalent of class recordings to keep up with the material in the course may be weighed in the student's favor for purposes of the Associate Dean's inquiry under an attendance policy violation.
- (v) The law school may impose additional access requirements, above and beyond those in this policy, as required to comply with the Americans with Disabilities Act.
- (vi) The availability of recordings under this policy is subject to technological capabilities, and the law school does not guarantee that a recording will be available for every class.

ARTICLE NINE. ACADEMIC ACCOMMODATIONS.

Section 901. Disability Accommodations

(a). General. The law school endeavors to assist students with disabilities to complete law school successfully and will permit students with documented disabilities reasonable accommodations necessary to enable students to undertake the prescribed course of study.

(b). *Availability of Accommodations.* The law school will permit suitable accommodations concerning class schedule, examinations, and other services, on an individual basis. Such accommodations will at all times be consistent with the school's educational mission.

(c). *Request for Accommodations.* All requests for accommodations must be filed with the Office of Student Life by emailing Jill Dallaire, Assistant Director no fewer than thirty (30) days in advance of the date for which accommodations are requested. The Office of Student Life may approve those timely requested accommodations which are reasonable under the circumstances and consistent with the School's educational function. Accommodations provided for individuals with temporary disabling conditions may be subject to periodic review.

(d). *Documentation Requirements.* Students desiring academic accommodations on account of a disability must have an evaluation by a physician or state-licensed medical or psychological professional. Students requesting accommodations and/or support services must provide documentation of the disability that substantially limits a major life activity. In order to accurately determine the appropriate accommodations, the documentation should be current and reflective of the student's current functioning. In all cases, the documentation should be appropriate to the anticipated setting. Documentation of disabilities must include, but not be limited to, the following:

(i). Name, title, and professional credentials of the evaluator: The evaluator should have training and expertise with the particular medical condition identified. The area of specialization as well as the state in which the individual practices must be included. All reports must be signed and dated.

(ii). Diagnosis/assessment: A current medical diagnosis including appropriate medical reports, relevant medical history, and a clinical summary should be provided. These assessments should validate the need for accommodations based on the impact of the student's disability and level of functioning in an educational setting.

(iii). Evaluation of impact: Documentation should indicate a substantial limitation and should include any prior history of accommodations. A complete description of the impact on academic functioning of the student's symptoms must be provided. Descriptions of impact upon study skills, classroom behavior, test-taking, and organizing research would be examples of academic functioning.

(iv). Recommendations for Accommodations: Documentation should indicate reasonable accommodations specific to the diagnosed disability with an explanation as to why each accommodation is recommended. Academic accommodations which are recommended must be related to the diagnostic information and its impact upon student functioning.

Section 902. Disability Discrimination Grievance Procedure.

Roger Williams University, including its School of Law, (“University”) has adopted this grievance procedure to assist in facilitating resolution of complaints alleging disability discrimination in violation of Section 504 of the Rehabilitation Act of 1973 (“Section 504”). The University has designated Dr. Derek Zuckerman Associate Vice President for Student Life and Dean of Students, to coordinate its efforts to comply with Section 504. Contact information is as follows: Dr. Derek Zuckerman Associate Vice President for Student Life and Dean of Students, Roger Williams University, One Old Ferry Road, Bristol, RI 02809, Telephone: 401-254-3042, dzuckerman@rwu.edu.

Initial Discussion:

An individual with a concern relating to his or her disability should first discuss the matter orally with the appropriate responsible department listed below that will attempt to resolve the individual’s concern.

- Roger Williams University students should consult with Student Accessibility Services.
- Roger Williams University School of Law students should first consult with the Dean of Student Life & Operations of the School of Law. If the student is not satisfied with the resolution proposed by the Dean of Student Life & Operations, the student should then consult with the Associate Dean of Academic Affairs of the School of Law.
- University employees should consult with the Department of Human Resources.

Informal Resolution:

If the individual is not satisfied with the resolution proposed by the appropriate responsible department listed above, the individual should discuss the matter orally with the Coordinator. Individuals who are not satisfied with the resolution proposed by the Coordinator may file a formal grievance following the procedures set forth below.

Formal Grievance Procedure:

An individual may file a formal grievance with the Coordinator after attempting to resolve his or her concern orally with the appropriate responsible department listed above and the Coordinator. The formal grievance should be filed as soon as practicable. For example, students should file a formal grievance during the academic semester in which the concern arose, and employees should file a formal grievance within thirty (30) calendar days in which the concern arose.

The grievance must be in writing and include the following: (i) the individual’s name, address, email address, and telephone number; (ii) a full description of the individual’s concern; (iii) a description of the efforts made to resolve the concern orally through the appropriate responsible department listed above and the Coordinator; and (iv) a statement of the remedy requested.

Upon receipt of the grievance, the Coordinator will provide the individual with written notice acknowledging its receipt and promptly initiate an investigation. Upon completion of the investigation, the Coordinator will prepare and transmit a written reply to the individual and the party(ies) against whom the grievance is directed within thirty (30) calendar days of the filing of the grievance, unless additional time is needed, at which time the Coordinator will notify the individual and the party(ies) against whom the grievance is directed.

For External Complaints:

Assistant Secretary for Civil Rights, U.S. Department of Education, Office for Civil Rights, 400 Maryland Avenue, SW, Washington, DC 20202-1100, Telephone: 800-421-3481, FAX: 202- 453-6012, TTY# 800-877-8339, Email: OCR@ed.gov

Boston Office, Office for Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: 617-289-0111, FAX: 617-289-0150, Email: OCR.Boston@ed.gov

ARTICLE TEN. MISCELLANEOUS PROVISIONS.

Section 1001. Student Accreditation Standards Complaints.

The School of Law is interested in hearing student concerns about significant problems that directly implicate its program of legal education and its compliance with the ABA's Accreditation Standards.

(a). *Reporting a Formal Complaint.* Any student at the School of Law who wishes to bring a formal complaint to the administration of the law school should hand deliver a written and signed complaint to the Associate Dean for Academic Affairs. The writing should describe in detail the behavior, program, process or other matter that is the subject of the complaint and should explain how the matter implicates the law school's program of legal education and its compliance with a specific, identified ABA standard or standards. The writing must provide the name, phone number, email address and mailing address of the complaining student for further communication about the complaint.

(b). *Procedures for Resolving a Complaint.* When a formal written complaint has been made in accordance with section (a), the Associate Dean for Academic Affairs or his or her designee shall acknowledge receipt of the complaint to the mailing address or email address provided within five business days. Within 20 business days, the Associate Dean for Academic Affairs or his or her designee must either meet with the student to discuss the resolution of the complaint or send a written response to the complaint. The written response must either state a decision regarding the substance of the complaint with an explanation of that decision or explain the steps that the School of Law will take to resolve or further investigate the complaint. If further investigation is required, the student shall be provided within ten business days after completion of the investigation either a substantive response to the complaint or information about what steps are being taken by the School of Law to address the complaint.

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

(d). *Maintenance of Records.* The Associate Dean for Academic Affairs shall maintain a record of student complaints under this section, including resolutions and appeals, for a period of at least eight years from the date of final resolution of the complaint.

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

(e). *Not Exclusive Complaint Policy or Procedure.* Please note that the Roger Williams University School of Law School Student Handbook contains separate sections pertaining specifically to Sexual Harassment complaints and to those complaints that may fall within the parameters of the Honor Code. Jurisdiction over any student complaint is not exclusive to any single, or combination of, School of Law Policies.

Section 1002. Class Cancellation Due to Emergencies or Adverse Weather.

When it becomes necessary to cancel classes due to a late start or school closing due to emergencies or adverse weather conditions, the School of Law will give official notice to students through email and other appropriate means. This information will be made available to media outlets as early as feasible.

FORMS

FORM AC ONE

PETITION FOR REINSTATEMENT FOLLOWING ACADEMIC DISMISSAL

IN THE MATTER OF [Insert student name and ID#].

1. I was academically dismissed at the end of the [insert fall or spring] semester of my [insert 1L/2L/3L] year. At the time of my academic dismissal, my cumulative GPA was [insert precise GPA]. I received notice of my dismissal from the Office of the Associate Dean for Academic Affairs by email dated [insert date].
2. I have read “Article Seven. Dismissal, Reinstatement, and Readmission” contained in the Student Handbook.
3. I believe that my academic disqualification does not indicate a lack of capacity to complete the J.D. program and be admitted to the bar but was the result of a specific issue or issues that have been adequately resolved and will no longer be an impediment to academic success.
4. The specific issue or issues that resulted in my academic disqualification were: [insert(s); if medical or psychological incapacity to take examinations or to finish a paper is claimed, petitioner must attach signed statements from attending physician, psychiatrist, or hospital records showing admission, etc. in support of medical or psychological claims.]
5. I have resolved the issue(s) by [insert steps taken].
6. The issue(s) will no longer be an impediment to my academic success because [insert reasons].

SIGNED: _____ DATE: _____

CELL NUMBER: _____ EMAIL: _____

FORM AC TWO

PETITION FOR VARIANCE FROM ACADEMIC CODE

IN THE MATTER OF _____ (Student's Name, Student ID#)

- 1) _____ (Student Name) _____, Petitioner, is a _____ (year) _____ student. At the end of the _____ (semester) _____, Petitioner had an academic average of _____ (GPA) _____.
- 2) Petitioner requests a variance from Section _____ of the Academic Code for the following reasons:

[Here state such equitable factors as are necessary to support a variance from the Academic Code provision.]
3. The authority for this variance is Section _____ (code number) _____ of the Academic Code.

SIGNED: _____ DATE: _____

CELL NUMBER: _____ EMAIL: _____

FORM AC THREE

PETITION FOR APPEAL FROM DECISION OF THE ASSOCIATE DEAN

IN THE MATTER OF _____ (Student's Name, Student ID#)

1. _____ (Student Name) _____ is a _____ (year) _____ student.
2. On _____ (date) _____, _____ (Student Name) _____ appealed to the Associate Dean for the following relief:

[Here state the nature of the relief requested from the Academic Code, citing the specific code provision.]

3. On _____ (date) _____ the Office of the Associate Dean issued the following decision:

[Here describe the Associate Dean's decision and attach as an exhibit any letter from the Associate Dean.]

4. The Associate Dean's decision should be overturned for the following reasons:

[Here set out specified code provisions that show that the Associate Dean's ruling should be overturned.]

SIGNED: _____ DATE: _____

CELL NUMBER: _____ EMAIL: _____

FORM AC FOUR

PETITION FOR RELIEF FROM THE RULES ON ATTENDANCE

IN THE MATTER OF _____ (Student's Name, Student ID#)

1. _____ (Student Name) is a _____ (year) student. In a letter dated _____ (date), the petitioner was advised that the petitioner was in violation of the rules on attendance established in Section 801 of the Academic Code. Specifically, the student missed more than twenty percent of the classes in Section _____ (section #) of _____ (Course Name), taught by Professor _____ (professor name).

2. Petitioner is seeking relief from the rules on attendance for the following reasons:

[Here state the reasons for each absence and attach suitable documentation of the reasons. Absences for professionally acceptable reasons as defined in Student Handbook Section 801(g) will be excluded.]

SIGNED: _____ DATE: _____

CELL NUMBER: _____ EMAIL: _____

PART III: ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW HONOR CODE

ARTICLE ONE: SCOPE

All students enrolled at Roger Williams University, including those enrolled at the School of Law, are subject to the [Roger Williams University Student Handbook](#), including the [RWU Code of Student Conduct](#), published online. Additionally, the Roger Williams University School of Law Honor Code (“Code”) applies to any student who has received an offer of admission to Roger Williams University School of Law (“Law School”), or who has been accepted for enrollment in one or more classes offered by the Law School, and who has subsequently enrolled. This Code applies to conduct that occurs in connection with a student’s application for admission to the Law School, through graduation, expulsion, voluntary withdrawal or academic dismissal not followed by reinstatement. It also applies to a student on a leave of absence, visiting another institution, or who, although still enrolled at the Law School, is not attending classes.

ARTICLE TWO: PROHIBITED CONDUCT

- 1. Prohibited Conduct:** The following conduct by a student is prohibited by the Code (“Prohibited Conduct”) and serves as the basis for a complaint against, and sanction upon, a student, or a person who was a student when such conduct took place.
 - a) **Academic Dishonesty:** dishonesty in any academic pursuit. Examples of Academic Dishonesty include but are not limited to: giving or receiving unauthorized assistance in the preparation of work product for any course or program at, or under the auspices of, the Law School; giving or obtaining any unfair academic advantage; plagiarizing, misappropriating, or failing to acknowledge the ideas or written work of another; and destroying, removing, or defacing library materials or other materials intended to be made available to students.
 - b) **Use of Generative Artificial Intelligence:** Unless expressly permitted by the instructor in writing, students are prohibited from using generative artificial intelligence, text generated by research databases, large language model chatbots, or similar tools to produce, derive, or assist in creating any materials or content for any course or program, at or under the auspices of the law school. Notwithstanding the foregoing, students are permitted to use AI tools to identify documents in research databases or to review student-created materials or content for spelling and grammar.
 - c) **Misuse of Property:** destruction, theft, misappropriation, or misuse of property of the Law School or University, property belonging to any member of the Law School or University community, or property at any place where an activity under the auspices of the Law School or University is taking place, including but not limited to any place where a student may be working pursuant to a public interest placement, internship, externship or clinic.
 - d) **Disruption of Activities:** the intentional disruption of academic, co-curricular, or social activities conducted under the auspices of the Law School.

- e) **Harassment:** any act committed recklessly, knowingly, or purposely to harass, threaten, frighten, cause physical injury, or cause severe emotional distress to any member of the Law School community or any community in which a student is studying or working under the auspices of the Law School, including but not limited to work at public interest placements, internships, externships and clinics.
- f) **Discrimination:** any action against any member of the Law School community on the basis of race, religion, sex, sexual orientation, gender identification, gender presentation, or disability.
- g) **Disclosure of Confidential Information:** the disclosure without proper authorization of any confidential information. Confidential information means information gained by a student through participation or involvement in any employment, course, or activity under the auspices of the Law School, including but not limited to work at public interest placements, internships, externships and clinics, which a student knows or should know to have been provided in confidence.
- h) **Misrepresentation:** any misstatement of a fact with the intent to deceive any person in connection with official business of the Law School, any officially recognized student organization, or any activity sponsored by the Law School, including but not limited to work at public interest placements, internships, externships and clinics. Intentionally falsifying any school document or record, including but not limited to an attendance record, constitutes misrepresentation.
- i) **Failure to Report:** (1) A student who has personal knowledge of Prohibited Conduct and fails to report it. (2) Safe Harbor for Failure to Report. If a student seeks advice from the Honor Board Chair or from the Associate Dean about whether a particular situation amounts to a violation of the Honor Code, and the Honor Board Chair or the Associate Dean answers in the negative, the student cannot be penalized for Failure to Report.
- j) **Refusal to Cooperate:** the failure of a student to cooperate with an investigation or hearing by a disciplinary panel when properly requested to do so.
- k) **Violation of Administrative Rules:** the failure of a student to comply with rules, regulations, and orders regarding student conduct authorized and publicized by the administration or faculty of the Law School or authorized and publicized at any place where a student may be working or studying under the auspices of the Law School, including but not limited to any place where a student may be working pursuant to a public interest placement, internship, externship or clinic.
- l) **Attempt to Engage in Prohibited Conduct:** any effort to engage in Prohibited Conduct.

- m) **Combination or Agreement to Engage in Prohibited Conduct:** any combined effort or agreement between two or more persons to engage in Prohibited Conduct.
- n) **Criminal Proceedings that Raise Questions About Character:** a conviction or plea of no contest by a student under federal or state law to a crime punishable by incarceration where such crime raises a substantial question regarding the student's honesty, trustworthiness, or fitness as a lawyer. Such conduct is prohibited whether or not a punishment of incarceration is actually imposed.
- o) **Abuse or Obstruction of Honor Board Process:** any action involving abuse or obstruction of the Honor Board process. Such action would include but is not limited to:
 - i. repeatedly filing complaints found to be frivolous by a unanimous decision by the Associate Dean, the Honor Board Advisor, and the Chair of the Honor Board;
 - ii. interfering with the panel's investigation;
 - iii. threatening or intimidating witnesses;
 - iv. failing to respond to correspondence from the panel;
 - v. concealing evidence;
 - vi. failing to comply with Honor Board rules or instructions from the panel; and
 - vii. not complying with an Honor Board sanction.

A violation under this section generally requires a showing of a pattern of such prohibited conduct. However, a single event may constitute a violation, if that event has a substantial adverse impact on the integrity of the Honor Code process.

2. Sexual Misconduct/Gender-Based Misconduct: Sexual Misconduct/Gender-Based Misconduct by a student is expressly prohibited and subject to procedures and sanctions under the University Student Handbook and this Honor Code, as follows:

- a) **University Procedures:** Any member of the Law School or University community who has been a victim of, or witnessed, Sexual Misconduct/Gender Based Misconduct by a student should follow the procedures in the University Student Handbook (<https://www.rwu.edu/student-handbook/sexual-misconduct-gender-based-misconductprocedures>), rather than the procedures set forth in the Honor Code.
- b) **Finding of Misconduct Communicated to Law School:** Any finding by the University that a student is responsible for Sexual Misconduct/Gender-Based Misconduct will be communicated to the Law School Associate Dean for Academic Affairs ("Associate Dean").
- c) **Notation of Misconduct:** The Associate Dean or the Registrar and Records will note the finding of Sexual Misconduct/Gender-Based Misconduct both in the student's

permanent file and on the student's transcript. The transcript notation may not be expunged or removed.

- d) **Reporting:** The Dean or the Dean's designee will report any Sexual Misconduct/Gender Based Misconduct to any jurisdiction responsible for review of the character and fitness of the defendant for admission to the bar. The Dean or the Dean's designee will also report any Sexual Misconduct/Gender-Based Misconduct to any other law school or other institution of higher learning to which the defendant may apply for admission. The Dean or the Dean's designee may report any Sexual Misconduct/Gender-Based Misconduct in other circumstances, as appropriate.

3. Non-Exclusiveness of Code: In addition to the provisions of this Code, other mechanisms and institutions may sanction various forms of Prohibited Conduct, as well as other misconduct by a student, including but not limited to the following:

- a) Failure to comply with course regulations or instructions may be sanctioned by the instructor of any course by a reduction in grade for an assignment or for the course, in addition to, or in place of, any sanctions pursuant to the Honor Code.
- b) Pursuant to Section 306 of the Academic Code, in emergency situations, the Dean, the Associate Dean, or the Dean of Students (or, in their absence, their designees) may suspend a student on an interim basis. Such suspension will occur if, in the judgment and sole discretion of the applicable Dean or designee, the student constitutes a danger to him/herself, to others, or to property, without regard to any proceedings pursuant to the Honor Code.
- c) c) Any violation of state or federal criminal law may subject the violator to arrest, trial, and punishment by the appropriate authorities, and any member of the Law School community who is victim of, or witness to, a criminal act by a student should contact the appropriate authority. Where such criminal acts are also Prohibited Conduct under the Code, the student is also subject to the Honor Code, and any victim or witness to criminal acts which are also Prohibited Conduct should also file a complaint pursuant to the Honor Code.
- d) Certain violations of common law, statutory, or regulatory duties may make the violator liable for damages, and any member of the Law School community harmed by the breach of a common law, statutory, or regulatory duty by a student may seek any available civil or administrative remedies against that student. Where such violations are also Prohibited Conduct under the Code, the student is also subject to the Honor Code, and such member of the Law School community should also file a complaint pursuant to the Honor Code.

ARTICLE THREE: SANCTIONS

1. Sanctions: When a student is found guilty, a sanction shall be determined by the Disciplinary Panel. Sanctions are designed to help prevent subsequent violations, to guide students in future decision making, and where appropriate, remedy any harm to the community. Sanctions for Prohibited Conduct will consist of one or more of the following:

- a) Expulsion from the Law School;
- b) Suspension from the Law School for a specific term;
- c) Assignment of a lower grade, including F, in any course;
- d) Involuntary withdrawal with prejudice from any course, seminar or special course;
- e) Removal from any Law School program or activity or any program or activity under the auspices of the Law School;
- f) A written reprimand;
- g) An oral or written admonition; or
- h) Continued attendance at the Law School with remedial measures or other conditions that may include but are not limited to:
 - i. fines and restitution,
 - ii. community service hours,
 - iii. suspension of privileges, and
 - iv. educational or restorative sanctions

2. Non-Exclusive Factors to Consider in Assessing Sanction: The disciplinary panel, or the Associate Dean in cases decided under Section IV.F., will consider the following nonexclusive factors in assessing the appropriate sanction for misconduct: the flagrancy of the violation, the seriousness of the misconduct, the harm caused by the misconduct, whether the misconduct involves dishonesty, the degree of premeditation of the misconduct, whether the violation was self-reported, the level of remorse of the student, and the student's candor and cooperation during Honor Board proceedings.

3. Record of Violation: A record of an Honor Code violation and associated sanction will be noted in the following manner:

- a) **Student's Permanent File:** A finding that the defendant is guilty of specific Prohibited Conduct and the sanction imposed on a student will be noted in the

student's permanent file.

- b) **Transcript:** A finding that the defendant is guilty of specific Prohibited Conduct and the sanction imposed on a student will ordinarily be noted on a student's transcript. The transcript notation may not be expunged or removed. However, the disciplinary panel, or the Associate Dean in cases decided under Section IV.F., may decide that a violation should not be noted on a student's transcript if the disciplinary panel, or the Associate Dean in cases decided under Section IV.F., concludes, based on the factors for determining the appropriate sanction listed in Section III.2., that the violation was a minor one that does not warrant notation on the student's transcript. Notwithstanding the above, the disciplinary panel, or the Associate Dean in cases decided under Section IV.F., must note a finding of guilt and associated sanctions on a student's transcript if any of the sanctions identified in Section III.1.(a)-(d) are imposed.
- c) **Sexual Misconduct/Gender-Based Misconduct:** A finding of Sexual Misconduct/Gender-Based Misconduct and the sanction imposed on a student will be noted in a student's permanent file and on a student's transcript, as described in Section II.2.

4. Reporting: The Dean or the Dean's designee will report any Honor Code violation, or any finding of Sexual Misconduct/Gender-Based Misconduct, to any jurisdiction responsible for review of the character and fitness of the defendant for admission to the bar, to any other law school or other institution of higher learning to which the defendant may apply for admission, and in other circumstances, as appropriate.

ARTICLE FOUR: PROCEDURES AND PROCEEDINGS

A. The Complaint

1. Generally: Any member of the Law School community with personal knowledge of Prohibited Conduct by a student or students should file a complaint by delivering it to the student chair of the Honor Board. For the purposes of this Code, a person filing a complaint is referred to as the complainant.

2. Form and Content. The complaint must:

- a) State that it is a complaint against a particular defendant or defendants, identified by name.
- b) Give the date on which the complaint is filed.
- c) Give the complainant's official email address.
- d) Set forth all facts, as specifically as possible, that lead the complainant to believe that a student may have engaged in Prohibited Conduct. All facts set out in the complaint should be based on the personal knowledge of the complainant, or, if based on

information and belief, the complaint should state with specificity the basis of the information and belief.

- e) Be in numbered paragraphs with each paragraph setting out a discrete fact.
- f) Identify any other persons that the complainant believes to have personal knowledge of the facts in the complaint, along with what the complainant believes to be the nature of that knowledge.
- g) Contain any relevant supporting documentation.
- h) State that the complainant affirms the truth of its contents.
- i) Be signed by the complainant. A sample complaint is provided in Appendix A.

3. Review by Prosecution Advisor: Complainants are strongly encouraged to consult with the faculty prosecution advisor prior to filing a complaint.

4. Forwarding of Complaint for Review: No later than one class day after receiving the complaint, the student chair of the Honor Board will deliver copies of the complaint to the Associate Dean and the faculty advisor to the Honor Board for review.

B. Initial Review of the Complaint

- 1. Determining Whether the Complaint States a Claim:** After a complaint has been filed, the student chair of the Honor Board, the faculty advisor to the Honor Board, and the Associate Dean will review the complaint to determine whether it states a claim. A complaint states a claim when it presents a credible claim that a defendant has engaged in Prohibited Conduct and that the Prohibited Conduct is not de minimus (i.e., of a trivial or minor nature as not to merit any sanction under the Code). The determination of whether a complaint states a claim should take place no later than two class days after the Associate Dean and faculty advisor to the Honor Board have received the complaint.
- 2. Initial Review Decision:** If it is determined that the complaint states a claim, the Associate Dean will assemble a separate disciplinary panel and appoint a student prosecution counsel from members of the Honor Board. If it is determined that the complaint does not state a claim, the student chair of the Honor Board will issue a statement of dismissal. The statement of dismissal must provide a written explanation for its conclusion. The statement of dismissal must be provided to the complainant, the faculty prosecution advisor, and the Dean.
- 3. Amended Complaint:** Within five class days of the complainant receiving the statement of dismissal, the complainant may file an amended complaint, which will be treated as a new complaint.

4. **Dean's Discretion to Reverse Initial Determination:** The Dean will review any statement of dismissal and may reverse the decision to dismiss the complaint, in which case the Associate Dean will assemble a disciplinary panel. If the Dean reverses a dismissal, the Dean will provide a written explanation for that decision.
5. **Preparation of Notice:** If it is determined that the complaint states a claim, the Associate Dean, the faculty advisor to the Honor Board, and the student chair of the Honor Board will draft the notice of complaint referenced in Section IV.C.2., and provide such notice to the disciplinary panel.

C. Notice of Proceedings and Obligation to Answer

1. **Notice of Complaint:** No later than one class day after the formation of a disciplinary panel and the selection of student prosecution counsel, the faculty chair of the disciplinary panel will deliver the complaint to the defendant along with a notice in the form set out in Appendix B to the Code. The faculty chair of a disciplinary panel shall also notify the Registrar of the filing of the complaint.
2. **Contents of Notice:** The notice will inform the defendant:
 - a) That the defendant is accused of Prohibited Conduct and the nature of the Prohibited Conduct with reference to the appropriate section(s) of this Code.
 - b) That the defendant will have five class days after the appointment of a student defense counsel to answer the complaint.
 - c) What the answer should contain.
 - d) Of the names and official email addresses for the members of the disciplinary panel.
 - e) Of the names and official email addresses for the complainant, the student prosecution counsel, the faculty prosecution advisor, and the faculty defense advisor.
 - f) That the defendant has the right to a student defense counsel. The notice will provide the defendant with a list of the names of students from the Honor Board who could serve as the defendant's student defense counsel and a statement that the defendant may choose from among these students.
 - g) That the defendant may seek to have any member(s) of the disciplinary panel recused.
 - h) That, in certain circumstances, the defendant may petition for exemption from the disciplinary panel hearing, as outlined in Section IV.F.
3. **Selection of Student Defense Counsel:** Within two class days of receiving notice of disciplinary proceedings, the defendant may choose a student defense counsel by providing notice

in writing to the chair of the disciplinary panel of the name of the requested student defense counsel. If a defendant does not choose a student defense counsel, the student chair of the Honor Board will notify the Associate Dean and appoint a student defense counsel to the defendant, in accordance with section IV(D)(3). The student chair of the Honor Board immediately will provide notice in writing to the defendant and to the chair of the disciplinary panel of the identity of the student defense counsel.

4. Answer: No later than five class days after the defendant receives notice of the identity of the student defense counsel, and unless the defendant petitions for exemption from the disciplinary panel hearing under Section IV.F., the defendant or the student defense counsel must deliver an answer, in substantially the form contained in Appendix C, to the disciplinary panel, the complainant, the faculty prosecution advisor, and the student prosecution counsel. The answer must:

- a) State that the answer is in regard to a specific complaint by the complainant.
- b) Give the date on which the answer is filed.
- c) Give the defendant's official email address.
- d) Respond to each numbered paragraph in the body of the complaint with a statement that the defendant affirms the facts alleged, denies the facts alleged, or denies knowledge or information sufficient to affirm or deny the paragraph. A denial must fairly respond to the substance of the allegation. A defendant who intends in good faith to deny only part of an allegation must admit the part that is true and deny the rest.
- e) In subsequent numbered paragraphs, with each paragraph setting out a discrete fact, set out any further facts, beyond those contained in the complaint and implicit in the defendant's responses, that are relevant to whether the defendant engaged in Prohibited Conduct.
- f) Contain any additional relevant facts. Such facts should be based on the defendant's personal knowledge, but if based on information and belief, should state specifically the basis of such information and belief.
- g) Contain, as an attachment, a copy of any document relied on by the defendant that was not included in the complaint.
- h) Identify any other persons not mentioned in the complaint that the defendant believes to have personal knowledge of the facts in the complaint along with a statement of what the defendant believes to be the nature of that knowledge.
- i) State that the defendant affirms the truth of its contents.

j) Be signed by the defendant.

5. Obligation to Answer: A defendant has the obligation to file an answer with true responses to the allegations of fact in the complaint and to set out any additional relevant facts known to the defendant, even if such an answer were to expose the defendant to sanctions under the Code, other consequences imposed by the University or any other institution, including current and potential employers or professional organizations, or civil or administrative liability under federal, state, or municipal law.

6. Adverse Inference from Asserting Privilege Against Self-Incrimination: A defendant who reasonably believes that submitting a truthful answer will expose the defendant to criminal liability under state or federal law may assert a privilege against self-incrimination. The defendant may do so by asserting the privilege against self-incrimination in the answer, rather than responding in the manner described herein. A defendant who asserts the privilege against self-incrimination will not have the answer treated as testimony by the disciplinary panel, will not be able to testify before the disciplinary panel, and will not be able to authenticate any documents offered into evidence before the disciplinary panel. The disciplinary panel may draw any adverse inference from the lack of testimony from a defendant asserting the privilege against self-incrimination.

7. Request for Recusal: The complainant or defendant may request to the disciplinary panel any student prosecution counsel or student defense counsel be recused. Any such request will state with specificity the reasons for the request. No subsequent request for recusal of either a student prosecution counsel or student defense counsel be made or considered, absent extraordinary circumstances. If a party requests the recusal of one or more student counsel:

- a) The request for recusal will be distributed to the other party, their student counsel, and their faculty advisor.
- b) The disciplinary panel will convene and determine if the recusal request should be granted. If the request is not granted, such a decision is final and not subject to review.
- c) The disciplinary panel shall grant a request if it is more likely than not that the student counsel's personal knowledge of the facts underlying the matter rises to the level where they would be considered a witness.
- d) If the request for recusal is denied, the disciplinary panel will notify the defendant the complainant, the faculty prosecution advisor, the student prosecution counsel, the faculty defense advisor, and the student defense counsel.
- e) If the request recusal is granted, the disciplinary panel will notify the Associate Dean, the student chair of the Honor Board, and the faculty advisor to the Honor Board. The Associate Dean or the faculty advisor to the Honor will choose a replacement (or replacements) to serve on the disciplinary panel and will notify the defendant, the complainant, the faculty prosecution advisor, the faculty defense advisor, and the student defense counsel of the identity of the new member(s).

D. Disciplinary Panel

1. Formation of Disciplinary Panel: The disciplinary panel will consist of three members: two faculty members and one student member. One faculty member will be appointed as chair of the disciplinary panel. The faculty prosecution advisor, the faculty defense advisor and the faculty advisor to the Honor Board may not serve on the disciplinary panel. The disciplinary panel will be formed no later than five class days after the Associate Dean, the student chair of the Honor Board, and the faculty advisor to the Honor Board conclude that the complaint states a claim or the Dean reverses a dismissal of complaint.

2. Multiple Complaints and Consolidation: The Associate Dean and the faculty advisor to the Honor Board may assign multiple related matters to a single disciplinary panel. In such a case, the Associate Dean shall appoint separate faculty defense advisors as necessary to avoid a conflict of interest.

3. Student Counsel: For every disciplinary panel, there will be a student prosecution counsel and a student defense counsel appointed from members of the Honor Board. A defendant will be permitted to choose his or her own student defense counsel from members of the Honor Board, or, in the absence of such a choice, will have a student defense counsel appointed to him or her by the Associate Dean. The student defense counsel cannot be the same student member who is appointed to the disciplinary panel, and the Honor Board chair cannot serve as the student defense council.

4. Role of Disciplinary Panel: The disciplinary panel's role is to investigate the complaint, hold one or more hearings, determine whether a student has engaged in Prohibited Conduct, and, if necessary, impose sanctions.

5. Investigation: As soon as practicable, the disciplinary panel will decide whether a prehearing investigation is desirable and, if so, appoint one or more of its members to conduct an investigation.

6. Discovery of Additional Misconduct: Upon the discovery of additional misconduct, the disciplinary panel shall refer the additional misconduct to the Associate Dean for appropriate action.

7. Communications to the Disciplinary Panel: Oral communications with any member of the disciplinary panel pertaining to the subject matter of a complaint are prohibited, unless such panel member is engaging in an investigation of the complaint. A communication in violation of this section constitutes Prohibited Conduct.

E. Disciplinary Hearing

1. Inquisitorial Model: Honor Board proceedings are intended to follow an "inquisitorial" model in which all participants are engaged in a search for truth, rather than an "adversarial" model. To that end, the disciplinary panel will control and conduct all proceedings before it. While it will proceed with the participation and advice of the student prosecution counsel, student defense counsel, the defendant, and the complainant, who may ask that certain witnesses be examined or certain documents or other evidence be produced and considered by the disciplinary panel, the course of the proceedings, the admissibility of evidence, and nature and scope of testimony will be determined by the disciplinary panel chair. In addition, disciplinary panels shall not accept or

consider any motions not defined in these rules, such as a motion to dismiss. After the panel has had an opportunity to question a witness, the disciplinary panel chair may permit the student prosecution and student defense counsel to ask additional questions of that witness. How much latitude to give the student prosecutor and student defense counsel is in the discretion of the chair.

2. Hearing: As soon as practicable after the disciplinary panel is finally constituted or any investigation is conducted, the disciplinary panel will hold a hearing. At the hearing, the disciplinary panel may take testimony and evidence from the complainant, the defendant, and any other witnesses. The complainant, the defendant, the student defense counsel, the student prosecution counsel, the faculty defense advisor, and the faculty prosecution advisor will have notice of the date, time, and place of any hearing. The defendant and complainant may make requests of the panel to pose specific questions to any witness giving testimony.

3. Evidence: The disciplinary panel may receive documents and physical evidence from witnesses. Copies of all documentary evidence submitted to the panel will be provided to the defendant, student defense counsel, and student prosecution counsel. There are no rules of evidence applicable to proceedings before the disciplinary panel. Within the discretion of the disciplinary panel chair, any oral, documentary, or physical evidence may be received; however, the disciplinary panel chair should exclude irrelevant, unreliable, or unduly repetitious evidence.

4. Obligation to Cooperate: All students are obligated to cooperate with the disciplinary panel and to give testimony and provide evidence when requested. The failure of a student to cooperate with the disciplinary panel constitutes Prohibited Conduct under this Code.

5. Adverse Inference from Asserting Privilege Against Self-Incrimination: Any student who reasonably believes that testifying before the disciplinary panel would result in exposure to state or federal criminal liability may so state before the disciplinary panel. Any adverse inference may be drawn by the panel from the assertion of a privilege against self-incrimination.

6. The Record: All testimony will be live and recorded by a convenient method. The record will consist of the complaint, the notice of complaint, the answer, the recording of testimony, and any documents or physical evidence accepted by the panel.

7. Subsequent Proceedings: After the initial hearing, the disciplinary panel may conduct further investigation or convene additional hearings, as necessary. The disciplinary panel will provide notice of any additional hearings to the complainant, the defendant, the student defense counsel, the student prosecution counsel, the faculty defense advisor, and the faculty prosecution advisor.

F. Petition for Exemption from Disciplinary Hearing

1. Petition for Exemption from Disciplinary Hearing: In the following circumstances, a defendant may petition for exemption from the disciplinary panel hearing:

- a) The defendant admits all or substantially all of the allegations in the complaint and notice of complaint. Where the defendant admits only to a subset of the misconduct, as in a “lesser included” offense, the defendant does not admit all or substantially all of the allegations in the complaint and notice of complaint; and

- b) The defendant asserts that the process of a disciplinary panel hearing will cause demonstrable and cognizable harm to the defendant significantly beyond that which is inherent in any disciplinary proceeding. The defendant must specifically identify such harm and provide supporting documentation, where appropriate.

2. Timing and Procedure: The defendant will make such a petition for exemption to the Associate Dean in writing within five class days of learning the identity of the student defense counsel. The Associate Dean may request to meet with the defendant to discuss the petition. Within five class days of receiving the petition, the Associate Dean will determine whether the petition should be granted and communicate the decision to the defendant in writing. If the petition is granted, the Associate Dean will inform the complainant of the decision in writing and notify the complainant that the complainant has a right to be heard before the Associate Dean. The complainant may exercise this right by informing the Associate Dean of the complainant's desire to be heard.

3. Notification to Disciplinary Panel: The Associate Dean will consult with the disciplinary panel before granting an exemption under this section. If the Associate Dean grants an exemption, the Associate Dean will inform the disciplinary panel, the student prosecution counsel, the faculty prosecution advisor, the student defense counsel, and the faculty defense advisor.

4. If Petition in Denied: If the petition is denied, the defendant will have five class days from the date of receiving the notice of denial to file an answer.

5. If Petition is Granted: If the petition is granted, the Associate Dean will meet with the defendant, review the case, impose a finding of guilt on the defendant, determine the appropriate sanction, and determine whether the finding of guilt and the sanction will appear on the defendant's transcript. The Associate Dean will impose sanctions and determine if the finding of guilt and the sanction will be noted on the defendant's transcript in accordance with Section III.

6. Right of Complainant to be Heard: If the complainant exercises the right to be heard, the complainant may:

- a) Prepare a written statement for submission to the Associate Dean;
- b) Meet with the Associate Dean in person;
- c) Submit any documentary evidence to the Associate Dean; or any combination thereof. The focus of the above should be the impact that the defendant's misconduct had on the complainant. The defendant does not have a right to any written statement or documentary evidence submitted by the complainant. Nor does the defendant have the right to be present at any in-person meeting between the Associate Dean and the complainant.

7. Notice of Sanction: The Associate Dean will provide notice to the defendant and the complainant of the sanction imposed on the defendant and whether the sanction will be noted on the defendant's transcript.

8. Appeal to Dean: A party seeking to appeal the Associate Dean's decision under this section

must adhere to the following procedure:

- a) No later than five class days after receiving the notice of sanction, the defendant or complainant may appeal the Associate Dean's sanction, including the decision to place or not place a notation on the defendant's transcript, to the Dean.
- b) A party wishing to appeal may do so by delivering a written statement of appeal to the Dean setting out the reasons why the sanction should be modified. An appealing party should provide copies of the statement of appeal to the non-appealing party. If the appealing party does not have contact information for the non-appealing party, the appealing party should notify the Associate Dean or the Dean, and the Associate Dean or the Dean will provide the statement of appeal to the non-appealing party.
- c) The non-appealing party may file a written response to the statement of appeal with the Dean and the appealing party within five class days of receiving the statement of appeal. The response should not explain why the Dean should modify the sanction, as in a "cross-appeal." Any party seeking to have the Dean modify the sanction must do so in a separate statement of appeal within the time set out above.
- d) The Dean will modify the sanction and/or the decision to place a notation on the defendant's transcript only where the Associate Dean's decision was an abuse of discretion.
- e) The Dean will issue a written decision under this section to the defendant, the complainant, and the Associate Dean no later than twenty class days after the delivery of the notice of sanction.

G. Decision by Disciplinary Panel

1. Decision by Panel: Within five class days from the close of disciplinary panel proceedings, the disciplinary panel will reach a decision and issue a statement of decision. The decision of the disciplinary panel will be either "not guilty" or "guilty" of the Prohibited Conduct set out in the notice of complaint. If the disciplinary panel concludes that it is more likely than not that the defendant engaged in any of the Prohibited Conduct set out in the notice of complaint, then it will find the defendant guilty. Otherwise, it will find the defendant not guilty. The decision, along with any sanction imposed, will be based on a majority vote by the disciplinary panel. In the case of a finding of guilt, the disciplinary panel will impose one or more of the sanctions set out in this Code and will determine if a notation will appear on the defendant's transcript in accordance with Section III.

2. Statement of Decision: The disciplinary panel will issue a written statement explaining the basis for its decision and, in the case of a finding of guilt, setting out the sanction it has imposed on the defendant and indicating whether the finding and sanction will be noted on the defendant's transcript. The statement of decision will be sent to the defendant, the faculty defense advisor, the student defense counsel, the complainant, the faculty prosecution advisor, the student prosecution counsel, the Dean, the Associate Dean, the student chair of the Honor Board, and the faculty

advisor to the Honor Board.

H. Appeal to Dean from Disciplinary Panel Decision

1. Appeal to the Dean: No later than five class days after the disciplinary panel issues its statement of decision, the complainant or the defendant may appeal the panel's decision or the sanction imposed on the defendant. The appeal will be based only on the record and the statement of decision. A party wishing to appeal may do so by delivering a written statement of appeal to the Dean setting out the reasons why the decision should be reversed or the sanction imposed modified. An appealing party should provide copies of the statement of appeal to the disciplinary panel and any party adverse in interest.

2. Response to Appeal: A complainant or a defendant who wishes to respond to a statement of appeal may do so by providing a written response to the statement of appeal within five class days of receiving the statement of appeal. The response to appeal should be provided to the Dean, the disciplinary panel, and any party adverse in interest. The response should discuss only why the statement of appeal should be rejected in whole or in part. The response should not explain why the Dean should modify or reverse the decision or the sanction, as in a "cross-appeal." Any party seeking to have the Dean modify or reverse the decision or the sanction must do so in a separate statement of appeal within the time set out in the previous section.

3. Grounds for Reversal: The Dean may modify or reverse a decision of the disciplinary panel only on the ground that a decision of guilty or not guilty was the result of clear error or that the sanction imposed, whether in its excessive leniency or excessive harshness, was an abuse of discretion.

4. Written Decision by the Dean: The Dean will issue a written decision on all appeals in a matter no later than twenty class days after the delivery of the statement of decision. The written decision will be delivered to the defendant, the faculty defense advisor, the student defense counsel, the complainant, the faculty prosecution advisor, the student prosecution counsel, the Dean, the Associate Dean, the student chair of the Honor Board, and the faculty advisor to the Honor Board.

ARTICLE FIVE: THE HONOR BOARD: COMPOSITION AND PROCEDURES

1. Composition and Term: The Honor Board will consist of twelve students, three of whom will be in their second year of study and nine of whom will be in their third year of study. Board members serve one year terms, commencing after a transitional meeting occurring no later than the last week of classes in the spring semester.

2. Election: Candidates for the J.D. degree seeking Honor Board membership must run for election in the spring semester prior to the year in which they will serve. Students become eligible for the election by submitting a completed copy of Appendix D, the self-nominating form, to the student chair of the Honor Board. The student chair of the Honor Board, the Associate Dean, and the faculty advisor to the Honor Board shall review the fitness of each self-nominated student to serve on the Honor Board. Each student who is approved by at least a two-thirds vote by the student chair of the Honor Board, the Associate Dean, and the faculty advisor to the Honor Board, shall be placed on the election ballot. The decision by the student chair of the Honor Board, the Associate Dean, and the faculty advisor to the Honor Board is final; however, no student shall be disqualified in the absence of serious concerns over the student's ethics, judgment, or other issues affecting the student's ability to serve on the Honor Board. In the event a

student is disqualified from seeking election to the Honor Board, the student chair of the Honor Board, the Associate Dean, and the faculty advisor to the Honor Board, at the request of the student, shall disclose to the student the reason for the disqualification. The typed statement of no more than 250 words submitted as part of the self-nominating form by each student wishing to run in the election will be made available to all students prior to the election. The student chair of the Honor Board, under supervision of the faculty advisor to the Honor Board, will conduct the election in the spring semester of each year.

3. Voting: Voting will take place as follows: All students currently enrolled in the School of Law shall be entitled to cast one vote for each of the available student positions. This shall mean up to twelve (12) votes distributed across the classes as determined by Section V(1). Those elected will be the three students with the most votes among the first year candidates and the nine students with the most votes among the second year candidates. If a tie occurs in filling the last position available in any class, the student chair of the Honor Board will, as soon as possible, hold a runoff election to resolve the tie.

4. Confidentiality of Information: Any information any member of the Board learns as a result of being a member of the Board is confidential and may not be revealed to anyone without direct authorization from the Associate Dean or the faculty chair of the disciplinary panel. A violation of this section constitutes Prohibited Conduct as outlined in Section II.

5. Chair and Vice Chair: Within the first week of the new Board taking office, the Board will elect from its members a student chair and student vice-chair. In the case of the removal or death of the chair, the vice-chair will become the chair and the Board will then elect from its members a new vice-chair. In the case of the removal or death of the vice-chair the Board will elect from its members a new vice-chair.

6. Removal and Replacement

a. Removal and Resignation: A Board member may be removed by himself or herself, by the Board, or by the Honor Board faculty advisor. A Board member who is unable to continue in fulfilling his or her position may resign by submitting a letter of resignation to the Honor Board faculty advisor and to the other members of the Board. A Board member who withdraws or is expelled from the Law School will be considered to have resigned, in which case the faculty advisor will notify the remaining members of the Board. A majority of the Board may, for good cause, remove any other member of the Board. The Honor Board faculty advisor may, for good cause, remove any member of the Board.

b. Replacement: After notification of the removal or resignation of a board member, the Chair of the Board may announce an election to replace any Board member who resigned or was removed (the "Special Election"). However, a Board member who resigns or is removed within three weeks of the end of the last day of Spring Semester classes shall not be replaced by Special Election or otherwise. The Special Election shall take place within 10 class days of the announcement of the Special Election. Only students in the same year as the Board member who resigned or was removed shall be eligible to run in a Special Election. Otherwise, the Special Election shall be conducted pursuant to the provisions of Section V.2- 3 of this Code. The term of a Board member elected in a Special Election shall end when the term of the student who resigned or was removed would have ended pursuant to Section V.1 of this Code.

7. Adoption of Recommendations and Regulations: The Honor Board may adopt internal procedural regulations related to the Code that are not inconsistent with the Code. A majority of the Honor Board constitutes a quorum for conducting business, and all recommendations and regulations must be approved by a majority of the members of the Honor Board who are present and voting at a meeting duly called.

The student chair will call such meetings as may be required by the business of the Honor Board, and whenever requested by any seven members of the Honor Board. Each member of the Honor Board will be given four class days notice and a written agenda in advance of any meeting, unless this requirement is waived by unanimous consent of the members of the Honor Board.

8. Faculty Advisors. At any time, there will be at least three advisors appointed by the Dean: An Honor Board faculty advisor (also referred to herein as “faculty advisor to the Honor Board”), one or more faculty prosecution advisors, and one or more faculty defense advisors. The advisors have the following functions:

- a) The Honor Board faculty advisor will: review complaints, along with the Associate Dean and the student chair of the Honor Board, to determine whether the complaints state a claim; advise the student chair of the Honor Board with respect to any matters related to the Honor Code; serve as liaison between the faculty advisors and the student chair of the Honor Board.
- b) The faculty prosecution advisor(s) will advise students, faculty, and staff in the preparation of complaints and advise student prosecution counsel in matters before a disciplinary panel.
- c) The faculty defense advisor(s) will advise students and student defense counsel in the preparations of answers and in matters before a disciplinary panel.

9. Review of the Code by Board: Every March, the student chair of the Honor Board will meet with the Honor Board faculty advisors to discuss the operation of the Code and to propose suggestions by the Board for amendment of the Code. The faculty advisor to the Honor Board will bring such suggestions for amendment to the faculty.

10. Amendment of the Code by Faculty: If the faculty elects to amend the Honor Code, it should submit any proposed amendments to the Honor Board for consideration and comment. No amendment to the Honor Code will affect a pending matter without the consent of the defendant.

11. Annual Abstract: At the end of each academic year, the outgoing student chair of the Honor Board will, in consultation with the Associate Dean and the faculty advisor to the Honor Board, prepare for dissemination to the Law School community an abstract on all reports of suspected violations of the Honor Code received during the preceding twelve months. The Associate Dean will disseminate the annual abstract after preparation. The abstract will contain a synopsis of each suspected violation, including the underlying facts of the complaint, the determination on whether the complaint stated a claim, a summary of the specification of charges, the final judgment of the disciplinary panel, and the result of the Dean’s review on appeal. The annual abstract will also include a synopsis of any violation where the Associate Dean imposes sanctions pursuant to Section IV.F. The abstract will preserve the anonymity of students accused of violating the Honor Code, the complainant, and any witnesses.

ARTICLE SIX: MISCELLANEOUS

1. Extension of Time Limits for Actions by Complainant or Defendant: A complainant or defendant may request in writing for an extension of any time limit for any action or filing to be completed by the complainant or defendant. A party so requesting must provide an explanation or justification for the request.

2. Other Time Limits: Any time limits pertaining to actions by the Associate Dean, Dean, Honor Board, faculty advisors to the Honor Board, disciplinary panel, or any combination thereof, are aspirational only and will not be used as grounds for the dismissal of a complaint.

3. Calculation of Time Limits: Any reference to “class day” refers to a weekday where classes are ordinarily scheduled at the Law School, whether or not such classes take place. Time is calculated by excluding the initial day from which time begins to run, but counting the final day on which an action is to take place. For example, an appeal of any decision of the disciplinary panel to the Dean must be filed within five class days of such a decision. If the decision of the disciplinary panel is released on a Monday, the appeal is due on the subsequent Monday. Computation of days begins on Tuesday and Saturday and Sunday are excluded from the computation.

4. Designee: The Associate Dean, the Dean, and other persons referred to by title may appoint a designee in appropriate circumstances.

5. Titles: Titles are inserted for ease of reference only and will not be considered part of the Honor Code.

6. Email: Any communication which is sent by email is considered to be in writing for the purpose of this Code.

Appendix A: Sample Complaint

Complaint of Christine Crow (ccrow@rwu.edu)

Date: November 1, 2016

For my complaint, I, Christine Crow, state as follows:

1. I am professor at Roger Williams University School of Law.
2. Nancy Noe is a third-year student at Roger Williams University School of Law.
3. Michael Moe is a second-year student at Roger Williams University School of Law.
4. Both Noe and Moe are currently registered in my seminar “Legal History: Appeal of Felony – Practice and Procedure.” A copy of the roster for the seminar is attached as appendix A to this complaint.
5. On September 15, 2016, I assigned students 10 page papers on various topics. Both Noe and Moe received and the same assignment. A copy of the assignment is attached as appendix B to this complaint.
6. The assignment made clear that students were not to collaborate, and that the papers were to be the result of each student’s original research and writing.
7. Both Moe and Noe turned in their papers on October 15, 2016.
8. The papers turned in by Moe and Noe are substantially similar and, in many instances, identical. Copies of Moe’s and Noe’s papers are attached as appendices C and D to this complaint, respectively, with the similar and identical portions highlighted in yellow.
9. The papers are so nearly identical that they can only be the result of Noe having copied from Moe, Moe having copied from Noe, Noe and Moe having collaborated, or Noe and Moe having plagiarized from the same source.
10. Aside from the persons set out in the class roster in appendix A to this complaint, I know of no other person who might have additional knowledge of Moe and Noe’s copying, collaboration or plagiarism.

I affirm that the contents of this complaint are true.

/s/Christine Crow

Appendix B: Sample Notice of Complaint

In the matter of Nancy Noe and Michael Moe

Notice of Complaint

Date: November 6, 2016

To: Nancy Noe

Please take notice that:

1. You are the subject of a complaint, attached as appendix A to this Notice, which accuses you of violations of section II.1.(a) of the Honor Code, Academic Dishonesty, and a disciplinary panel has been formed to consider the matter.
1. You have five class days after notice of the appointment of a student defense counsel to answer the complaint.
2. Your answer must:
 - a) State that your answer is in regard to a specific complaint by the complainant, Professor Christine Chow.
 - b) Give the date on which your answer is filed.
 - c) Provide your official email address.
 - d) Respond to each numbered paragraph in the body of the complaint with a statement that you affirm the facts alleged, deny the facts alleged, or deny knowledge or information sufficient to affirm or deny the paragraph. A denial must fairly respond to the substance of the allegation. If you intend in good faith to deny only part of an allegation you must admit the part that is true and deny the rest.
 - e) In subsequent numbered paragraphs, with each paragraph setting out a discrete fact, set out any further facts, beyond those contained in the complaint and implicit in your responses, that are relevant to whether you engaged in Academic Dishonesty.
 - f) Contain any additional relevant facts. Such facts should be based on your personal knowledge, but if based on information and belief, should state specifically the basis of such information and belief.
 - g) Contain, as an attachment, a copy of any document relied on by you that was not included in the complaint.
 - h) Identify any other persons not mentioned in the complaint that you believe to have personal knowledge of the facts in the complaint, along with a statement of what you believe to be the nature of that knowledge.
 - i) State that you affirm the truth of its contents.
 - j) Be signed by you.
14. The names and official emails of the members of the disciplinary panel are:
 - Sarah Smith (Professor of Law), ssmith@rwu.edu
 - John Jones (Professor of Law), jjones@rwu.edu

- Frank Fuller (Second-Year Law Student), ffuller1234@g.rwu.edu

15. The name and official email address of the complainant is Christine Crow (Professor of Law), ccrow@rwu.edu.

16. The name and official email address for other interested parties is as follows:

- Student prosecution counsel: Richard Roe (Third-Year Law Student), rowe1717@g.rwu.edu
- Faculty prosecution advisor: Mary Martin (Professor of Law), mmartin@rwu.edu
- Faculty defense advisor: Andy Andrews (Professor of Law), andyandrews@rwu.edu

17. You have the right to a student defense counsel and may choose from among the following students, who have been elected to the Honor Board:

- Beatrice Best, bbest7654@g.rwu.edu
- Donald Davies, ddavies9876@g.rwu.edu
- Lakshmi Luthra, lluthra1357@g.rwu.edu
- Santiago Suarez, ssuarez9348@g.rwu.edu

You must make this election by notifying the Associate Dean of your selection within two days of the date of receiving this notice. If you do not make this election within two days of receiving this notice, a student defense counsel will be appointed to you.

18. You may seek to have any member(s) of the Disciplinary Panel recused.

19. In certain circumstances, you may petition for exemption from the disciplinary panel hearing, as outlined in Section IV.F of the Honor Code.

20. If you have any questions about this Notice, you are advised to contact the faculty defense advisor.

Appendix C: Sample Answer

In the matter of Nancy Noe and Michael Moe Answer of Nancy Noe (nnoe2358@g.rwu.edu)

Date: November 10, 2016

For my answer, I, Nancy Noe:

1. Admit the allegations in paragraph 1 of the complaint.
2. Admit the allegations in paragraph 2 of the complaint.
3. Admit the allegations in paragraph 3 of the complaint.
4. Admit the allegations in paragraph 4 of the complaint.
5. Admit the allegations in paragraph 5 of the complaint.
6. Admit the allegations in paragraph 6 of the complaint.
7. Admit I turned in my paper on October 15, 2016, but deny knowledge or information sufficient to form a belief as to when, if ever, Michael Moe turned in his paper.
8. Admit the document attached as appendix D to the complaint is my paper; admit that both my paper and the document attached as appendix C to the complaint are similar or identical as indicated by the highlighting; and deny knowledge or information sufficient to form a belief as to the author of the document attached as appendix C to the complaint.
9. Deny knowledge or information sufficient to form a belief as to the cause of similarity between my paper and the document attached as appendix C to the complaint; and deny I copied Moe's paper, collaborated with Moe, or plagiarized my paper from any source.
10. State that Moe has been involved in a romantic relationship with my apartment mate, Tammy Toe, and was a frequent visitor to our apartment. Accordingly, Moe would have had access to my laptop, which I kept on the common dining table in my apartment.
11. Persons with knowledge of Moe's visits to my apartment are Tammy Toe, ttoe1749@g.rwu.edu; Yael Yoe, yyoe2416@g.rwu.edu; and Graham Goe, ggoe@g.rwu.edu.

I affirm that the contents of this answer are true. /s/ Nancy Noe

Appendix D: Self-Nomination Form

Honor Board Student Self-Nomination Form

I, _____, a _____ year student, declare my candidacy for a position on the Roger Williams University School of Law Honor Board.

If elected, I agree to uphold the Honor Code's provisions to the best of my ability.

Signature

RWU E-mail Address and Telephone Number

In support of my candidacy, I believe that I am qualified to serve in this position for the following reasons: [include statement of no more than 250 words; statement can be attached as a separate document].