

INTRODUCTION

Welcome to Golden Bear Country!

The guiding philosophies at Western New England University are based upon the premise of engagement, stewardship, excellence and inclusion. As a Golden Bear, students, faculty, staff and administration, present these ideals are at the forefront in our learning and teaching.

Western New England University's Student Handbook ("Handbook") is designed to assist both new and returning students with information pertaining to campus departments and services, resources for daily and emergency use, and policies and regulations. It is designed to reflect the educational mission of the University, with intentional focus on inclusivity and respect for the rights of others.

The material in this Handbook is designed to be a resource and guide for students pertaining to the University's policies and required standards for conduct. Students agree to comply with University policies and conduct standards as enacted by appropriate University officials. Use and read the resources highlighted to ensure your success as a Golden Bear. The University reserves the right to make changes to its policies and standards as necessary. This Handbook presents University Policies and conduct standards in effect at the time of publication and all such policies may be modified by the University at any time. Students will be informed when such changes are made. All members of the community are responsible for citizenship both on and off campus. Students are responsible for their actions on and off campus. You are an ambassador of the University and expected to act responsibly. Membership in the University community does not provide immunity from local, state or federal law.

As a member of the Western New England community, you are provided with an individual email account (@wne.edu). The University considers this email to be the official method of communication from the University to the student. Any information sent to this email address (including University Posts) is the responsibility of the student and deemed official notification.

The University prohibits discrimination on the basis of race, religion, color, national origin, age, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, genetics, disability, or any other characteristic protected by applicable law. This policy applies to all terms and conditions of employment, admission to and enrollment with the University,

as of 1/20/22

including, but not limited to, recruitment, selection, hiring, placement, transfer, promotion, training, compensation, benefits, discipline, termination, educational policies, admission policies, financial aid, scholarship and loan programs, housing, athletics, and other University-administered programs and activities. Further, the University prohibits retaliation for filing complaints or assisting in any investigation of discrimination. The following person has been designated to handle inquiries regarding discrimination policies for students and employees:

Chief Human Resources Officer
Western New England University
1215 Wilbraham Road
Springfield, Massachusetts 01119
(413)782-1343

Inquiries concerning the application of nondiscrimination policies may also be referred to:

Regional Director
Office for Civil Rights
U.S. Department of Education
J.W. McCormack P.O.C.H., Room 222
Boston, Massachusetts 02109-4557
(617)289-0111

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CHAPTER ONE: CAMPUS RESOURCES

Academic Success Center

413-782-1312

The Academic Success Center (ASC) promotes academic success, enriches students' academic experience, and encourages student development. The ASC provides several services geared towards helping students reach their academic potential. Services range from Peer Tutoring to Academic Progress Monitoring to providing students with new study strategies and time management skills. The ASC staff works to create a supportive learning environment in which students can develop the skills needed to achieve their academic goals while being held accountable for their own progress.

UNIVERSITY ADVISING

The University strives to provide each student with a team of advisors to assist each student throughout their tenure at the University. Advisors help students overcome challenges and answer questions that may arise during their University career. Advisors are available to help you understand, among other things, how your coursework connects with potential careers, the direction of their educational path, how opportunities outside of the classroom will support your career goals, and how forging connections with other departments can facilitate your success within and outside of the University.

Athletics

413-782-1377

The Mission of the Western New England University Department of Athletics and Recreation is to provide an educationally purposeful student-athlete experience that fosters life skill development for all participants. This commitment to athletics as a co-curricular endeavor enhances achievement, personal character, leadership and service to others within an equitable and inclusive environment.

The Department is committed to upholding the expectations, mission, and core values established by Western New England University, the NCAA, and the Commonwealth Coast Conference.

Kevin S. and Sandra E. Delbridge Career Center

413-782-1217

The Delbridge Career Center implements the University's strong commitment to the development of students' career decision-making by providing individual and group career advising, as well as assistance in identifying career options, major and occupational exploration, internship and job search strategies, and graduate school decision making. Specialized career professionals for the Universities of Arts and Sciences, Business, and Engineering are dedicated to identifying and developing resources to help students cultivate their personal career strategies.

Career education and exploration begin in the students' first year through interactive workshops in First Year Seminar. Here, students begin to explore and understand their skills and strengths and participate in University experiential activities. In the students' sophomore year, they begin to direct their interests through a variety of courses, further develop leadership skills, and participate in career-focused programs. The University's internship program adds value to students' education by bringing the theories and concepts learned in the classroom to life and providing opportunities to apply that knowledge in local businesses and organizations. Through internships, students confirm or reaffirm their career path while gaining valuable experience working as a team member in an environment that prepares them for the realities of the world of work.

Topics include interviewing, résumé and cover letter building, options for exploring study and internships abroad, and networking to educate and empower students. The campus recruiting program connects students to employers through information sessions, interview days, and on-campus career fairs. Central to these programs and to student success is networking.

The Delbridge Career Center's effective combination of education, career programs, and job search coaching is a valuable complement to every student's academic experience.

Diversity

413-782-1594

Through its Office of Diversity Programs and Services, the University integrates diversity, equity and educational quality efforts into its mission and institutional operations.

The University values and celebrates diversity as a means of uplifting and enriching the educational experiences of all students. The University defines diversity as individual differences (e.g., personality, prior knowledge, and life experiences) and group/social differences (e.g., race/ethnicity, class, gender, sexual orientation, country of origin, and ability as well as cultural, political, as of 1/20/22

religious, or other affiliations). Studying and learning in a diverse environment helps to prepare students to live and work in a global society. As a part of their educational experience, students benefit when they interact with multiple diverse groups, including those who have been historically underrepresented in post-secondary institutions.

The University strives to build and encourage an environment fueled by the positive benefits of diversity. It is our goal to appreciate—and not merely tolerate—all people.

The University promotes diversity through multicultural programs, and various outreach and support services that help students transition into University life, while enhancing their academic success. This programming, available to all students, includes multi-ethnic, multicultural, and diversity-centric programs and workshops (e.g., Black History Month, Women's History Month, Hispanic Awareness Month) and in-class presentations on diversity and sensitivity issues.

For more information regarding the University's diversity and inclusion efforts, please contact:

Health and Wellness (formerly Health Services)

413-782-1211

Health Services is located in the Center for Sciences and Pharmacy CSP 235. The department is staffed with licensed and board-certified health care providers. Healthcare is available by in-office appointment or telehealth Monday through Friday 8:30am-4:00pm. For after-hours medical concerns an On-Call Provider is available.

Mandatory Medical Documentation

All full-time students are required to have on file with Health Services a medical history and a recent physical examination. A completed immunization record is mandatory including evidence of immunizations against measles, mumps, rubella, tetanus, diphtheria, Hepatitis B, varicella, meningitis, and COVID-19. Pharmacy and other health science students will need a TB test if they are entering a clinical site.

Immunizations may be evidenced by documentation. Active participation in classes and residency in on-campus housing is contingent upon the above requirements. The only exceptions will be by medical as an accommodation on the basis of a disability or religious exemption. Visits in Health Services are billed to insurance. There is no co-payment. Students must present their insurance cards when visiting Health Services. Students are responsible for financial obligations incurred for medical services.

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Student Medical Insurance

Undergraduates taking nine credits or greater and graduate students taking seven credits or greater must either purchase insurance through the University or complete a waiver form with pertinent information about their private insurers. The Commonwealth of Massachusetts mandates this. Coverage under the University provided policy runs from August 15 through August 14 of the following year. All waivers from purchase of the University-provided insurance are vetted through the University's insurance agency. For additional information contact Health Services.

Immunization policy

The laws of the Commonwealth of Massachusetts and Western New England University Health Services require all full-time students to present evidence of immunization against measles, mumps, rubella, diphtheria, tetanus/pertussis, hepatitis B, varicella and meningitis. The University also requires that all enrolled students provide evidence of COVID-19 vaccination (unless an accommodation on the basis of disability or religion is approved). This requirement may be met by credible medical documentation.

New students to the University must submit their immunization history. This information is included in the admission physical examination documentation and is to be submitted to Health Services by August 1. Students may not be allowed to move on campus, begin classes, or participate in any University-related programming or activities, without having submitted all required medical records, including but not limited to immunization records, to the University. Immunizations may be received in Health Services and will be billed to your insurance (as applicable).

Public Safety

413-782-1207 (non-emergency)

413-782-1317 (emergency)

The Department of Public Safety employs specified personnel who are trained and qualified by the Massachusetts State Police. Its officers are certified under Massachusetts General Law and has full police powers. The Department also employs security, student patrol, and administrative support staff, all working cooperatively to enhance the quality of life at Western New England University.

The Department of Public Safety is a full-service department that patrols both campuses daily to prevent criminal activity and protect the safety and well-being of all members of the University community. Enforcement procedures

include issuing parking tickets, filing conduct charges, performing arrests and providing vehicle registration and parking permits and University ID card services. The Public Safety Department also offers and facilitates educational programs on a number of topics, including alcohol and drug use, personal safety, and fire safety.

Emergency Communication Policy

Students are encouraged to register for the emergency systems offered by Public Safety. RAVE Alerts are a type of mass communication system that is easy to use for students, faculty, staff and parents. RAVE can be used to text or message Public Safety in case of safety concerns on campus. RAVE Alerts are used to notify students of significant emergencies or dangerous situations involving an immediate threat to the health or safety of students or employees on the Campus. RAVE Alerts are also used to provide students with important non-emergency notifications, such as notification of power outages and cancellations. Sign up for RAVE by going in to your Connect2u account and scroll down to the bottom of the page and click on the "RAVE Alert" button, then click on the "Sign up/Manage your RAVE Alerts" button.

Residence Life

413-782-1317

Residence Life understands the environment in which students reside is important. The living environments offered are based on the student's experience:

- Traditional halls for first year students
- Suite housing and traditional halls for second year
- Apartments and townhouses for juniors, seniors and post baccalaureate

As the student progresses through the residential experience, more independence is offered so that the student may develop life skills.

Residence Life Staff

The Residence Life staff is overseen by 8 full-time professional staff including: director, an associate director for operations, an assistant director and four full-time area directors. The area directors are live-in staff with direct residence hall/area responsibilities. In addition to administrative and operational responsibilities, the area directors assist with program development, provide personal advising and support to students, respond to misconduct or other concerns, and supervise a staff of Resident Advisors (RAs).

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Resident Advisors are undergraduate and graduate students, selected for their leadership, interpersonal skills, and a commitment to positively influence their peers. We assign the majority of Resident Advisors to the traditional first year residence halls, with one staff member per floor in first year areas as a resource for new students. Resident Advisors are also assigned to suite style housing and the apartment and townhouse complexes.

Students are encouraged to get involved with their residential communities. The connections formed within your living environment will promote your success as a student. Residence Hall Association (RHA) and National Residence Hall Honorary (NRHH) are two organizations specifically available for residential students to get involved. Programs and leadership opportunities are offered to all of the residential students.

Spirituality

413-782-1628

Western New England University Spiritual Life extends an open invitation to explore, deepen, and share our faith traditions and beliefs. Spiritual Life on campus values the spiritual growth of our students as a vital part of their development, welcoming them to an atmosphere of dialogue and discussion that allows each to embrace a personal truth and to understand the truth of others.

Spiritual Life supports the University's mission of celebrating our diverse community by promoting a campus culture of respect and understanding. With an open heart and mind, the staff, faculty advisors, and Spiritual Life Student Council join together to ensure that all voices are heard.

Student Accessibility Services

413-782-1258

Students with disabilities represent an equally important aspect of diversity as any other student on campus and are an integral part of our community. The University is committed to providing equal access to all campus related programs and activities for all students, including students with disabilities. Through reasonable accommodations and support, otherwise qualified students who qualify for disability-based accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (as amended) are empowered to participate fully in the activities of the University.

In collaboration with faculty and staff from across campus, SAS evaluates and coordinates requested accommodations otherwise qualified students with disabilities, as defined by applicable law.

Individuals with questions about disability-based accommodations or who wish to request an accommodation should contact Tynisha Henderson, Director of Student Accessibility Services.

Student Involvement and Leadership

413-782-1203

The mission of the Office of Student Involvement and Leadership is: Explore. Connect. Engage. Lead.

Student Involvement and Leadership works with students as they explore new ideas and interests, their identity, the arts, cultures, and opportunities at Western New England. Student Involvement and Leadership fosters ways for students to connect to the community, their peers, networks of support, clubs, and organizations, and their goals. Student Involvement and Leadership staff encourage engagement in learning outside of the classroom, leadership development, program planning, community service, and social action. In turn, we inspire our students to lead through involvement in clubs and organizations, employment, activism, peer engagement, and in their communities.

Student Involvement and Leadership strives to provide all students with opportunities to explore from the moment they step foot on campus, with the goal of connecting them to their peers, community, and beyond. Student Involvement and Leadership encourages students to find or create their own path to educational and professional success, to engage with their community, and become leaders in their co-curricular involvement.

The pillars of Student Involvement and Leadership are:

- Civic Engagement
- Clubs and Organizations
- Leadership
- Campus Center Community
- Programming

University Recreation

413-782-1468

WNE Recreation promotes a lifelong commitment to healthy habits and holistic wellness by providing quality programming, facilities and services to the WNE student, staff and alumni population. The department supervises the

Anthony S. Caprio Alumni Healthful Living Center (CAHLC), which includes various strength and fitness equipment, wood and synthetic multi-purpose courts, and an indoor pool. WNE Recreation also provides a consistent intramural sport schedule, various group fitness offerings, and advises sport clubs that compete inter-collegiately.

CAHLC hours (as may be modified from time to time):

General building:

- 7:00 AM to 11:00 PM

Back Weight Room:

- 7:00 AM to 11:00 PM Monday through Thursday
- 7:00 AM to 9:00 PM Friday
- 12:00 PM to 6:00 PM Saturday
- 12:00 PM to 8:00 PM Sunday

Pool:

- 12:00 PM to 6:00 PM every day

Students register for intramurals on IMLeagues.com. Students need to create an account with their WNE email address. Students will be able to see the full intramural calendar and register teams.

CHAPTER TWO: UNIVERSITY AND STUDENT LIFE POLICIES

Students must meet all University expectations and policies, including but not limited to those pertaining to drugs and alcohol. The following information provides students with an understanding of those expectations and required policies as a member of the community.

Drug and Alcohol Policy

The University prohibits the unlawful possession, use or distribution of illicit drugs and the unlawful or unauthorized possession, use, or distribution of alcohol by students. As an educational institution, the University places a great deal of responsibility and trust in its students to make decisions that are in the best interest of their academic and social success. Peer pressure of any kind from one individual to another to violate the University's expectations is not condoned.

The University complies with all local, state and federal regulations pertaining to alcohol and illicit drugs, including but not limited to the Drug Free Schools and Communities Act of 1989 (as amended).

Students applying for financial aid involving federal funding must certify they are drug free, and that they will remain drug-free in order to receive federally funded student aid awards, including Pell Grant recipients. Appropriate forms for such certification are available in Enrollment Services.

Drug Policy

The University expects that all students comply with federal, state, and local laws with respect to the possession, use and distribution of drugs, including controlled substances and prescription medication. The University prohibits the unlawful use, possession, sale, manufacture, or distribution of drugs and alcohol by students on and off campus, or while engaged in University sponsored activities. This includes all paraphernalia associated with the use of drugs and/or alcohol. Students will be held responsible for complying with all aspects of federal, state and local laws as well as the University's Student Code of Conduct and this policy.

Marijuana use and possession remains prohibited at the University. The University continues to prohibit the use, possession, cultivation and sale of marijuana and related paraphernalia on all University property and at all University-sponsored activities, whether on or off-campus. A prescription for

the use of medical marijuana does not serve as an exemption from the University's policy. If a student has a written medical certification from a qualified physician pertaining to the prescribed use of medical marijuana, the student may contact the University to discuss reasonable alternatives to the use of marijuana on campus. Additionally, the possession and/or use or attempted use of prescription drugs by persons for purposes other than those prescribed by a licensed physician is prohibited.

Being in the presence of unlawful drug use is prohibited may be a violation of the University's code of conduct.

Drug Testing

All Students

Students may obtain a drug test through the Health Center, at their own expense, and introduce said drug test (directly or by submitting an appropriate release of medical records) for consideration in support of a conduct review or administrative educational review involving alleged violation(s) of the University's drug and alcohol policies.

Student Athletes

The NCAA requires the University share the responsibility of testing and educating student athletes on the prevention of drug misuse. Accordingly, throughout the academic year, student athletes may be selected for random drug testing and must report the day of their selection. Should a student not attend their random testing request, further action may be taken by athletics. A positive test result may impact the student's ability to participate in athletics and will become part of the conduct record as past history.

The following sanctions apply to student athletes found to engage in the unauthorized use of drugs (excluding performing enhancing drugs):

First offense - The student-athlete will be required to have educational sanctions, to attend drug counseling assessment session(s), and be subject to game suspensions as determined by the Director of Athletics or their designee. The student-athlete will be subject to follow-up testing and will be financially responsible for the testing.

Second Offense – The student-athlete will be immediately suspended from participation in any intercollegiate sport at

Western New England University for 25% of the competitive season. Competition suspension will wrap around to the subsequent season if necessary.

The student-athlete will be subject to follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Director of Athletics or their designee in consultation with the counselor or specialist. All costs associated with any counseling session(s) shall be the sole responsibility of the student-athlete.

Re-entry drug testing

Third offense - Permanent removal from team; student ineligible to compete elsewhere

Alcohol Policy

The University expects that all students comply with federal, state, and local laws with respect to the possession and use of alcohol.

Alcohol consumption is permitted at the University for individuals who are of legal drinking age (21). Only individuals 21 and older may possess, purchase, and/or consume alcoholic beverages. University officials are authorized to enforce all state laws regarding the possession, use, and consumption of alcoholic beverages, including those that prohibit these activities by individuals under the age of 21. The University focuses on the responsible use of alcohol when consuming.

The following behaviors are prohibited under the Alcohol Policy:

- Individuals under the age of 21 and their guests, regardless of age, may not possess, use or distribute alcoholic beverages or be in attendance where alcohol is present.
- Empty containers should be disposed of and not accumulate in residence areas. Trophy walls are not permitted.
- The possession or presence of empty alcohol containers is prohibited in rooms where students are under the age of 21 and will be viewed as evidence of prohibited possession or consumption of alcoholic beverages.
- Students of legal age may not purchase, provide or serve underage students with alcohol, either on or off campus.
- Irresponsible use of alcohol including, but not limited to: intoxication, incapacitation, drinking games, any devices designed or intended for rapid consumption.

- Large quantities of alcohol or common supplies of alcohol (unless registered with the University). Possession of alcohol above an approved limit is prohibited. Alcohol must be in a single serve container.
- Operating a motor vehicle while under the influence of alcohol is prohibited and subject to University, criminal, and civil action.
- Possession, creation or use of false IDs to procure alcohol-
- Consumption of alcohol within public areas of the University including but not limited to common outside and inside spaces, walkways, and offices unless approved as a University sanctioned event.
- Students may not carry an open container of alcohol in common or public areas of the University.
- Decorations such as neon signs, display cases, and bulk containers that specifically advertise and/or promote alcohol.
- Any indication of impairment due to alcohol use, whether medical assistance is required or not. Any recognizable changes in physical and mental behavior such as altered coordination, ability to think rationally, a deterioration of reaction time are some examples of impairment.
- Alcoholic beverages may not be consumed or served in academic areas unless prior approval from the Office of Student Involvement and Leadership.
- Alcohol is permitted in Gateway Village, Evergreen Village and Southwood Hall for students who are of legal drinking age. Alcohol may be delivered to these residence areas, if the student receiving the alcohol is 21+ years of age. Regardless of age, alcohol is not permitted in Franklin, Berkshire, Hampden, Windham, Commonwealth Halls, Plymouth Complex or LaRiviere Center.
- Being in the presence of the prohibited use, possession, or distribution of alcohol or related paraphernalia, including but not limited to residing in a shared space where alcohol or related paraphernalia is used, possessed, or distributed in violation of this policy, will be considered an independent violation of this policy.
- The University reserves the right to inspect vehicles and personal belongings e.g. bags, backpacks, laundry baskets, boxes and other containers. for compliance with this policy, in accordance with applicable law. The University reserves the right to confiscate and dispose of alcohol used, distributed or possessed in violation of its policies.
- Students are responsible for the actions of their guests and visitors.

Federal, State, and Local Sanctions

Legal penalties for violation of applicable local, state, or federal laws range from probation and forfeiture of property to fines and imprisonment. For example, the sanctions against an individual for distribution of, or possession with intent to distribute, controlled substances can be from a minimum of 5 years' imprisonment to a maximum of life imprisonment, with fines up to \$10 million. Sanctions can increase for repeat offenders or for offenses resulting in death or serious bodily harm and can be doubled for each of the following occurrences: distribution to persons under 21 years of age, distribution within 1,000 feet of a University or university or employing someone under 18 in the distribution. Attempt or conspiracy to commit a crime can be treated as severely as the intended offense. As of September 1, 1989, conviction for violation of any state or federal drug law can lead to ineligibility for any federal benefit (including grants and loans).

For additional details regarding sanctions under federal law, see: https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30

For additional details regarding sanctions under Massachusetts law, see:

- M.G.L. Chapter 90, Section 24: Driving While Under Influence of Intoxicating Liquor (available at: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter90/Section24>)
- M.G.L. Chapter 94C: Controlled Substances Act (available at: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94C>)
- M.G.L. Chapter 138: Alcoholic Liquors (available at: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter138>)

University Sanctions

If it is determined that a violation of this policy has occurred, appropriate disciplinary action will be taken and sanctions imposed. The sanctions available to the University include warning, probation, suspension, or termination of employment or referral to government authority for prosecution. The University may require satisfactory completion of an appropriate drug or alcohol abuse assistance or rehabilitation program before reinstatement or continued participation in educational programs or activities.

Health Risks Associated with Alcohol and Drug Misuse

The following is a non-exhaustive list of the health effects of drug and alcohol misuse.

Potential Alcohol Health Effects

Alcohol is the most used drug among University students. Most students who choose to drink alcohol do so responsibly most of the time.

However, of great concern for University students is high-risk drinking, often referred to as “binge drinking” and heavy alcohol use. For men, high-risk drinking is defined consumption of five or more alcoholic drinks on an occasion. For women, high-risk drinking is defined as the consumption of four or more alcoholic drinks on an occasion. Heavy alcohol use is defined as binge drinking on five or more days within the past month.

The consequences of high-risk drinking and heavy alcohol use pose a serious public health concern for University students between the ages of 18 and 24, as the following statistics illustrate:

- **Academic Problems:** 25% of University students report academic consequences of their drinking including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall.
- **Alcohol Use Disorder:** 9% of University students met the criteria for a diagnosis of alcohol use disorder.
- **Sexual Violence:** 97,000 are victims of alcohol-related sexual assault or rape.
- **Death:** 1,825 University students die each year from alcohol-related unintentional injuries, including car accidents.

Alcoholism is a primary, chronic disease with genetic, psychological, and environmental factors influencing its development and manifestations. The disease is often progressive and fatal, and is characterized by impaired control over drinking, use of alcohol despite adverse consequences, and distortion in thinking, most notably denial.

Alcohol can cause significant and irreversible damage to bodily organs, including the brain, heart, liver, and pancreas. Further information regarding the health impacts of alcohol can be found here:

<https://www.niaaa.nih.gov/alcohols-effects-health/alcohols-effects-body>

Potential Drug Health Effects

Short-term effects of drug use can range from changes in appetite, wakefulness, heart rate, blood pressure, and/or mood to heart attack, stroke, psychosis, overdose, and even death. These health effects may occur after just one use.

Longer-term effects can include heart or lung disease, strokes or cancer. Drug use can trigger or worsen mental illness. Drug use can also increase the risk of contracting illnesses, such as HIV/AIDS and hepatitis. Drug use can also lead to addiction.

Drug addiction is a brain disorder. Not everyone who uses drugs will become addicted, but for some, drug use can change how certain brain circuits work. These brain changes interfere with various aspects of healthy brain functioning, including but not limited to memory, mental wellbeing, and decision-making ability. These changes make it much more difficult for someone to stop taking the drug even when it's having negative effects on their life and they want to quit.

Further information regarding the health impacts of drugs can be found here: <https://www.drugabuse.gov/drug-topics/health-consequences-drug-misuse/introduction>

Resources for Help

The University is committed to providing a drug-free, healthy, and safe environment for all faculty and staff. Employees who need help with substance abuse problems and co-workers/family members of substance abusers are encouraged to use the services provided by our Counseling Services and Alcohol & Drug Education Services:

Counseling Services

Center for Pharmacy and Health Sciences 235

413-782-1211

Offers counseling for students. Also offers an extensive list of referral sources.

Alcohol & Drug Education Services 235

Center for Pharmacy and Health Sciences

413-782-1211

Offers education, assessment, counseling, and consultation. Also offers an extensive list of referral sources

All Western New England University students are encouraged and may take advantage of the following off-campus resources:

Massachusetts Substance Abuse Information and Education Helpline

1-800-327-5050
Helpline.org
education and referral information across the state of Massachusetts

Alcoholics Anonymous (varied times and locations)
474 Pleasant Street Holyoke MA
413-532-2111
AA.org

Narcotics Anonymous
1-866-NA-HELP-U
Westernmana.org
Marijuana Anonymous: Self-help organization providing support services
MARIJUANA-ANONYMOUS.ORG

Smoke Free Environment Policy

Because the University is committed to providing a safe and healthy environment for students, faculty, and staff on its campus, the University prohibits smoking in all of its academic and administrative buildings. This restriction includes but is not limited to the use of any devices such as a hookahs, electronic cigarettes, or vapor smoking devices. Smoking is prohibited within twenty-five feet of a main exit or entrance, or operable window or vent, of a University-owned, occupied, or leased building and inside University vehicles.

- Should any person(s) set off a fire alarm by smoking, vaping, or burning incense/ candles in a residence hall they shall be subject to the Student Code of Conduct and may also receive a fine of \$100.00 for the first offense, and \$250.00 for any subsequent offenses.
- Students who wish to stop using tobacco products may contact Health Services, Counseling Services and the Alcohol and Drug Education Coordinator to discuss smoking cessation methods.

Civility Statement

A distinguishing characteristic of Western New England University is a commitment to civility in all interactions between and among the individuals and groups making up our academic community, as well as in dealings with visitors to the campus and the larger community in which we reside. Any behavior or communication that contains elements of incivility will not be tolerated. When disagreements occur between individuals and/or groups, as they do in all communities, it is expected that the merits of opposing positions will be discussed without resort to insult, personal attack, or bias. Every member of the Western New England University community has the right to

their beliefs so long as they are expressed in a manner that is respectful of the rights of others. The ideas of others and their right to hold and express those ideas in a civilized manner must likewise be met by civil response from those who may hold opposing positions. The cultural expectations of Western New England University require that each member of our community has the right to be treated with respect and dignity at all times. Persons witnessing an act of incivility are encouraged to support the victim of such activity but should refrain from any act that might lead to an escalation of the situation.

Students are responsible for University policies and procedures regarding incidents of incivility.

Bias and Bias Related Incidents

Western New England University defines bias as any stereotypical opinion or attitude toward a person(s) based upon actual or perceived membership in a group, including, but not limited to: sex, race, color, creed, religion, ethnic or national origin, age, disability status, sexual orientation, gender identity or gender expression, genetics, or veteran's status. A bias-based incident is an event which has the intent or effect of demeaning or degrading an individual or group and is motivated in whole or in part by the perpetrator's personal bias. Certain bias-based incidents may also be violations of state and/or federal discrimination laws. Although not an exhaustive list, bias-based incidents may be in the form of verbal, written, or physical actions, communications or statements.

Any conduct and/or actions that retaliates against an individual who has complained about discrimination, harassment, or bias against individuals for cooperating with an investigation of a complaint is prohibited and will not be tolerated.

Harassment/Discrimination¹:

Harassment constitutes a form of discrimination that is prohibited by law. Members of the Western New England University community, guests and visitors have the right to be free from discrimination and harassment. All members of the campus community are expected to conduct themselves in a manner that does not discriminate against or infringe upon the rights of others. The University supports a zero-tolerance approach to discrimination, harassment, or bias and complies with all applicable federal and state laws.

COVID-19

Western New England University is committed to maintaining a safe work and learning environment. The University maintains the following principles and guidelines during the COVID-19 pandemic which every member of our community - faculty, staff, and students - is responsible for knowing.

All guests coming to campus whether it be for an event, tour, or remaining overnight, must register with the University and attest that the guest is vaccinated and/or not exhibiting any symptoms that could be related to COVID-19 and will abide by all safety standards, including wearing a mask in indoor settings.

All individuals placed in isolation or quarantine housing may not have guests. This includes any Western New England affiliated individual, excluding Health Services staff and their designees.

All community members diagnosed with COVID-19 at an off-campus health care facility, or experiencing symptoms consistent with COVID-19, such as coughing, fever, and/or loss of taste or smell, will immediately report this information to Western New England University Health Services at (413) 782-1211 and follow whatever guidelines Health Services requires, including reporting to Health Services for testing and examination.

In addition, the University will continue to monitor the COVID-19 pandemic and may revise safety protocols as needed.

Faculty, Staff or Students who do not adhere to the above expectations may be subject to administrative or disciplinary action.

For students only, action may include: monetary fines and/or sanctions as outlined in the Student Handbook.

Please review the COVID-19 website for the most up to date expectations. The website will reflect the accurate information for expectations such as the Visitation Policy, testing and vaccinations: [COVID-19 Campus Updates \(wne.edu\)](https://www.wne.edu/covid-19)

Drone Policy

The operation of an unmanned aircraft system (UAS), or drone, is regulated by the Federal Aviation Administration (FAA). This policy is established to require and ensure compliance with all applicable laws, reduces safety risks, and preserves the security and privacy of members of the Western New England
as of 1/20/22

University community. The scope of this policy applies to, but is not limited to, the operation of drones on or over the lands of Western New England University property, University controlled property, or for University-affiliated events held elsewhere and is applicable to all employees, students, contractors, volunteers, and guests for civil, commercial, hobby or research purposes. Any violations of law, including trespassing/illegal surveillance or violations of University policies may subject the individual to both criminal and/or disciplinary action. Damages/injuries occurring to University property or individuals will be the responsibility of the drone operator.

Guidelines

Drones may not be operated in any way that would create a public safety hazard, an undue hazard to property or privacy, or in such a way that unduly affects the environment of those working or living within a building, to those entering or exiting a building, or those moving about the property.

Operators must be under the control of the aircraft at all times, remain within the line of sight of the aircraft, and flown only during daylight hours.

Drones may not be operated directly above public open-air events, inside or directly above any public building or above public access road with or without traffic.

Drones cannot be flown within 30 feet of a building or other structure.

The Director of Public Safety, or their designee, reserves the right to rescind the approved use of a drone at any time and/or for any reason.

Any Western New England University student or employee wishing to operate a drone on the University campus for educational, hobby or educational use:

- Must obtain prior approval from Public Safety at least 48 hours prior to the use of the drone.
- Must file a “flight plan” with Public Safety that provides date/time, purpose, and duration of drone operation, as well as the operational area of the campus where the drone will be used.
- Must comply with all federal and state laws.
- Must operate the drone in a responsible manner.
- Must not operate over areas of public assembly, stadium, or areas of construction.
- Must not photograph/video or monitor areas where other members of the Western New England University community would have a

reasonable expectation of privacy, such as, locker rooms, restrooms, residence living space, or other private areas.

Any Western New England University student or employee wishing to operate a drone on the University campus for commercial use:

- Must first obtain an authorization from the FAA
- Must file a certificate of insurance with the University naming Western New England University as the additionally insured. Liability insurance coverage must be for \$1M.
- Must be accompanied by a representative of the University at all times while operating a drone.

Weapons Policy

The University prohibits the possession, use, or distribution of weapons by any person on the property of the University or at a University-sponsored event except as expressly provided for in this policy.

The term “weapon” includes, but is not limited to: any firearm, stiletto, dagger, knife, sling shot, black jack, metallic knuckles, pellet guns, BB guns, mace, pepper spray, open flames, ammunition, chemical agents, explosives and potential ingredients thereof (including but not limited to firecrackers and fireworks), paintball guns, replica guns, electronic incapacitation or other stun weapons, and any other object (including an otherwise innocuous object) that the University determines could be used (or is being used) to harass or injure another individual or that the University determines has the effect of intimidating another individual.

The University’s prohibition on weapons applies regardless of any federal or state license that has been issued to the person possessing the weapon. This prohibition extends to firearms and weapons stored in vehicles that are brought on campus.

The sole exceptions to this policy are as follows:

- Any exception to this policy authorizing the presence of a weapon by the President of the University in writing.
- In compliance with Federal and State Laws, Active Duty Law Enforcement Officers and Qualified Retired Law Enforcement Officers are permitted to carry a concealed firearm on campus.
- The University’s Department of Public Safety may choose to store a firearm in a secure location for an Active Duty or Retired Law Enforcement Officer upon request. The University requests that any

Active Duty or Qualified Retired Law Enforcement Officer that intends to carry a concealed firearm on campus disclose their desire to Department of Public Safety.

Furniture: Misuse, Removal

Furniture provided in campus facilities must remain in those assigned areas. Lounge furniture must not be moved into a student's personal living space. Replacement costs for missing furniture is the responsibility of the student.

Gambling

Gambling, including games of chance where money is involved, is not permitted on University property. Organizations wishing to sponsor a raffle or similar activity must have the approval of the Office of Student Involvement and Leadership and comply with Massachusetts and local municipality requirements.

For information regarding Gaming Activities for Fundraising, please visit the Office of Student Involvement and Leadership website.

Good Samaritan Policy (Medical Amnesty Policy)

The Western New England University community values the health and safety of its members and supports an environment that encourages students to help others who are in need of assistance. Taking responsibility for helping a student in need will always be viewed positively in any post-incident follow-up. This policy has been established to encourage students to take responsible action when another student or guest is at risk due to the consumption of alcohol and/or drugs or other medical emergencies.

Amnesty applies to the use of alcohol and/or drugs and does not extend to other violations of the Community Standards including, but not limited to, distribution of alcohol or drugs, vandalism or assault. Students granted medical amnesty may be required to complete educational or other sanctions. The University reserves the right to inform parents/guardians when students receive medical amnesty.

When seeking medical assistance, the reporting individual or group needs to remain with the student (provided it is safe to do so) until medical assistance arrives. This ensures that you can relay pertinent information and observations to first responders so that appropriate care may be administered. You may be asked to share information pertaining to your friend's name, any known medical diagnosis, or if you are aware if they took any medication. This information will be vital for first responders.

This policy does not apply to students who are found intoxicated by alcohol or drug consumption by University staff, such as Public Safety or Residence Life staff. The University retains the right to hold individuals and organizations accountable when the health and safety of community members is at risk.

As in the case of any medical concerns, the ultimate goal is to ensure the health and safety of all individuals.

Guests/Visitors Policy

A guest is any person who is not a student at the University or any student who is not assigned to the bedroom or suite in which they are present. Accordingly, a visitor may be a University student who lives in another room or off-campus, or any non-student.

Western New England University is committed to maintaining a safe work and learning environment. The University maintains the following principles and guidelines during the COVID-19 pandemic which every member of our community – faculty, staff, and students – is responsible for knowing.

All guests coming to campus whether it be for an event, tour, or remaining overnight, must register with the University and attest that the guest is vaccinated and/or not exhibiting any symptoms that could be related to COVID-19 and will abide by all safety standards, including wearing a mask in indoor settings.

All individuals placed in isolation or quarantine housing may not have guests. This includes any Western New England affiliated individual, excluding Health Services staff and their designees.

In addition, the University will continue to monitor the COVID-19 pandemic and may revise safety protocols as needed.

Registration & Attestation Process

Registration may be completed via Connect 2U account or www.wne.edu/community-standards

Definition

COVID-19 Vaccination:

People are considered fully vaccinated:

2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or

2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine

If you don't meet these requirements, you are NOT fully vaccinated. Keep taking all safety precautions until you are fully vaccinated.

Signs and Symptoms of COVID-19:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Failure to Comply

Faculty, Staff or Students who do not adhere to the above expectations may be subject to administrative or disciplinary action.

All students are responsible for the conduct of their guests and visitors at all times. Guests are expected to abide by all University rules and policies. Students may have a guest spend the night, with the knowledge and consent of their roommate. Displacement of other occupants of the living space, or causing inconvenience to residents, is unacceptable and not permitted. Unaccompanied individuals are not permitted in University housing. University housing may not be sublet absent the prior written consent of the Vice President of Student Affairs. **NOTE: Please review and adhere to current COVID guidelines as they reflect the most current expectations.**

The presence of an overnight guest/visitor in the residence areas must not exceed two (2) consecutive nights or four (4) nights in any seven-day period. Any indication that a guest/visitor is abusing this policy or utilizing University housing as a place of residence may result in discipline, including the guest being restricted from University property and accountability for the student host. The University reserves the right to remove a guest from the campus at any point.

Hazing Policy

Hazing is strictly prohibited at Western New England by this Hazing Policy, "WNE Way" and the NCAA as well as Massachusetts State Law. Western New England is first and foremost an educational institution. The University's hazing

prevention policies and response procedures for hazing incidents are based on that educational mission.

Hazing, as defined by the University, likely to cause physical or psychological harm or social ostracism to any person within the University community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity.

Under Massachusetts General Laws, Chapter 269, Sections 17, 18 and 19, any form of hazing is considered to be a criminal offense punishable by a fine and/or imprisonment. Furthermore, persons who are knowledgeable of, or witness hazing incidents and fail to report them, are also subject to similar penalties.

Student Responsibility and Acknowledgement

Each Western New England University student organization and athletic team, at the beginning of the academic year, and every student, at the time of registration, is provided with a copy of the Massachusetts General Laws concerning hazing. The officers of student clubs and organizations are required to sign a formal statement acknowledging receipt of such regulations and verifying their adherence to refrain from any harassment or activities which may serve to cause embarrassment to prospective members, or initiates.

Actions and situations that may constitute hazing include, but are not limited to, the following:

- Creation of unnecessary fatigue; deprivation of sleep, rest or food
- Degrading or humiliating games and activities
- Expectation of participation in activities that are illegal, lewd or in violation of University policy
- Extended isolation
- Extreme mental or emotional stress
- Forced calisthenics, forced consumption of food, alcohol, drugs, or any other substance
- Forced wearing of specific apparel or that which is conspicuous and not normally in good taste; hierarchical behaviors that can be considered demeaning; personal servitude
- Kidnapping or abandonment
- Line-ups and berating
- Overly time consuming and challenging requirements that can contribute to extreme mental distress
- Paddling, whipping, beating or branding in any form
- Requiring performance of duties not assigned to other members
- Undue interference with academic pursuits

- Unreasonable exposure to the weather
- Any other treatment or physical activity which is likely to adversely affect the physical or mental health or safety of any such student or other person

Reporting

If assistance in resolving a situation is needed, Public Safety should be contacted immediately. If you have experienced or witnessed any act of hazing on the campus, or involving any member of the Western New England University community, information pertaining to this incident should be reported immediately to Vice President of Student Affairs and/or Director of Public Safety or on-line at

<https://www1.wne.edu/public-safety/bias-reporting-form.cfm>

Information Technology: Acceptable Use Policies

Western New England University provides a comprehensive package of computer and technical resources to students, faculty, and staff for the purpose of conducting academic and University business. Included in these services are personal computer accounts, access to e-mail, voice communications and voice mail, television, audio, and video services, disk space, network services, and desktop technologies.

The University also provides use of numerous licensed informational and research databases and software applications; use of the University's facilities is expected to be consistent with educational goals and mission of the University.

Resources, such as the University's network, computers, servers, and printers, required to provide these services are either owned or licensed by Western New England University. To use these resources is a privilege, not a right. These resources, often provided as part of one's employment or status as a student, are to be used responsibly and in accordance with 'Acceptable Use Policies'.

The University's resources are limited and the manner in which each individual utilizes these resources impacts the successful efforts of others. With respect for individual needs and limited resources in mind, the University has established standards and policies to permit the acceptable use of these resources.

It is important that everyone be cognizant of their obligations, what is meant by proper use and behavior, an understanding of actions that inhibit the success

of others, and adhering to and honoring the following basic principles, standards and policies.

Account and Access

Restrictions include but are not limited to:

- Using the University's technical resources to engage in any activities not directly related to the University's academic, research, administrative, or residential life activities.
- Using the University's technical resources to engage in illegal activities including violation of local, state, federal, or international law.
- Using the University's technical resources for storing or transporting copyrighted material, documents/photos/software/music/video or files containing such items.
- Connecting devices other than computers in residential hall network jacks; Acceptable devices include PCs, laptops, and gaming consoles; Prohibited devices include hubs, switches, routers, wireless access points, or other such devices that permit more than one device to connect a single network jack. Devices that interfere with other devices or users on the network may be disconnected.
- Connecting devices to the University network without appropriate virus and worm related detection software. All computers must have virus protection software. OIT provides this software at no charge to faculty and staff.
- Using the University's technical resources in an excessive manner or one that causes degradation, incapacitates, compromises, or in any way jeopardizes others use of the University's technical resources.
- Interfering with or attempting to interfere with service to the University community by modifying computer hardware in offices, labs, or classrooms; distribution of technology viruses; or intentionally creating resource consuming programs that force 'denial of service'.
- Sharing your account or password with anyone.
- Attempting to gain access to other individual's accounts, private files or email
- Conducting any harassing activities toward University users.
- Revealing or disclosing confidential information or invasion of another's personal privacy through electronic or other means.⁽¹⁾
- Inclusion in e-mail messages or web pages the personal audio, image, or video material of individuals or materials owned by them without their approval and written authority.
- Use or placement of content materials that are abusive, profane, or obscene in e-mail, web pages or other network transport mechanisms.

- Using technical resources for commercial, revenue generating, or gambling activities that are not authorized by the University.
- Distributing chain letters or other media that engages individuals with unannounced solicitations that are not related to University business.
- Removing software or hardware components on University computers or servers supplied by the Office of Information Technology.
- Emailing confidential or Personal Information (PI) without encrypting.⁽²⁾

(1) Please refer to the "Definitions" and "Data Classifications" outlined in the Written Information Security Program (WISP) found at:

<https://www1.wne.edu/information-technology/security-and-access.cfm>

(2) For assistance with encrypting email please contact the OIT Service Desk at 413-796-2200, email helpdesk@wne.edu or complete an OIT Work Order from **Connect2U**.

E-MAIL

E-mail is considered an official source of correspondence and University records. All students, faculty, and staff are responsible for University information sent to their "@wne.edu" account.

Privacy

The University has a legitimate interest in protecting its investment in technology. Toward this end, the University reserves the right to require the registration of all technology-related devices used on campus, regardless of whether the device is owned by the institution or an individual; to prevent or restrict the use of technology brought on campus by faculty, staff, and students; to identify and quarantine devices suspected of adversely affecting the network; to employ tools to monitor (at the port level) network-related activity, including bandwidth consumption and point-to-point file transfers; to monitor bandwidth consumption and restrict or eliminate bandwidth allocation to specific devices; to monitor the transmission and storage of confidential information; and to terminate without notice individual network and Internet access upon detecting activities that violate the law or University policies.

Forgery

Falsifying or misrepresenting one's identity or otherwise attempting to impersonate or pass oneself off as another is a violation of the Acceptable Use Policy unless prior written consent has been provided from the representee to the University.

Enforcement

Violation of the Acceptable Use Policy may result in the University blocking or restricting the use of information resources. Violators may be subject to disciplinary action up to and including possible suspension, dismissal, or termination of employment.

Disclaimer

The University does not guarantee that technical resources are free of objectionable material, defects, errors, viruses, worms, or other malicious content.

ID Cards/Keys

Students are issued a University identification card that also serves as their meal card (if applicable) and access card to their residence hall (if applicable) and other University buildings.

University ID cards are issued to all students, faculty and staff of the Western New England University. This identifies you as a member of the community and as proof of your authorization to be on campus, and allow you to access residence halls, University Commons, Caprio Alumni Healthful Living Center and academic buildings.

All University personnel must carry their University ID with them and must produce it upon request from a member of Public Safety or other authorized agent of the University. Refusal or failure to produce a University ID card may result in a referral to the conduct office.

Public Safety issues all University ID cards. Lost cards must be reported to Public Safety. A fee of \$20 will be assessed for a replacement card each occasion a card is reported lost or stolen.

The Western New England University ID card is the property of the University and is to be used for purposes of identification and transaction of University business only. Any University ID card which has been replaced or expired is no longer valid and therefore must be destroyed.

Students who loan their key or card, or students who are found in possession of keys or cards other than their own may be subject to disciplinary action. The duplication of room keys is not permitted.

Lost keys should be reported directly to Public Safety immediately so that they can review your work order and change your lock. Students may be charged \$100 for a lock change as a result of a lost key. If you find your key after your lock has already been changed, and you will still be responsible for the \$100 charge.

Intellectual Property

The University's patent policies are broadly applicable to students as well as to faculty and staff. Like faculty and staff, students' creativity is enhanced by their exposure to the resources (both physical and intellectual) of the University. The University's contribution to that creativity is reflected in its policies, which provide that intellectual property including patentable inventions will be owned by the University rather than by the individual inventor.

An invention made by a student will be deemed made under University auspices and therefore the property of the University if: (a) in connection with work in a course in which the student is enrolled or which the student is auditing, or (b) in connection with faculty-supervised independent work, or (c) in the course of the student's work for the University; whereby such invention is hereby assigned by the student to the University.

Music/Amplified Sound Policy

Speakers, amplification systems or other sound generating devices shall not be used within any public University buildings, excluding residence halls, except if used in connection with an approved campus or student organization event taking place. All noise levels must be maintained at a reasonable level.

Parking and Traffic Regulations

A goal of the Department of Public Safety is to provide safe and orderly parking for employees, students, and visitors to our campus. We strive to make parking on campus as convenient as possible, while promoting the safe movement of vehicles, providing for pedestrian safety, and assuring access to buildings and walkways for both pedestrians and emergency vehicles. The Department of Public Safety expects cooperation from faculty, staff, students, and visitors when it comes to the safe and orderly operation of their motor vehicles

Limitation of Liability

Any motor vehicle parked, operated, or driven on campus shall be done so solely at the risk of the owner and the operator. Western New England University shall not be liable for any loss and/or damage occasioned to any such motor vehicle, the operator, other occupant thereof, or any person unless such damage has resulted from the gross negligence of an employee or agent of the University acting in the course and within the scope of their employment.

Vehicle Parking Permits

All students, faculty, and staff must obtain a Western New England University parking permit from the Public Safety. For a complete list of regulations governing parking and driving on campus, including possible sanctions for violations, you may consult website <https://www1.wne.edu/public-safety/need-to-know.cfm> link.

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Pets

All animals are strictly prohibited inside residential facilities, except as allowed under the Service Animal Policy or Emotional Support Animal Policy. Guest/Visitors may not bring pets inside the residential facilities.

Quiet Hours in Residence Areas

Each residence area has quiet hours, beginning at 10:00 p.m. on weeknights and at midnight on weekends. All individuals in those areas, including visitors and guests, are to respect the enforcement of quiet hours. Given the number of students living in any given area, quiet hours are intended to promote an environment conducive to study and rest. This is a group responsibility, in that each resident has an obligation to monitor themselves and confront others who may be too noisy. If a resident attempt to ask a neighbor to respect quiet hours and is unsuccessful, they can contact a Resident Advisor for assistance. There are also extended quiet hours during finals week. Courtesy hours are in effect 24 hours a day, 7 days a week to support the living and learning community.

Registered Social Events

Social events (gatherings with more than six additional guests/visitors to the standard occupancy of the apartment/townhouse) must be approved by, and registered with, the University. A registered social event may be held in Gateway Village, Evergreen Village and Southwood Hall and the following stipulations apply:

To register a social event, the following must occur:

- Residents and Guests must be 21 years of age or older; Only under-age residents of that apartment or townhouse may be present.
- Alcohol is not the primary purpose of the social.
- Alcohol use is restricted to beer and/or wine and the amount will be limited.
- Drinking games or rapid consumption of alcohol is not permitted.
- Invited guests may not bring their own alcoholic beverages.
- Beverages must be in individual servings (no kegs, pitchers, punch bowls, etc.).
- Substantial food and non-alcoholic beverages must be served.
- Residents of the apartment/townhouse will be held accountable for the actions of their guests.
- Alcohol must be maintained in designated inside and outside areas.
- A completed registration form must be approved by Community Standards and Education.

Residence Life Policies

Students residing on campus, upon completion of their housing application, also agree to adhere to the Resident Student Housing Agreement (a contract). Detailed policies and expectations regarding residency can be found at https://www1.wne.edu/residence-life/21-22_Housing_Agreement_-final-1.pdf

Right to Assemble/Peaceful Demonstration Guidelines

All members of the Western New England University community, including faculty, staff and students, have a right to peaceful demonstration on the campus of Western New England University. The University reserves the right, regardless of the content of the demonstration, to limit, disallow or disband a demonstration which incites immediate, violent action or represents a clear and present danger to the campus community or if for any reason of time, place, or manner of behavior, the demonstration materially disrupts class work or other University business, involves substantial disorder, or invades the rights of others.

For safety and security reasons, demonstrators may not enter campus buildings, unless they receive the permission from the Vice President for Student Affairs and the Director of University Public Safety.

If granted permission to utilize a campus building for a peaceful demonstration, demonstrators may not enter or occupy rooms or offices; obstruct entry, exit, or restrict the free movement of persons; block hallways, doorways, stairs or exits of University facilities; materially interrupt or interfere with University business functions; or remain in buildings after close of normal hours of operation. Demonstrators are NEVER permitted to enter residence halls, private offices, spaces where classes are being held or immediately scheduled to be held, libraries, or facilities that contain research materials, private collections, and/or sensitive materials.

Sales and Solicitation of Goods and Services

Individual students and/or student organizations wishing to conduct sales, fundraising or promotional activities must receive written authorization from the Office of Student Involvement and Leadership. The use of University facilities and/or property for personal sales activities by community members or non-university organizations without prior discussion and authorization with University personnel is prohibited.

Outside groups or non-affiliated organizations wishing to provide information on campus (at cost or no fee) need to be approved by the Office of Student Involvement and Leadership. Those not registered may be asked to depart

immediately. Documentation of persona non grata may be sent to the organization. Any concerns regarding any solicitation should be immediately relayed to the Department of Public Safety.

Window and Banner Policy

Banners may not be hung from windows or on the side of residence halls/houses/apartments without approval from the Office of Residence Life or Vice President of Student Affairs. The University reserves the right to remove posted materials in public view that may be deemed threatening, offensive, insulting or might otherwise lead to incivility between members of our community.

CHAPTER THREE: STUDENT CODE OF CONDUCT AND CONDUCT PROCESS

Introduction

All University students are obligated to conduct themselves in a manner compatible with the University's function as an educational institution and suitable to members of the University community. The University may at any

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time exclude a student or improve disciplinary sanctions on a student for violations of the student code of conduct. The Student Code of Conduct and conduct process is administered under the general direction of the Vice President for Student Affairs and day to day responsibilities are managed by the Director of Community Standards and Education.

Community Covenant

In order to sustain a personal commitment to quality of life, each member of the community is called upon to act, individually and collectively, so that certain modes of interaction are upheld. Each year at summer orientation, new students take part in a community decision making process aimed at forging a common statement of guiding principles that articulates both individual obligations and commonly shared values.

Statement of Affirmation

By enrolling in the University, each student makes the following Statement of Affirmation:

I affirm the following principles of community interaction and commitment to civility:

- I will safeguard the practice of free and open expression without risk of ridicule.
- I will safeguard personal integrity.
- I will protect the safety of both persons and property.
- I will maintain personal accountability for my decisions and choices.
- I will accept the laws of responsible citizenship.

Determining Accountability

The standard of proof for any violation of the Student Handbook is based upon the preponderance of the evidence. This means that based on the information available, it is more likely than not premise that a violation occurred.

Prohibited Behavior: Violations of Conduct

The following behaviors and actions are prohibited: students engaging, attempting to engage, or assisting in the following are subject to disciplinary sanctions.

Violent or Endangering Behavior, Verbal Abuse, and Harassment:

The University prohibits all manner of violent behavior and may pursue disciplinary action against students who engage in violence in any form, from verbal or physical abuse, harassment, and fighting, even in mutually instigated

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cases. Students are advised to expect severe penalties for disciplinary infractions that involve violent behavior.

The following actions and behaviors are prohibited.

- a. Conduct that threatens or endangers the health or safety of another person
- b. Violent behavior including but not limited to fighting, verbal or physical abuse, or contributing to the violence of others
- c. Sexual misconduct, sexual exploitation, or sexual harassment
- d. Verbal abuse and harassment
- e. Verbal abuse or willful damage to the reputation or psychological well-being of another
- f. Bullying by any means, including electronic media (e.g., cyber bullying);
- g. Harassment or annoyance of another person in any manner, including written correspondence, electronic mail/media, phone, or by proxy
- h. Expression that is lewd, indecent, obscene, or degrading or demeaning to others, including on the basis of protected category, including but not limited to, gender, race, religion, cultural background, ability, or sexual orientation

Civility Policy

It is expected that students will conduct themselves with the utmost civility toward other students, University employees, and members of the extended University community (i.e., neighbors, visitors, etc.). Any student who treats another unfairly, unkindly, disrespectfully, or abusively will be subject to adjudication. Other violations of University policies, if documented along with violations of the Civility Policy, may result in more severe sanctions than would normally be required by the Conduct Code.

The following actions and behaviors are prohibited.

- a. Disorderly or disruptive conduct
- b. Failure to comply with the directions of University officials or individuals working in conjunction with the University who are acting in performance of their duties
- c. Use of electronic devices to violate the privacy of another person
- d. Failure to adhere to, or complete, any disciplinary sanction imposed in accordance with the conduct code
- e. Any form of dishonesty or withholding information, including but not limited to theft, falsification of information, fraud, and willful deception, falsification of identification, and/or improper use or disclosure of information.

Misuse and/or Unauthorized Use of Property/Facilities/Services/Grounds

The following actions and behaviors are prohibited.

- a. Damage to University property or another person's property
- b. Theft or possession, sale, or distribution of stolen property
- c. Misuse or unauthorized use of University property or services or another person's property
- d. Littering, graffiti, or vandalism
- e. Unauthorized entry into or use of University premises
- f. Unauthorized possession or use of keys, fobs, or University ID

Misuse and/or Unauthorized Use of Technology/Computer Usage

Those who violate University policies and/or laws governing computer usage may incur temporary or permanent loss of technology-related privileges, fines, assignment of financial responsibility, discipline up to and including expulsion as a student, and/or legal action.

Offenses Involving Noise/Quiet Hours

Quiet hours are considered important for study in all residential areas. Residents should refrain from noise that interferes with the University community. It is an individual's responsibility to inform others when noise becomes disruptive; however, should the disruptive conduct continue, a member of the Residence Life and Student Conduct staff should be contacted for appropriate action. Residence halls shall be reasonably quiet at all times (courtesy hours). Quiet hours are Sunday-Thursday 10:00 p.m.-8:00 a.m. and Friday-Saturday Midnight-8:00 a.m.

Offenses Involving Violations of Health, Fire, and Safety Policies

Health and Safety Inspections: Residence Life Staff conduct room inspections in the residence halls once a semester. The intent is to ensure that there are no hazardous materials and/or prohibited appliances in the rooms. Generally, students will receive 24-hour notice before the inspection. However, notification of inspection time and date need not be posted. Students do not have to be present for the Residence Life Staff to enter their rooms. If a violation has been identified, the student will be notified and given 48 hours to correct the matter (i.e. remove the item). The University's interest is to provide a safe and healthy community to all resident students, and it requires each student's full cooperation. It is important to remember that the actions or decisions students make in their rooms can have an impact on the other members of the community in which they are living.

Fire Safety: Residents are cautioned against creating a fire hazard or situation that endangers others. Non-approved electrical equipment will be confiscated and may result in disciplinary action. Candles, incense, halogen lamps, gasoline/kerosene tanks, or any flame- or heat-producing items are strictly prohibited and will be confiscated. Excessive wall hanging and overloaded electrical sockets are also considered fire hazards. All electrical appliances and equipment authorized for use within the residence halls must bear the mark of an approved testing laboratory (e.g., UL, FM, etc.). If a student has an electrical concern in their room, the student must submit a work order. Use of firefighting equipment for any purpose, except for which it is intended, is prohibited and is a violation of state law. Impairment of the firefighting system could cause loss of life and significant damage to personal belongings and University property. Students who participate in such activity will be subject to disciplinary action. To ensure fire safety, evacuation drills are held at least once per semester in all residence halls and areas. It is important for residents to familiarize themselves with the evacuation procedures to avoid panic in the event of an emergency. Participation in drills is mandatory. Violation of any aspect of these regulations will result in disciplinary action. In case of an alarm, students should first touch their door to feel if it is hot, and also look under their door for any smoke seeping in. If it is safe to evacuate, students must leave immediately by way of the nearest exit. Students should not use elevators (if available) during a fire alarm. Residents should assemble outside at the Emergency Assembly point, which is at least 50 feet away from the building, not in the fire lanes, since these must be kept clear for fire equipment. Residents should not re-enter the building until Campus Police allows them to do so. To the extent that personal safety permits, Residence Life staff will assist students with evacuation; however, it is the sole responsibility of each student to evacuate whenever an alarm sounds. Students should NOT wait for a Residence Life staff member to tell them to evacuate. Any student who does not leave a building when an alarm sounds will be subject to disciplinary action.

In addition, the City of Springfield Fire Inspector inspects the residence halls and areas on a quarterly basis. Facilities Management Staff escorts this individual through the residence halls and areas. These inspections may or may not be announced.

False Alarms: A false alarm is extremely dangerous. Repeated false alarms often cause students to treat an actual fire lightly. Anyone found to have intentionally set off a false alarm will be evicted from University housing and may also be subject to suspension or expulsion from the University and prosecution to the fullest extent of the law.

Fire Safety Equipment: Due to the risk posed to the safety of the community by tampering with fire safety systems and equipment, the University will impose serious sanctions. These may include suspension/expulsion from residence and/or the University, for any of the following actions, regardless of whether the action was intentional or accidental.

The following actions and behaviors are prohibited.

- a. Disabling, removing, or tampering with exit signs or emergency lighting
- b. Disabling, misusing, removing, or tampering with fire alarm systems and/or other building safety equipment
- c. Tampering with or discharge of fire extinguishers
- d. Tampering with or damaging smoke detectors, sprinklers (including hanging anything on sprinkler heads), or stand pipes
- e. Causing or contributing to a fire or flood

Hazing

Please refer to the University's Policy on Hazing.

Alcohol or Drug Abuse

Please refer to the University's Policy on Alcohol and Drug Abuse.

Offenses Involving the Guests/Visitation Policy

Please refer to the University's Policy on Guests.

Violations of other University Rules, Policies, and Procedures

Violation of any University policy, rule, or regulation including, but not limited to, Residence Life policies, student housing contract, and policies regarding sexual misconduct, smoking and parking.

Violations of state, federal, or local laws

All actions occurring on or off campus that would constitute a violation of any local, state, or federal law.

Disruption of University Activities

Participating in an on-campus or off-campus demonstration, civil disturbance, or conduct that prevents, limits, creates hazards for or impairs the teaching, research, or public service, community, professional, athletic, organizational, administrative, clinical academic, and/or ordinary business of the students, staff, and faculty. Disruptions include, but are not limited to:

disruption of building services; noise disruptions; interference with or obstruction of University activities or proceedings; prevention of access to classes and University facilities; and all other University or University approved events, including conduct in residence halls, hospitals, clinics, practicum, or any off campus activities, and training programs. All members of the University community may participate in peaceful demonstrations where such gatherings will not interfere with the legitimate educational or institutional processes of the University or obstruct physical movement to, from, or within any place on the campuses. While the campus is open to the free exchange of ideas, the University may limit the time, place, and manner of demonstrations. Accordingly, all demonstrations must be registered twenty-four hours in advance with the Registrar in Enrollment Services and may be organized and led only by members of the University community. All members of the community are expected to conduct dialogues with dignity and courtesy. Specifically, demonstrations and expression of dissent on University property shall not:

- a. Deny or infringe upon the rights or result in harassment of other students, faculty, staff, or guests of the University community
- b. Disrupt or interfere (by volume, number of participants or banners, placards, leaflets, or other types of written message) with the educational or institutional mission or goals or other activities of the University community
- c. Obstruct pedestrian movement or vehicular traffic on the campuses or University property owned or leased off campus
- d. Deny or obstruct use of offices or any facilities used by students, faculty, staff, or guests
- e. Endanger the safety of any person on the University campuses
- f. Result in the defacement or destruction of property owned or leased by the University

Disruption to the Academic Environment

Disruption of the academic environment means engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach and/or a student's ability to learn.

Disruptive student conduct is student behavior in a classroom or other learning environment (including both on and off campus locations), which disrupts the educational process. Disruptive class behavior for this purpose is defined by the instructor. Such behavior includes, but is not limited to:

- a. verbal or physical threats
- b. repeated obscenities

- c. unreasonable interference with class discussion
- d. making or receiving personal phone calls, text messages or pages during class
- e. excessive tardiness
- f. leaving and entering class frequently in the absence of notice to instructor of illness or other extenuating circumstances
- g. persisting in disruptive personal conversations with other class members

For purposes of this policy, it may also be considered disruptive behavior for a student to exhibit threatening, intimidating, or other inappropriate behavior toward the instructor or classmates outside of class. Disruptive classroom behavior may be referred to the University's conduct system or a faculty forum for adjudication and can have serious consequences.

Conduct Process

For purposes of the conduct process, an individual who is the subject of a complaint is referred to as a "Respondent" and the individual making the complaint or alleged to be the victim of a conduct violation is the "Complainant".

Western New England University views misconduct intervention as an opportunity for one-on-one interaction with two intended outcomes: (1) to modify or stop certain behavior and (2) to help the student understand why their actions are unacceptable in the community. This framework gives students the opportunity (and responsibility) to compare their personal standards of behavior with a different set of standards -- those established by Western New England University. Students are to understand their level of responsibility for individual actions; our responsibility is to assist in providing methods for more positive behavior. The goal of a conduct intervention, and the corresponding review process, is to help students understand and accept their obligations as members of this community and to advance the University's educational mission by defining and establishing certain norms of behavior.

The University encourages open and honest communication between members of its community. Most conflicts can be resolved by the individuals involved; those individuals are encouraged to confront issues of disagreement or conflict and to explore joint solutions consistent with the University's mission and philosophy. In addition, the University provides a number of resources to individuals who need assistance in informal conflict resolution. Those resources include fellow students in leadership roles, and paraprofessional and professional staff within the Division of Student Affairs and Public Safety.

Any member of the University community may report an incident by a student(s) or student organization(s) that allegedly violated the Student Code of Conduct. Reports may be made on or on behalf of any member of the University community. For cases involving sexual harassment please refer to the Sexual Harassment/Title IX Policy.

Hearing Officers/Boards

There are several avenues of conduct resolution. Three of the avenues include Administrative, Peer Review Board and All University Review Board. Definitions of these can be found in the Appendix.

Initial Screening

The Director of Community Standards and Education (or their designee) (the “Director”) reviews all incident reports and supportive materials provided. The Director will determine if the charges have merit and/or if they can be disposed of. The Director will determine if the matter should be resolved through a conduct review. Alleged violations of University policy(ies) are noted and an Administrative Officer is assigned to provide a more detailed review and meetings with students involved. The Director will compile the information from all reports submitted by University personnel and statements by witnesses (if applicable) for the Administrative Officer to utilize in meeting with a student(s).

The Director will designate the case as Level I or Level II based on information such as the results of a preliminary review, the severity of the charges and/or past conduct or disciplinary history.

Notice to Student

All charges will be presented to the student in writing, including university issued email. When notified, students are required to attend all student conduct meetings. If the student fails to respond or fails to appear, the conduct process shall still occur.

Level I Conduct Review

The Respondent will meet with an administrator after learning of a complaint of an alleged violation of the Code of Conduct. During the meeting, the Respondent will have the opportunity to discuss the matter, review all materials and present their perspective of the situation. The Administrator will ask the student to share their version about the incident and alleged misconduct. The Administrator may ask clarifying questions to the student. Any discrepancies between reports and witnesses statements will be discussed between the Administrator and Respondent. The alleged violations will be discussed. Each

violation is separately reviewed and the outcome for sanctions is determined independently by the Administrator. Based on any alleged violations, the Respondent and Administrator will review a status and potential sanctions or fines. Within five days of such meeting, the Respondent will be sent a confirmation letter with the summary of the review.

Level II Conduct Review

After a case is assigned to a Level II Conduct Review, the Respondent will meet with an Administrator for a pre-hearing. The Respondent and Administrator will review materials supporting the alleged violations. In addition, the Administrator will explain the Level II Conduct Review process. This pre-hearing process is more detailed than a Level I Conduct Review. The Respondent's failure to appear for a pre-hearing meeting may result in the scheduling of a hearing without the opportunity to review the information beforehand.

Hearing Procedures

- The Administrative Officer receives all paperwork in connection with alleged violations. The Respondent's academic schedule is reviewed for a mutually convenient meeting time
- A charge letter is sent to the Respondent including: date, time, location, of a hearing, the identify of witnesses and the Respondent's Advisor
- Information is then shared with the Hearing Officer: this is the individual who will determine if the Respondent should be held accountable and for which alleged violation(s)
- On the date of the review, the Hearing Officer presides over the process
- The Respondent provides, verbally and in writing, an opening statement
- The Administrative Officer reads a written summary of the report and the alleged violations
- The Administrative Officer invites witnesses in to verbally share their information. Questions for all individuals are channeled through the Hearing Officer
- The Respondent provides a closing statement
- The Administrative Officer provides a closing statement
- The Hearing Officer concludes the review
- All notes from the Administrative Officer, the Respondent, and the Advisor are collected by the Hearing Officer.

In cases before the Hearing Board (level II cases), the board forwards a recommendation of “in violation” or “not in violation” and recommended sanctions, if any, to the Administrative Officer.

The Administrative Officer may accept, reject or amend the Hearing Board’s recommendation and/or sanctions, and may impose a different decision or sanction. In cases not involving the Hearing Board, the Administrative Officer determines “in violation,” “not in violation” and sanctions.

Advisors

Any student who has allegedly violated one or more of the University’s behavioral standards and is involved in a Conduct Review that may result in suspension or permanent dismissal from the University, may seek assistance from an Advisor of the student’s choice. The Advisor must be a member of the University community (current student, faculty member, or staff member) and may not be legal counsel or acting in this capacity.

Advisors are permitted to review all material provided to the Respondent, subject to applicable records disclosure laws, and attend meetings and hearings, but may not speak during a hearing. The Hearing Officer, at their discretion, may seek out clarification or information from the Advisor.

Parents, legal guardians, and/or legal counsel, regardless of their affiliation with the Respondent(s), and/or witnesses, are not permitted to attend any part of the process, pre-hearing or hearing, unless the Respondent is a minor, in which case parents or legal guardians may attend the pre-hearing and hearing.

Notice of Decision

The Administrative Officer will notify the Respondent of the decision (and sanctions, if any) within one week of the date the Conduct Review(s) hearing is/are concluded for the alleged misconduct. A decision will be provided by email and may also be conveyed verbally, if written communication to the student and other relevant documentation cannot be completed within this time frame.

Sanctions

When a party is found responsible for violating the Conduct Code, a sanction will be imposed. This sanction is expected to serve as a deterrent to future violations of the Conduct Code. It is the goal of the University to impose sanctions that are educational and purposeful for both the party and the community. Students who do not complete the sanction(s) on time are subject to further disciplinary action. To avoid additional disciplinary charges, students

are encouraged to take their sanctions seriously and complete them in a timely manner.

The following sanctions are meant to serve as a guide for the disciplinary sanctions that may be taken against a party found in violation of the Conduct Code. This is by no means an exclusive or exhaustive list. The severity of the violation and other factors, including but not limited to prior disciplinary history, are considered when a determination of the sanction is made. Because each violation of the University's community standards is different, involving different factors and individuals, it is difficult to prescribe standardized sanctions for all violations. Sanctions for violations of community standards may range from a statement of concern to dismissal from the University, depending on the magnitude and specifics of the incident.

List of Minimum Disciplinary Sanctions:

- A. Dismissal from the University:** Dismissal is permanent removal from University programs, facilities, and property without the privilege of re-admission or access. This sanction will be recorded in the student's file and on the student's transcript. Notations on the transcript will be for a minimum length of time, to be designated by the hearing officer at the time other sanctions are imposed. Once disciplinary action against a student has been initiated, including the appeal process, a hold will be placed on any requests for transcripts.
- B. Suspension from the University:** Suspension is a separation from the University for a stated period of time or until specific conditions have been met. During the period of suspension, the student is not permitted access to University property, facilities, or programs. Suspension is noted in the student's file and on the student's transcript during the term of suspension. Students may request that the notation be removed at the termination of the suspension. If suspension occurs during a semester in progress, University practice mandates that all courses become administrative withdrawals.
- C. Removal from University Housing:** This sanction entails forfeiture of student housing privileges for a stated period of time, including visitation restrictions to any residence area owned or operated by the University. If loss of residency occurs during a semester, the balance of the room and board fee is non-refundable and non-transferable.
- D. Disciplinary Probation:** A serious sanction, disciplinary probation may be assigned for a stated period of time during

which a student's ability to participate in co-curricular or University sponsored activities, to use facilities, or to benefit from other University privileges may be limited or removed. During the probationary period, any violation by the student may be grounds for removal from university housing or suspension or dismissal from the University.

- E. Removal from University Sponsored Travel or Travel Booked Through the University:** This sanction involves the forfeiture of traveling privileges for a stated period of time or for a specific trip sponsored by or booked through the University. All students must be in good standing with the University to be eligible to participate in these initiatives. Examples of University sponsored travel include, but are not limited to: international study abroad programs, alternative spring break trips, and extended trips by athletic teams of the University. Any deposit or other costs paid by a student for University sponsored travel will be nonrefundable should the student be removed from the trip due to academic, disciplinary, or other reasons prior to departure or is dismissed from a trip while it is underway.
- F. Campus Restrictions and/or Modifications:** Re-assignments to housing or restrictions from varied residence areas may be imposed as part of sanction.
- G. Fines or Restitution:** This sanction entails reimbursement to the University or a third party for damage done to person or property and/or accountability for specific acts of misconduct.
- H. Censure:** Censure may be assigned for a stated period of time. It is a written statement given to the student for misconduct warranting a stronger reprimand than a simple written warning. Further misconduct of a related or similar nature may warrant probationary status.
- I. Warning:** This is an oral or written statement to the student that they have violated the Student Code of Conduct. A warning may be taken into account in judging the seriousness or determining sanctions for future violations.
- J. Educational Sanctions:** Educational sanctions are intended to promote student learning as a result of misconduct and may include counseling referrals, a formal apology, and assignments to educational programs, a research or self-reflection paper or any other type of similar action. A failure to fulfill educational sanctions in a satisfactory manner may be cause for further accountability.

The University reserves the right to put the status of any sanction in abeyance. This means the status is put on hold.

Parental/guardian notification will be made for students who receive a status of censure, disciplinary probation, removal from residency, suspension from the University or dismissal from the University.

Appeals

Respondents are not entitled to a re-hearing of the case. Respondents may seek one review only on the basis of one or more of the following:

- a procedural error that unfairly and materially affected the outcome of the case;
- the discovery of new information that could reasonably be expected to alter the decision and was not available at the time of the hearing; or
- the status is inconsistent the violation of university policy. inconsistent with the gravity of the offense.

A Respondent wishing to file an appeal must submit a written request to the Division Student Affairs through the Guardian Conduct Software within seven days after the date that the notice of decision was emailed to the Respondent. The request must state the grounds for review and provide any additional information that the Respondent deems relevant to the appeal.

Reviews will be made by an Administrator who will review a report of the hearing and the Respondent's appeal submission including any additional relevant information provided by the Respondent. No hearing will be held on an appeal. The Administrator can affirm the original findings and sanction(s), or can impose a new decision and sanction(s). In this regard, their decision may either increase or decrease the severity of the original outcome. The decision of the Administrator is final and binding.

Misconduct of Students Who Are Affiliated With the University for Non-Academic Reasons

Enrolled students who are also affiliated with the University for non-academic reasons when the University is not in session (including, but not limited to: participation in senior week, campus employment, semester break, athletic pre-season training, vacations, and summer lodging for special circumstances) are expected to abide by all standards for conduct while In that participation in events and/ or campus residency is at the discretion of the University, the decision of the Administrative Officer is final and binding. If the decision includes removal from University housing, departure is expected within 24

hours of verbal notification. For graduating seniors, this accountability may include forfeiture of the privilege of participation in any and all commencement events.

Interim Measures

In rare instances, a student may be separated from the University immediately by a determination of Assistant Vice President/Dean of Students or the Vice President of Student Affairs. The University reserves its right to implement measures necessary in response to allegations of violation of the Student Code of Conduct in order to protect the rights and personal safety of community members. Such measures include but are not limited to, modification of living/academic arrangements, Public Safety escort services, no contact orders, interim suspension, and reporting the matter to campus and/or local police.

CHAPTER FOUR: IMPORTANT STATE AND FEDERAL LAWS AND LEGAL RIGHTS/RESPONSIBILITIES

While the Student Handbook focuses on the expectations from the University, those policies are predicated upon federal and state laws. Below are commonly referred to laws that impact a student while at the collegiate level and the opportunities for assistance on campus.

Student Right-To-Know and Campus Security Act (CLERY)

The University is in compliance with the federal Student Right-to-Know and Campus Security Act which requires Universities to disclose certain statistics and campus security policies. According to the requirements, data in these areas were tabulated beginning July 1, 1991, and reported during the summer of 1992 and each summer thereafter. It is the University's policy to provide information concerning security services available on campus.

Campus crime statistics are available from the University's Department of Public Safety. Also, Enrollment Services makes available data on graduation rates, athletic participation rates, and financial support.

Pursuant to the Campus Sex Crimes Prevention Act, any member of the Western New England University community may obtain information provided by the Commonwealth of Massachusetts as to any registered sex offender who may be enrolled or working at the University by contacting the Department of Public Safety.

Western New England University provides annual statistics concerning criminal offenses reported to campus security authorities or local police agencies, as well as our security policies. Information can be found on the Department of Public Safety website at <https://www1.wne.edu/public-safety/clery-act-and-title-IX.cfm>.

Title IX of the Higher Education Amendments of 1972 as amended by public law 93-568

Sexual harassment, gender inequity and acts of bias are not tolerated at Western New England. In support of the students rights outside of the policies, students have the right to explore legal means to resolve matters regarding such topics. Our Title IX Coordinator will be able to provide students with a plethora of information.

Western New England University complies with the regulations established to effectuate Title IX of the Higher Education Amendments of 1972 as amended by Public Law 93-568. It is our intention to adhere to the letter and spirit of the law with a policy of nondiscrimination on the basis of sex, gender, gender-identity, and sexual orientation. This policy applies to our education program and activities and extends to employees therein and to admission thereto, unless excepted under subpart C86.15(a).

Family Educational Rights and Privacy Act of 1974 (Buckley Amendment)

The Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights with respect to their education records. They are:

- The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the Registrar in Enrollment Services or other appropriate official written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- The right to request an amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights. Students may ask the University to amend a record that they believe is inaccurate or identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to University officials with legitimate educational interests. A University official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has

contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Higher Education; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another University official in performing his or her tasks. A University official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the University discloses education records without a student's consent to officials of another school in which a student seeks or intends to enroll. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5902

The items listed in the following paragraph may be released at the discretion of the University.

Under the provisions of the Family Educational Rights and Privacy Act of 1974 (as amended), students have the right to withhold the disclosure of any or all of the items.

Written notification to withhold any or all items must be directed to Enrollment Services by the publicized deadline.

Items: The student's name, address, telephone listing, campus email address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, current photo, and the most recent previous educational agency or institution attended by the student.

A request to withhold any or all of the above data in no way restricts internal use of the material by the University.

Only parents of dependent students have access rights to the records of students. In compliance with the Family Education Rights and Privacy Act of 1974 (as amended), the University reserves the right to disclose information about dependent students to their parents without a student's written consent. Information will not be released until the University is assured that the parent is entitled to such information.

Students have the right to review their disciplinary records, which are maintained by Enrollment Services. Students may challenge the content of those records which they believe to be inaccurate or misleading. In order to

review records, students should make an appointment with Enrollment Services. In order to maintain the confidentiality of other students, Enrollment Services will review the file with the student in summary form. Duplicate copies of the file will not be issued to the student.

More information can be found in Enrollment Services webpage.
(<https://www1.wne.edu/enrollment-services/FERPA.cfm>).

NOTE: students and their parents/guardians receive notice of FERPA and their rights through receipt of the Student Handbook publication each year.

Voter Registration Act (Massachusetts General Laws, Chapter 51, Sect. 42E)

The law requires all public and independent Universities, colleges, high schools and vocational schools to make available affidavits of voter registration forms wherever students register for classes. Massachusetts residents will find such forms in Enrollment Services in the D'Amour Library. Students who wish to register in another state may not use these forms. Out-of-state students who want to vote in their home state must use either a mail-in form supplied by an election official in the home state or the federal mail-in affidavit of voter registration. The latter may be obtained by writing or calling the Massachusetts Elections Division, Room 1705, McCormack Building, One Ashburton Place, Boston, MA 02108; 617-727-2828 or 800-462-8683.

Massachusetts Hazing Policy (Massachusetts General Laws, Chapter 269, Sect. 17- 19)

The Massachusetts General Laws state:

- Section 17: Hazing; organizing or participating; hazing defined. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment. .The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which

subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

- Section 18: Failure to report hazing: Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.
- Section 19: Issuance to students and student groups, teams and organizations; Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations. Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgment stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen. Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen. Each institution of secondary education and each public or private institution of post-secondary education shall file, at least

annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

[The Massachusetts Clean Indoor Air Act \(Massachusetts General Laws, Chapter 270, Sect. 22\)](#)

The Massachusetts Clean Indoor Air requires that smoking be prohibited at private Universities within the Commonwealth except in areas designated by the university as smoking areas. All indoor smoking is prohibited. See the University's Smoke Free Environment Policy in Chapter 2.

CHAPTER FIVE: TITLE IX / SEXUAL MISCONDUCT POLICY

The following section provides an overview of some of the information presented in the University's Sexual Misconduct Policy ("Policy"). The Policy provides detailed information concerning the University's policies, procedures,

and resources with respect to issues of sexual misconduct including the following, as well as other information and resources:

- Notice of prohibited conduct
- Procedures for reporting incidents of sexual misconduct including anonymous reporting
- Information concerning emergency assistance following an incident of sexual assault such as on and off campus medical facilities and law enforcement agencies
- Information concerning on and off campus confidential and non-confidential health, safety, and counseling services
- Access to supportive services and measures including, among other options, academic, housing, and employment adjustments
- Information concerning options and procedures for addressing issues of sexual misconduct including the University's grievance procedures (investigation and hearing process), the availability of Informal resolution procedures, as well as information for reporting to law enforcement and/or seeking protective orders through the courts

The full Policy is available on the University's website at:

https://www1.wne.edu/title-ix/sexual_misconduct_policy_6_1_2021.pdf

Statement of Policy

Western New England University (the "University") is committed to maintaining a safe and respectful learning, living, and working environment for all members of the University community free from gender-based discrimination and Sexual Misconduct (as defined in the Policy) including, but not limited to, Sexual Harassment, Sexual Assault, Sexual Exploitation, Relationship Violence, and Stalking.

Sexual Misconduct is antithetical to the mission and values of the University and will not be tolerated. The University will respond to reports and formal complaints of Sexual Misconduct (as defined in the Policy) and will take prompt action to eliminate such conduct, prevent its recurrence, and remedy the adverse effects of such conduct in the University's programs and activities.

A Student, Employee or Third Party determined by the University to have violated the Policy will be subject to sanctions, up to and including the termination of their relationship with the University, withdrawal of the privilege to enter upon University property, and/or to participate in University sanctioned or supported activities and events.

Applicability

as of 1/20/22

The Policy applies to all members of the University community including students enrolled for credit or non-credit-bearing coursework; University employees, including full-time and part-time faculty, staff, and administrators; as well as third parties such as contractors, vendors, visitors, and guests (collectively referred to herein as “Community Member”).

The Policy will apply to any instance in which a Community Member is alleged to have engaged in Sexual Misconduct prohibited under this Policy against any person, regardless of the Complainant’s or Respondent’s sexual orientation or gender. Where conduct in violation of the Policy also violates any other University policies, the University’s response will be governed by the procedures described in the Policy. Where the Policy applies, its provisions will supersede any conflicting provision contained in other University policies.

University Title IX/Sexual Misconduct Officers

The University Title IX/Sexual Misconduct Officer and Deputy Title IX/Sexual Misconduct Officer are the University officials with authority to institute corrective measures on behalf of the University with respect to alleged violations of the Policy.

The Title IX Officer and Deputy Title IX Officer are available to meet with any Community Member to discuss this Policy or any issues or concerns with respect to the University’s Title IX related policies, procedures and activities. They can be contacted by telephone, email, or in person during regular office hours:

Title IX Officer	Sarah Butterick, Title IX Coordinator 413-782-1216 sarah.butterick@wne.edu Rivers Memorial Hall room 109
Deputy Title IX Officer	Lori Mayhew-Wood, Associate Director of Athletics 413-796-2230 lori.mayhew@wne.edu Alumni Healthful Living Center, Room 105B

Reports and Formal Complaints of Prohibited Conduct

The University strongly encourages anyone who experiences, witnesses, or becomes aware of Sexual Misconduct to report such conduct immediately. The University prohibits retaliation against any person who makes a good faith report or formal complaint of conduct prohibited under the Policy.

The University will promptly respond to reports or formal complaints of prohibited conduct made in accordance with the Policy. The University's response will include measures designed to stop the prohibited conduct, prevent its recurrence, and remediate any adverse effects of such conduct.

The University provides multiple avenues for reporting. Individuals may choose to make a report to the University under the Policy, to law enforcement for potential criminal prosecution, to both, or neither. Complaints made to the University and law enforcement can be pursued simultaneously.

The Title IX Officer is responsible for overseeing the investigation and resolution of formal complaints and inquiries into reports of prohibited conduct under the Policy.

Formal Complaint. Refers to a document filed by a Complainant (meaning a document or electronic submission (such as by email) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the individual filing the formal complaint) alleging that a person(s) has engaged in conduct prohibited under the University's Sexual Misconduct Policy, and requesting that the University investigate the allegation.

Report. A report refers to information brought to the attention of a Title IX Officer alleging that an incident(s) of conduct prohibited under the Policy has occurred; a report is not considered to be a formal complaint. A party may bring a report and then subsequently file a formal complaint.

Where a report or formal complaint is made (and the reporter is known), the University will provide information concerning supportive measures, procedures for resolving complaints, and services concerning health, safety and well-being.

Anonymous reports. Report may be made anonymously to the Title IX officer via mail, by email to: <https://www1.wne.edu/public-safety/bias-reporting-form.cfm>

Individuals who choose to file anonymous reports of Sexual Misconduct are advised that the University will conduct an inquiry into the report. However, the University's ability to conduct an effective inquiry and to take action concerning the report may be significantly limited.

A formal complaint cannot be made anonymously.

For further information please contact a Title IX Officer and/or review the full Policy on the University's website at:

https://www1.wne.edu/title-ix/sexual_misconduct_policy_6_1_2021.pdf

The following is information for confidential and non-confidential resources available on campus. Additional information concerning on and off campus resources is included in the full policy.

On-Campus Resources

The following represent some of the resources and services available to Students and Employees.

On-Campus Confidential Resources WNEU Health and Wellness: Health Services and Counseling Services

Center for Sciences and Pharmacy 413-782-1211

The Counseling Center provides support and counseling to Student victims of Sexual Misconduct and can explain common reactions to crises and discuss coping methods that may assist victims following a Sexual Assault. Student Health Services can provide free confidential medical care and referrals for Students to receive follow-up care and screening for sexually transmitted diseases.

Spiritual Life - Campus Center, 413-782-1628

Spiritual Life staff provide confidential pastoral counseling that affirms the dignity of the victim and helps them work through questions of faith that have arisen as well as emotional support and information about their options. Furthermore, clergy members and members of religious orders also provide confidential pastoral counseling.

Athletic Trainers, Alumni Healthful Living Center (AHLC) 413-782-1610

Athletic Trainers who are licensed by the Commonwealth of Massachusetts and employed by the University to provide first aid and treatment to Student athletes can provide confidential care, support and guidance to Student victims of Sexual Misconduct.

On-Campus Non-Confidential Resources

These on-campus non-confidential resources can provide Community Members with information and assistance with respect to reporting Sexual Misconduct to the University and/or law enforcement, obtaining supportive measures, and access to University and community resources for emergency

and on-going assistance, medical treatment, counseling, support, and advocacy services.

Take Note: Employees of the following offices and departments are required to report all information (obtained directly or indirectly) about incidents of Sexual Misconduct involving a Community Member to the Title IX Officer. They must also report information as required under the Clery Act.

Title IX Officer and Deputy Title IX Officer

Contact information for the Title IX Officer and Deputy is included above.

WNEU Department of Public Safety 1215 Wilbraham Road, Springfield MA
413-265-2278

Public Safety Officers are available 24 hours a day, seven days a week.

Office of the Vice President of Student Affairs

Office staff are available during business hours (8:30 a.m. to 4:30 p.m., Monday through Friday). 413-782-1282

Human Resources - Human Resources staff are available during business hours (8:30 a.m. to 4:30 p.m., Monday through Friday).

Resident Advisor (RA) or Residence Life Staff Member

An RA or Residence Life staff member can provide immediate support and referrals for further care.

CHAPTER SIX: SELECTED ACADEMIC

POLICIES (for a full listing of policies, please see the Academic Catalogue: [Catalogue | Academic Affairs | Western New England University \(wne.edu\)](#))

Satisfactory Academic Progress

Satisfactory Academic Policy (SAP) is a standard used to measure progress toward the completion of coursework toward a degree. Western New England University is required by federal regulations to establish a reasonable Satisfactory Academic Progress policy to determine whether an otherwise eligible student is making SAP in their educational program. The standards of SAP apply to federal financial assistance programs including Federal Pell Grant, Federal Work-Study, Federal Supplemental Educational Assistance Opportunity Grant (FSEOG), Federal Perkins Loan, Federal Direct Loans (Subsidized, Unsubsidized and PLUS), as well as assistance from the state and the institution. SAP standards apply to all students: full-time, part-time, degree and certificate candidates.

Students who are found to be in violation of the parameters set forth by the SAP policy are ineligible to receive most forms of federal, state and institutional financial aid.

Undergraduate Students

SAP of an undergraduate student will be reviewed annually based on the following standards.

- i. Minimum Grade Point Average (GPA)

For qualitative purposes, SAP requires a minimum cumulative Grade Point Average (GPA) of 2.0. Undergraduate student GPAs are reviewed annually, ordinarily in May after spring grades have been posted, to evaluate eligibility for federal, state, and institutional grants, scholarships, loans and work programs. *Note: Some degree programs may have higher GPA and credit requirements for students to maintain program eligibility.*

Students should consult the program description in the catalog for requirements of their individual programs.

ii. Pace

Students must also meet quantitative requirements to retain their eligibility for financial aid. Enrollment Services measures a student's quantitative standards by reviewing completed credits as a percentage of attempted credits after each academic year. Transfer credits earned by students from other institutions and accepted by Western New England University are included in the determination of a student's percentage of completed classes. Students must earn at least 67% of their cumulative attempted credits to maintain SAP. Attempted credit hours are totaled and multiplied by 0.67 to determine the number of credit hours a student must have earned to be considered making progress. *Note: Some degree programs have higher GPA and credit requirements for students to maintain program eligibility. Students should consult the program description in the catalog for requirements of their individual programs.*

Example: A student who has completed their first year and has attempted 32 credits, but may have only successfully completed 20. They are not making progress because they have not completed at least 67% of the attempted credits ($32 \times 0.67 = 21$ minimum credits required).

The following are considered when evaluating a student's Satisfactory Academic Progress:

- Incompletes, withdrawals and failures (Is, Ws and Fs) are considered attempted but not earned hours.
- Passing credits received for pass/fail courses are considered attempted and earned credits; failing grades in pass/fail courses are considered attempted but not earned.
- Repeated courses are included in the calculation of both attempted and earned hours, and only the most recent grade will count in the cumulative GPA.
- Transfer credits accepted by Western New England, including coursework completed through study abroad, are included in the credit completion rate and maximum time frame calculations, but not the GPA.
- Courses taken through CCGS and the Washington Semester Program offered by American University are included in the credit completion rate, maximum time frame calculations and in the GPA.

iii. Maximum Timeframe

All students are expected to complete their respective educational

programs within a specified timeframe, as measured in credit hours. Once this timeframe has elapsed, students are no longer eligible to receive financial aid. Undergraduate students are expected to complete their educational program in a timeframe no longer than 150% of its published length, as measured in credit hours. If, for instance, the degree requires 122 credit hours, the student may not attempt more than 183 credit hours toward the degree. Exceptions to this parameter of the SAP policy will be made on a case-by-case basis for students who demonstrate that their noncompliance is due to extreme circumstance.

Academic Advising and Student Responsibilities

The mission of the Advising program is to foster a culture of student-centered collaboration to ensure holistic student support and personal development, so that each student's academic, life and career goals will be realized. Academic Advising is an essential component of the Western New England University culture, promoting success and personal development through a series of intentional and quality interactions between student and advisor. In this collaborative relationship, an advisor facilitates and supports the student who is an active and engaged participant in the process. Its fundamental purpose is to assist students with increased self-awareness, achievement of degree program learning outcomes, and a career focused plan for life after graduation.

Each first-year student will be assigned a team of four advisors - a Faculty Advisor, University Advisor, Career Advisor and Peer Advisor - to provide additional support during the first-year transition to University. This is a part of the 4U Comprehensive Advising program. The Faculty Advisor is normally assigned on the basis of enrollment in First Year Seminar and will remain the primary resource for academic advising. After the sophomore year and beyond, students are normally assigned or may choose a faculty advisor according to the academic department in which the student's major is contained. The University Advisor will remain with the student throughout their entire four years (or a replacement will be assigned if the University Advisor is no longer available to advise students) and will connect students to the people and resources needed in every stage of their academic journey to promote student success. The Career Advisor will provide career exploration, strategy and guidance from the student's first through senior year at WNE and is assigned based on the University the student's major falls under (either the University of Arts and Sciences, the University of Business or the University of Engineering). Finally, Peer Advisors are upper class students that will mentor students during their first year. They will help students navigate the campus, connect to

resources and find ways to get engaged through campus activities. Academic advising is provided for part-time students through the appropriate University.

Although the advising team will support the student in all aspects of their educational journey, the ultimate responsibility for decisions on the student's program of study remains with the student. Furthermore, each student is responsible for understanding degree requirements and planning for orderly fulfillment. It is important that students work with their advising team, primarily their Faculty Advisor, to develop an academic plan enabling them to complete many of the fundamental General University Requirements by the end of the sophomore, or second, full year of study. While this may not always be possible due to schedule limitations of certain programs or other schedule anomalies, students should strive to acquire the prerequisite skills and knowledge necessary to succeed in their major programs. For example, students will need to have skills in research and writing in order to understand and complete assignments in upper division courses in and outside of their major fields of study. Students should also consult their Faculty Advisor to choose elective courses that both broaden and deepen their knowledge of disciplines that are important for success and well-being beyond the University experience.

Academic Integrity

Honesty in all academic work is expected of every student. This means giving one's own answer in all class work, quizzes, and examinations without help from any source not approved by the instructor. Written material is to be the student's original composition. Appropriate credit must be given for outside sources from which ideas, language, or quotations are derived. Students are cautioned that purchasing term papers from any source is a violation of academic honesty.

Students are responsible for University policies and procedures regarding academic integrity. A copy of the policy may be obtained from the offices of the Dean of each University and the Provost.

Procedures for Handling Plagiarism Allegations

When a student is alleged to have committed an academic offense, and suspension or dismissal from the University is not an initial consideration, the original hearing body is the Department Chair of the faculty member making the allegation. Any request for review of decisions is made to the academic Dean of the University involved. Except when suspension or dismissal from the University is recommended, the decision of the academic Dean is final and binding. If the Department Chair is the initiator of the allegation, the initial hearing body will be the chair's academic Dean

and the Vice President for Academic Affairs.

Typical sanctions are an F grade on the paper, or other work involved, or an F in the course as a whole. The F grade in the course remains in the student's grade point average and cannot be removed by re-taking the course. The student may retake the course, but both grades are counted in the grade point average. In addition, repeated violations of the academic integrity standards may result in suspension or dismissal.

Class Attendance

Students are expected to attend all class sessions for courses in which they are enrolled. However, it is the responsibility of the individual instructor to evaluate the importance of attendance in determination of course grades. Accordingly, at the beginning of each semester, each instructor prepares a written statement setting forth the policy for consideration of absences, makeup examinations, and related matters that will be in effect for that entire semester. The statement of policy on attendance, appropriate to each class, is made available at the first-class meeting.

It is especially important for First Year students to establish the discipline of attending all classes and laboratories and to be properly prepared by having done all assigned reading and homework. Students who attend class are much more academically successful in University.

For emergencies, if students are not able to attend class, please inform the Vice President for Student Affairs at (413) 782-1282.

Student Absence Due to Religious Belief

The General Laws of Massachusetts, Chapter 151C, Section 2B stipulate: "Any student in an educational or vocational training institution, other than a religious or denominational educational or vocation training institution, who is unable, because of their religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination or study or work requirement which they may have missed because of such absence on any particular day; provided, however, that such makeup examination or work shall not create an unreasonable burden upon the University. No fees of any kind shall be charged by the institution for making available to the said student such opportunity. No adverse or prejudicial effects shall result to any students who avail themselves of the provisions of this section." Notifications of such absences should be provided to the applicable instructor(s). Further questions or concerns regarding religious absences can be directed to Dr. Maria Toyoda, Senior Vice President for Academic Affairs and Provost 413-782-1247.

Class Cancellations

Cancellation of classes because of inclement weather is rare. When classes are cancelled due to extreme weather conditions, this information will be announced on local radio and television stations that broadcast closure information, as well as on the University's website. This information can be heard beginning at 6:30 a.m.

Mid-Year and Final Examinations

Midyear examinations are given at the discretion of the faculty member teaching the course. The normal pattern is that final examinations are given in all courses in accordance with a schedule published by the Academic Schedule Office. In case an instructor decides not to give a final examination, the instructor must inform the University's Dean.

Final examinations must be given on the date and at the time scheduled by the Academic Schedule Office unless other arrangements have been approved by the University's dean and forwarded to the Academic Schedule Office. Under no circumstances are final examinations to be administered during the final week of classes. Further, during the last week of classes, hour examinations are permitted only in those courses where there is a final examination, semester paper, or semester project requirement due the week of final examinations. The chair of each department is responsible for the adherence of the latter policy by all members of the department. In addition, no examinations or quizzes shall be administered the last day of classes (if it falls on Monday) or on the last two scheduled days of classes (if the last day of classes falls on Tuesday or thereafter). This policy does not in any way relieve the student of responsibility for material covered in the last days of classes.

The faculty member in each course in which students are enrolled determines the value and weight of a final examination. All final examinations are given at the end of the semester according to a predetermined schedule. The anticipated schedule is normally published at the beginning of each semester. Students should note the exam schedule when arranging travel plans for departure at the end of the semester.

When preparing the exam schedule, every attempt is made to avoid scheduling more than two exams for each student in any given day. Should this situation occur, however, the Faculty Senate has adopted a policy to assist students in managing the conflict. In the case of a student who is scheduled for three final examinations on one day, the examination in the middle time is expected to be rescheduled at the convenience of both the student and the faculty member. The student must give notice to the faculty member of the middle exam no later than

10 days prior to the start of the examination period for that semester.

There are two exceptions, however, to the middle exam solution. The first is that if the student can move any of the three examinations to the examination for another section of the same course taught by the same instructor, he or she must make that request of the faculty member if the move does not cause another conflict. The second exception is that if the middle examination is a common examination (multiple sections of the course all taking the same exam), one of the other two remaining exams will be rescheduled by joint agreement between the two faculty members. The student should make the conflict known to both faculty members involved. If an agreement cannot be reached, a decision will be jointly made by the Deans of the Universities in which these two courses are housed.

The final exam schedule is posted on the Academic Schedule Office's website, <https://www1.wne.edu/academic-affairs/academic-scheduling.cfm>

Refunds

In the event that academic offerings are moved from on-campus to online at any point during the academic year, there will be no refunds or adjustments for tuition and fees.

Selective Service Registration

All male students who have not served either on active military duty or are not members of the Reserves and/or National Guard, or are not citizens of specific Federal States or Trust Territories, within 30 days of their eighteenth birthday, must register with the Selective Service.

Furthermore, under Federal Regulations, Sub-part C: Statement of Educational Purpose and Selective Service Registration Status, Sections 668.31, .32, and .33, appropriate registration with Selective Service is necessary before receiving any funds under Title IV, Higher Education Act Programs. Until the student has filed the appropriate statement of educational purpose, he is ineligible to receive such funding, including Perkins Loans, Direct Ford Student Loans, Supplemental Loans, Pell Grants, University Work Study, and similar federal program monies.

Male students can register for Selective Service at www.sss.gov.

Transfer Credits and Study at other Institutions

The Student must obtain a description of the course they wish to take from an appropriate catalog or some other official source, at the other institution. Students must then obtain written approval from their academic Dean.

When Western New England University receives a transcript from a school for courses taken at another institution, credit will be given for courses in which a grade of C- or better is earned and meets the transfer credit policy in the University Catalogue. Credit may not be granted for courses taken at other institutions without approval in advance. The grades received for any courses taken at other institutions will not be computed in determining the cumulative grade point average.

Transcripts

Transcripts of students' academic records may be requested online in the Enrollment Services area of the Western New England University website.

CHAPTER SEVEN: COLLEGE OF PHARMACY AND HEALTH SCIENCE

SELECTED ACADEMIC POLICIES (for a full listing of policies, please see the Academic Catalogue: [Catalogue | Academic Affairs | Western New England University \(wne.edu\)](#))

Academic Policies, Requirements, & Expectations

General Academic and Curricular Requirements

The professional curricula at Western New England University College of Pharmacy and Health Sciences will entail a competency-based framework, using integrated content and teaching, case-based approaches when appropriate, and experiential/field work exposure threaded throughout. The curriculum will be designed to provide knowledge, teach models of professional practice, allow students to demonstrate their understanding, and allow plentiful experiential and field work opportunities for practice. The goal of the academic program is to transition students from dependent to independent learners as they progress through the curriculum.

1. All aspects of the professional doctoral programs are subject to assessment; rank or administrative level do not exempt individuals from the assessment process.
2. All curricular goals must be assessed several times during the program both formatively and summatively. This is most easily achieved when each course instructor(s) constructs a syllabus that matches each course objective with multiple assessments.
3. In-class assessment will be the responsibility of each course instructor(s) and should focus on the evaluation of the student as it relates to:
 - reaction to context, instruction, content, resources, processes
 - learning of the knowledge, skills, values, habits of a particular course, sequence of courses or discipline
4. Assessments should have a constructive purpose, one that is beneficial to the individual being assessed as well as the individual(s) calling for the assessment.
5. The individual being assessed has the right to be informed of:
 - what performance is expected
 - linkages between performance and instruction
 - the purposes of the evaluation
 - what aspects of performance will be evaluated
 - by whom the evaluations will be performed

- the criteria used
 - to whom the assessment will be reported
 - the results of the assessment in a timely manner
6. Formative teaching assessment is integral to students' achievement of learning outcomes and should ensure:
- an appropriate scope and degree of difficulty of the curriculum
 - attainability of objectives
 - appropriate learning materials and resources (i.e., content, level of difficulty, organization, effectiveness, and accuracy)
 - appropriate faculty expertise regarding the content or subject matter being taught
 - consistency between curricular goals, course content, objectives, instructional methodology, and assessment
 - the relevancy of material relative to pharmacy education
 - accessibility, sensitivity, helpfulness, interest, and responsiveness of the instructor
7. All assessments, be they examinations, quizzes, or assignments, must provide the following information to the student in a timely fashion:
- a list or description of mistakes that were made (this may simply consist of the returned paper with a list of correct responses)
 - the score or average level of competency for the class
 - the score or level of competency expected
 - the score or level of competency obtained

In addition, it is recommended that the following information be provided on a regular basis:

- strengths that were demonstrated
- areas for improvement that were indicated

8. Course grades will be assigned by the instructor(s) responsible for each course.

9. Students' grades will not be posted publicly.

10. The distribution of grades in any course or examination will not be predetermined.

11. Inadequate academic performance, as defined later in this document, may lead to either dismissal or remediation. In the case of student remediation, instructors should assume responsibility for defining the goals of remediation. Remediation should be regarded as a privilege, which must be earned by a student through active participation in the educational program as demonstrated by regular class attendance, individual initiative, and utilization

of available academic resources. Students should recognize that the need to remediate coursework may delay the timetable for their graduation from the Pharmacy program.

12. In order to complete the program, students must satisfactorily achieve all program milestones (i.e. course grades and professional development requirements). Specifically, course grades below passing must be academically resolved in order for students to progress and students must meet the minimum degree requirements for graduation identified later in this document.

13. Ultimately, the responsibility for learning must be the student's. The individual student is accountable for adherence to academic policies and fulfilling graduation requirements.

Introductory (IPPE) and Advanced (APPE) Pharmacy Practice Experiences

Students will begin participating in their introductory professional practice experiences (IPPE) as early as their second semester of pharmacy school. To meet the IPPE requirements, students will be required to visit pre-scheduled experiential sites both during and outside of regularly scheduled class times.

Students will begin attending their APPEs following the end of PY-3. Not all APPEs will be located in the Springfield, MA area. In the event rotations are scheduled outside the geographic area, students are expected to secure their own housing unless otherwise notified. The specific schedule for the 4th year APPEs, rotation locations, and assignments will be set by the Office of Professional Affairs no later than March 31st of the PY-3 year. The College of Pharmacy and Health Sciences reserves the right to modify assignments and rotations schedules based upon preceptor availability.

Occupational Therapy Field Work and Experiential Rotations

ACOTE establishes Fieldwork Education Standards for entry-level OTD programs. As defined by ACOTE, "Fieldwork Education is a crucial part of professional preparation and is best integrated as a component of the curriculum design. Fieldwork experiences should be implemented and evaluated for their effectiveness by the educational institution. The experience should provide the student with the opportunity to carry out professional responsibilities under supervision of a qualified occupational therapy practitioner serving as a role model" [Standard C.1.0]. As addressed in the Reference Manual of the Official Documents of the American Occupational Therapy Association (AOTA, 2016), fieldwork consists of two levels of applied

learning experiences in which students participate in real-time in clinical, educational or other contexts that are appropriate to the provision of occupational therapy services.

Level I – The goal of Level I fieldwork is to introduce students to the fieldwork experience, to apply knowledge to practice, and to develop understanding of the needs of clients.

- a. Level I fieldwork student - Occupational therapy Level I fieldwork students are those individuals who are currently in the process of taking didactic coursework, who will participate in directed observation and participation in selected aspects of the occupational therapy process that are aligned with course content knowledge and laboratory competencies [Standard C.1.8].
- b. Level I fieldwork supervision - Occupational therapy Level I fieldwork students are supervised by occupational therapy and non-occupational therapy personnel who are certified and who know about occupational therapy and are cognizant of the goals and objectives of the experience (ACOTE, 2011; COE, 1999) [Standard C.1.9].

Level II – Level II fieldwork consists of two, 12-week full-time experiences that are representative of more than one occupational therapy practice area. Level II fieldwork must be implemented under the supervision of a licensed occupational therapist who meets state licensure requirements and who has a minimum of one-year of practice experience. For fieldwork outside the United States, supervision must be provided by an occupational therapist who graduated from an academic program that is approved by the World Federation of Occupational Therapists and has at least one year of practice experience. This fieldwork affiliation cannot be longer than twelve weeks.

“The goal of Level II fieldwork is to develop competent, entry-level, generalist occupational therapists. Level II fieldwork must be integral to the program’s curriculum design and must include an in-depth experience in delivering occupational therapy services to clients, focusing on the application of purposeful and meaningful occupational than research, administration, and management of occupational therapy services.....” (ACOTE, 2013 Interpretive Guide).

- Level II fieldwork student – Occupational therapy Level II fieldwork students are at the point in their professional education where they “.....have completed the necessary and relevant didactic coursework that has prepared them for the field experience.” Level II fieldwork students

will have the “...opportunity to apply theory and techniques acquired through the classroom and Level I fieldwork learning” (AOTA, 2016).

- Level II fieldwork supervision - Occupational therapy Level II fieldwork students are “supervised by a currently licensed or credentialed occupational therapy practitioner who has a minimum of 1 year of practice experience subsequent to initial certification and is adequately prepared to serve as a fieldwork educator.” (AOTA, 2016) [C.1.14]. Fieldwork educators must be in compliance with state and federal regulations and ACOTE (2011) standards

Doctoral Experiential Residency

ACOTE establishes Fieldwork Education Standards for entry-level OTD programs. As defined by ACOTE, “the goal of the doctoral experiential component is to develop occupational therapists with advanced skills (those that are beyond a generalist level). The doctoral experiential component shall be an integral part of the program’s curriculum design and shall include an in-depth experience in one or more of the following: clinical practice skills, research skills, administration, leadership, program and policy development, advocacy, education or theory development.” The OTD program’s Doctoral Experiential Residency Project (DERP) has been designed to meet or exceed ACOTE Standard C.2.1 – C.2.5.

The Western New England University OTD Doctoral Research and Residency Project has two phases:

- A preparatory phase which involves knowledge and skill building and the design of a research and residency project in Years One and Two. Courses associated with this phase include: OTD 534, 624, 632/633, 642/643 and 662/663);
- An experiential/scholarship phase which involves implementation of the proposed research and residency project, and the production and dissemination of a scholarly report on the findings in Year Three (OTD 780/785);

Students must successfully complete all academic coursework, fieldwork, and the competency requirement prior to beginning the experiential/scholarship phase of the Doctoral Research and Residency Project. The minimum duration of the Doctoral Experiential Component is 16 weeks (640 hours), which may be completed on a part-time or full-time basis.

No more than 20% of the 640 hours can be completed outside of the mentored setting. The Doctoral Research and Residency Project must be completed within 18 months of the completion of academic coursework and

Level II Fieldwork. Failure to do so may result in dismissal from the Program. Extenuating circumstances may permit an extension or leave of absence that may allow the 24-month period to be extended. The OTD Leadership Team will determine if an extension is appropriate.

Transfer Credit and Course Waiver Policy

I. Prior to Matriculation

Credit Transfer: Prior to a student's matriculation at the Western New England University College of Pharmacy and Health Sciences, a student may request a transfer of credits for courses taken at regionally accredited institutions.

Transfer courses will not be accepted for elective credits, unless the applicant has taken professional-level coursework from a college/school of pharmacy. In order to determine the suitability of a course for credit transfer, the course description and/or syllabus will be examined for alignment with the objectives for a course within the professional curriculum. The student will submit all required documents (course descriptions/syllabi and official transcripts) along with the request to the Office of Student Affairs. The Assistant/Associate Dean of Academic Affairs (pharmacy) or Director of Occupational Therapy Program (occupational therapy) may consult with appropriate course faculty in determining the suitability of a course for credit transfer. If necessary, the Assistant/Associate Dean of Academic Affairs or the Director of the Occupational Therapy Program will consult with the instructor of record at the program where the course was taken. To be eligible for credit transfer, a minimum final course grade of C is required for pharmacy (grades of C minus and lower are ineligible), and a minimum grade of B- is required for occupational therapy (grades of C+ and lower are ineligible). Final course grades must be documented on an official transcript.

Course Waiver Policy: A student wishing to waive a course (in instances where the student has a prior degree and recent work experience in the field [e.g. biochemistry, neuroscience, pharmaceuticals]) must submit a letter requesting a waiver and provide relevant documentation for cause to the Office of Student Affairs, prior to matriculation into the program. The Office of Academic Affairs or Director of Occupational Therapy Program will forward the request and documentation to the appropriate course faculty who would then make a recommendation. Waivers will be determined on a case-by-case basis by the Assistant/Associate Dean of Academic Affairs (pharmacy) or Director of Occupational Therapy Program (occupational therapy).

II. Post Matriculation (Pharmacy only)

Once a student has matriculated into the Doctor of Pharmacy program, courses taken outside of the College of Pharmacy and Health Sciences, other than elective offerings, will not be accepted for transfer credit. Exceptions to this policy may be granted by the Office of Academic Affairs in instances involving extreme hardship or delay of graduation. In these instances, the course must be pre-approved by the Office of Academic Affairs following consultation with relevant course instructors. If approved, the student must earn a minimum grade of C for transfer (grades of C minus and lower are ineligible) and request that an official transcript be sent to the Office of Academic Affairs.

Professional Curriculum Elective Requirements

Pharmacy students are required to complete nine elective credits within the professional curriculum, excluding experiential elective offerings. Six of the nine elective credits must be courses offered by a College of Pharmacy and Health Sciences. Elective credits from courses offered outside of the College of Pharmacy and Health Sciences must be pre-approved by the Office of Academic Affairs. If the student is enrolled in another degree granting program at Western New England University, the College of Pharmacy and Health Sciences will accept six credits from the dual degree program in order to fulfill the Doctor of Pharmacy program elective requirements. Pharmacy students enrolled in dual degree programs are prohibited from enrolling in more than one course at a time outside of the doctor of pharmacy curriculum.

Progression Policy

Student progression will be determined by the Academic Standards Committee of the College, taking into consideration course grades and grade point average. To progress from one semester to the next, a student must earn a minimum passing grade in each course and maintain the minimum cumulative grade point average (GPA) each semester. For the Doctor of Pharmacy program, the minimum cumulative GPA is 2.500²; for the Doctor of Occupational Therapy program, the minimum cumulative GPA is 3.000. A student who fails to meet these requirements may progress to the next semester if he/she has been granted a continuance by the Academic Standards Committee or submitted a successful appeal to the Dean of the College. In addition, in order to progress from one professional year to the next, a student must complete all required coursework (including electives and field work/experiential courses) and complete any required remedial courses

² The minimum cumulative GPA for the Doctor of Pharmacy class of 2021 and prior classes is 2.300.
as of 1/20/22

as defined in the Remediation Policy and as prescribed by the Academic Standards Committee.

The Assistant/Associate Dean for Academic Affairs shall review each student for satisfactory progress through the curriculum, considering grades and completion of programmatic requirements. Students who fail to maintain satisfactory academic progress in the professional program are automatically placed on academic probation. The Assistant/Associate Dean for Academic Affairs will inform students, advisors, and the Academic Standards Committee of probationary status. The Assistant/Associate Dean or Director of Occupational Therapy Program will report to the Academic Standards Committee academic information for all students placed on academic probation. The Academic Standards Committee will determine student progression and report to the faculty body the disposition of each class of students on a semester basis, either for continuance, suspension, or dismissal.

All professional coursework in the program must be completed within a period of six years (pharmacy) or 18 months from the completion of didactic coursework (occupational therapy), unless the student petitions the Office of Academic Affairs for an extenuating circumstance. The Office of Academic Affairs verifies the completion of degree requirements by checking each student record against a checklist and submits names of students for graduation to the faculty. Once the faculty approve, the list of eligible students for graduation will be submitted to Student Administrative Services.

Professional Development Requirements

Healthcare professionals are expected to engage in an ongoing process of professional development and self-assessment. The ability to engage in honest self-reflection and assessment is an important component of professional development.

Students enrolled in the Doctor of Pharmacy program must complete a series of four Professional Development courses over the course of the program. These courses entail self-assessment, reflective practices, goal planning and career preparation.

Students enrolled in the Doctor of Occupational Therapy program will complete a self-assessment in each year of the program. In addition, faculty in the designated courses will utilize the same self-assessment tool to evaluate students. The information will be comparatively analyzed, and faculty advisors will use the information to discuss similarities/differences with students to enhance the opportunity for personal and professional development. Significant discrepancies may result in the development of a

Behavioral/Learning Plan outlining specific objectives for the student to achieve. Once a Behavioral/Learning Plan has been implemented, failure to meet any of the objectives within the given timeframe may result in dismissal from the program.

Student Remediation

Within the College of Pharmacy and Health Sciences, remediation is defined as the resolution of academic standard deficiencies that occur within a course or courses. The availability of remediation is at the discretion of the Academic Standards Committee. Students should consider remediation an earned privilege and not a right. Within the Doctor of Pharmacy program, a maximum of two courses may be remediated per academic year. Within the Doctor of Occupational Therapy Program, students are permitted to remediate only one didactic course per semester and two didactic courses overall during the academic program.

Conditions

Students requesting consideration of remediation must acknowledge and agree in writing to the following conditions:

- That the right to remediation is granted by the Academic Standards Committee
- Agreement to keep all appointments with faculty and meet all deadlines (failure to do so could result in failure of the course)
- That failure of a remedial course offering will count with respect to the student's official transcript, calculation of the cumulative grade point average, and academic standing
- Failure to satisfy remediation requirements will delay academic progression and may delay on-time graduation or result in dismissal
- That the student will receive a replacement grade of C (or Pass) for Doctor of Pharmacy courses, of B- (or Pass) for Doctor of Occupational Therapy courses, upon successful remediation
- Agreement to pay the appropriate tuition and/or fees
- Their acceptance that delivery of the remedial course may be in a self-directed learning manner with access to faculty and that the evaluation processes are likely to be different from that of the original course
- That remedial courses, albeit within the College or externally, can only be done between semesters
- In cases of academic dishonesty, course grades may prohibit a student from completing a course with the minimal passing grade of C; in these instances, students would not be allowed course remediation and academic progression would be delayed

- Remediation of any requirement from the third professional year of the Doctor of Pharmacy program may delay the start of fourth year rotations and may delay on-time graduation
- Doctor of Pharmacy students granted the opportunity to remediate may choose to do so at another appropriately accredited University or pharmacy program with the permission of the Office of Academic Affairs following consultation with appropriate faculty instructors.
- The process of course transference is governed by the *Transfer of Credit* section in this Handbook.

I. Non-experiential courses and laboratories taught within the Doctor of Pharmacy program

Remediation of failed coursework is an opportunity that is earned by a student and determined by the Academic Standards Committee. Laboratory and simulation-based courses are ineligible for remediation. The instructor of record of the course requiring remediation may not necessarily be the instructor for the remedial course.

The Doctor of Pharmacy program offers two formats of remediation: A) remediation by exam and B) remediation by course repetition. Should the need for remediation arise, the Academic Standards Committee will with counsel from the Instructor of Record, decide which format of remediation the student has earned the opportunity to undertake. The Academic Standards Committee will consider the overall course grade and the student's progress throughout the semester, in addition to other mitigating circumstances when determining the remediation format. Integrated Pharmacy Care courses are not eligible for remediation by exam.

Remediation by Exam

If the student has achieved greater than a 65% in the overall course grade or has performed proficiently with exception of a cumulative final exam, he or she may be eligible for remediation by cumulative exam. Additionally, if the student has performed proficiently on most exams with the exception of one exam, he or she may be eligible for remediation by topic exam. Regardless of remediation exam content, a passing grade of 70% on the exam is required in order to earn a passing grade in the course.

In the case of remediation by exam, the faculty member will develop a remedial plan and provide the plan to the student so the student knows what is expected, what the exam format will be, and when the exam will be administered. The plan should include at a minimum:

- Identification of exam format including content covered
- The Remediation Exam should be similar in content and level of difficulty to the exam being remediated
- Identification of office hours or availability of the faculty member for any questions the student may have regarding the material or the exam processes

If remediation by exam is granted for a failed fall semester course, the remediation plan will be provided to the student within seven (7) calendar days of the ASC decision. The exam must be administered no sooner than fourteen (14) calendar days from the date that the plan was provided to the student, and must be administered before the first day of class of the spring semester.

If remediation by exam is granted for a failed spring semester course, the remediation plan will be provided to the student within seven (7) calendar days of the ASC decision. The exam must be administered between fourteen (14) and twenty-eight (28) calendar days from the date that the plan was provided to the student.

Should the student pass the remediation exam with a grade of 70% or higher, the instructor must submit a grade change form changing the course grade to a C within 72 hours of the remediation exam. If the student does not achieve a remediation exam grade of 70% or higher, the failing course grade will remain. In this case the student will meet with ASC again to determine academic progression.

Remediation by Course Repetition

If the student has earned the opportunity for remediation but has performed less than satisfactory throughout the course, he or she may be offered remediation through course repetition during the summer. Students allowed to remediate a course failed in the fall semester via course repetition are required to make adequate academic progress in the spring semester to remain eligible for remediation. If the student does not make adequate progress in the spring semester, the opportunity to remediate fall courses may be revoked. In the case of remediation by course repetition, the student will be registered to repeat the course.

In the case of remediation by course repetition, the faculty member will develop the remediation plan and provide the plan to the student so the student knows what is expected, how it will be assessed, etc. in a similar, but abbreviated manner to a course syllabus. The instructor of record of the course

requiring remediation may not necessarily be the instructor for the summer remedial course. The plan should include at a minimum:

- Identification of alternative teaching, learning and assessment processes which may utilize technology for course delivery, communication, and assessment
- The minimum number of assessments for a course will be one (1) assessment per credit hour which may include examinations, quizzes, projects, papers, etc.
- Identify the number of communications to occur between the faculty member and the student, with at least one communication per week being live via telephone or face-to-face. All other communications could be face-to-face, telephone, email, web-chat, threaded discussions, etc. and are at the discretion of the instructor of record and participating faculty. In the event the instructor of record is not available, the communication can take place with the instructor of record designee.

The plan of course repetition will be implemented with the student(s) over a 3-6 week period of time, to begin no later than three (3) weeks after the end of the spring semester, and must be completed by the third Thursday in July. Final grades must be submitted within 72 hours of the final assessment.

Pharmacy Introductory and Advanced Practice Experiences

Remediation plans for experiential education will be determined by the Executive Director for Professional Affairs and outlined in the Doctor of Pharmacy program Student Experiential Handbooks. Remediation of introductory and/or advanced practice experiences can involve a student's re-taking an entire rotation.

Non-experiential courses within the Doctor of Occupational Therapy program

Students who fail a didactic course will be given an "incomplete" for the course and are placed on academic probation. The student receiving an "incomplete" must meet with course instructor to establish a remediation plan to ensure that the student meets the knowledge and competency expectations required in the failed course. The remediation plan must be completed within 2-4 weeks from the end of the semester during which the course failure occurred.

Students are permitted to remediate only one didactic course following a semester and two didactic courses overall during the academic program.

Occupational Therapy Fieldwork/Experiential

Level I Fieldwork

In the event a student does not pass a Level I Fieldwork course, he/she will work with the Clinical Faculty member/Fieldwork Educator to develop a remedial learning plan to meet the minimum standard for passing the fieldwork experience. The remediation plan must be completed within 6 weeks from the end of the semester during which the course failure occurred. Students are permitted to remediate one Level I Fieldwork course during the program.

Failure to successfully complete a fieldwork remediation plan according to the requirements of the program, may result in a student's dismissal from the program.

Earning a failing grade in a second Level I Fieldwork course will result in dismissal from the program.

Level II Fieldwork

A passing grade (on a pass/fail basis) must be earned in Level II Fieldwork courses. A passing grade is based upon a number of evaluative criteria: AOTA Fieldwork Evaluation and Professional behavior including completion of assignments and projects, timeliness of submission of required documentation, acceptable conduct, appropriate and sustained communication, etc). The fieldwork educator provides the Director of Field Work/Experiential Education with the evaluative data from the fieldwork experience and the Director of Field Work/Experiential Education assigns the final course grade.

Students are evaluated at or near the mid-point of the affiliation, and again at the end. In the event that a student is not passing at the end of the 12 week experience (as determined by failing to meet benchmark objectives for entry-level performance or professional behavior, including completion of assignments/projects, results of the AOTA fieldwork evaluation, or other evaluative criteria), a brief time extension beyond the standard 12 weeks may be offered. The policy regarding a Level II time extension is as follows:

- The fieldwork educator could decline to offer a time extension and recommend a grade of "fail" for the affiliation; or
- In the clinical judgement of the fieldwork educator and the Director of Field Work/Experiential Education, if the student is deemed able to pass the affiliation if given a brief time extension, a remedial fieldwork plan will be developed.
- If a student is assigned a failing grade for a Level II Fieldwork course (i.e. either OTD 675 or OTD 775), the course will need to be repeated to

meet program requirements. Students are permitted to repeat one Level II Fieldwork course.

- Failure to successfully complete a fieldwork remediation plan according to the requirements of the program, will result in a failing grade in that affiliation and the student's dismissal from the program.
- Earning a failing grade in a second Level II Fieldwork course will result in dismissal from the program.

(Fieldwork settings and the fieldwork educators who accept students for Level II Fieldwork are able to terminate a student from a fieldwork affiliation at any time during a fieldwork placement).

Doctoral Experiential Residency

Students must pass the Doctoral Experiential Residency course to meet program requirements. In the event that a student is unable to successfully complete the independently conducted and mentored Doctoral Experiential Residency courses OTD 780/785 within the 16 week (640-hour) time frame, every effort will be made to extend the timeframe for course completion. If the site at which the project is being implemented agrees to an extension, the student will meet with the Doctoral Experiential Committee (DEC) to establish a remedial plan for completing course competencies in a reasonable timeframe. At no time will the extension exceed 18 months following the completion of the didactic portion of the curriculum. Students must successfully meet the requirements of the remedial learning plan to be eligible for graduation. Students who do not successfully complete the Doctoral Experiential Residency project as proposed and approved, will receive a failing grade for the course.

Academic Probation

Academic Probation is the initial official action for students failing to make satisfactory academic progress.

Students who fail to maintain satisfactory academic progress in the Doctor of Pharmacy program (failure to earn a "C" or "Pass" or better in any course, failure to maintain a cumulative grade point average of 2.500³, or failure to satisfy programmatic requirements) are automatically placed on academic probation.

Students who fail to maintain satisfactory academic progress in the Doctor of Occupational Therapy program (failure to earn a "B-" or "Pass" or better in any

³ The minimum cumulative GPA for the Doctor of Pharmacy class of 2021 and prior classes is 2.30.

course, failure to maintain a cumulative grade point average of 3.000, or failure to satisfy professional development requirements or programmatic requirements) are automatically placed on academic probation.

The Office of Academic Affairs will notify students of probationary status. Students on academic probation may be required to attend a hearing with the Academic Standards Committee (ASC) of the College of Pharmacy and Health Sciences within five calendar days of probationary notification. Students are entitled to advice and assistance through the ASC hearing process from an advisor of the student's choice, provided that the advisor is a member of the university community (current student, faculty member, or staff member). Advisors are permitted to attend meetings and hearings, but may not speak during a hearing. The ASC chairperson, at their discretion, may seek out clarification or information from the advisor. Parents, legal guardians, and/or legal counsel, regardless of their affiliation with probationary student, are not permitted to attend any part of the ASC hearing process. If a parent or legal guardian believes that they have first-hand information about an incident or situation, they may prepare a written statement that the student may provide to the committee. Students on academic probation may be required, via an academic plan, to participate in academic counseling, adhere to stipulations, and/or enroll in a remedial program of study outlined by the ASC, or they may be academically suspended or dismissed from the program according to the policies described in subsequent sections. Actions taken in these matters are not to be viewed as punitive, but as an attempt to design a plan of study that meets the individual needs of the student and in recognition that it is unrealistic for a student to continue in a course of study where there is little probability of success.

Depending on the nature of the academic deficiencies and the student's overall academic record, a student placed on academic probation may or may not be permitted to continue in the regular sequence of the professional curriculum. The ASC will share the academic plan of a student placed on probation with academic advisers. Following resolution of any appeals, the academic plan will be shared with all Instructors of Record while the student is on probation. In addition, any stipulations related to student organization leadership will be shared with lead faculty advisers of student organizations.

The student may be removed from academic probation if he/she has demonstrated satisfactory progress (course grade of "C" or "Pass" or higher, and cumulative GPA ≥ 2.50 ⁴ in the Doctor of Pharmacy program; course grade

⁴ The minimum cumulative GPA for the Doctor of Pharmacy class of 2021 and prior classes is 2.300.

of “B-” or “Pass” or higher, and cumulative GPA ≥ 3.00 in the Doctor of Occupational Therapy program) in the next full-time semester following the course failure and successfully remediated coursework. If a student fails to make satisfactory progress during the period of academic probation, and/or fails to correct academic deficiencies within the prescribed time, that student may be subject to continued probation, academic suspension, or academic dismissal from the College of Pharmacy and Health Sciences.

Academic Suspension

Academic Suspension from the College of Pharmacy and Health Sciences is decided upon by the Academic Standards Committee. Probationary students may be placed on academic suspension to remain in the program, albeit with a delayed year of graduation, in order to repeat coursework or experiential/fieldwork components that are deficient. Students on suspension from full-time enrollment may take courses as a part-time student to remedy any deficiencies.

Academic Dismissal

Academic Dismissal from the College of Pharmacy and Health Sciences is decided upon by the Academic Standards Committee and may occur if a student:

- Fails to make satisfactory progress during a period of academic probation
- Earns multiple failing grades within one semester that preclude continuation in the prescribed program of study, and/or may not reasonably be expected to complete the requirements for the degree
- Is placed on academic probation two or more times while in the pharmacy program
- Earns less than the required semester GPA during a period of academic probation (pharmacy: 2.500⁵; occupational therapy: 3.000)

In addition, Doctor of Occupational Therapy students will be dismissed if they (a) earn a failing grade in two didactic courses in one semester, or (b) earning a third failing grade in a didactic course.

Students dismissed from the College of Pharmacy and Health Sciences may seek re-entry by applying for re-admission through the Readmission Policy or the Academic Progression / Dismissal Appeal Process.

⁵ The minimum required semester GPA for the Doctor of Pharmacy class of 2021 and prior classes is 2.30.
as of 1/20/22

Academic Progression/Dismissal Appeals Process

Any student in the College has the opportunity to appeal any decision made by the Academic Standards Committee. Written confirmation of a student's intent to appeal must be received by the Dean of the College of Pharmacy and Health Sciences within two business days of the student's receipt of notification of the Committee decision. The student then has up to three business days to submit the letter of appeal to the Dean. The letter of appeal must provide a detailed account of why academic difficulty was experienced and an explanation of why the actions of the Academic Standards Committee should be reviewed. Upon review of the appeal, the Dean will determine if a meeting with the student is warranted and will determine a final disposition regarding the appeal within five business days. Final disposition may result in the upholding the Committee's decision or overturning the Committee's decision (and may result in lesser or more severe actions). The student may appeal the actions of the Dean to the Provost of Western New England University within three business days of the student's receipt of notification of the Dean's decision. The appeal must be sent to the provost.office@wne.edu address. Appeal to the Provost occurs only in the event of a claim that due process was violated or in the event that new supportive evidence becomes available.

Graduation Policy

Doctor of Pharmacy program

Students who have satisfactorily completed all academic requirements and who have been recommended by the College of Pharmacy and Health Sciences faculty (as indicated by the successful completion of the Doctor of Pharmacy curriculum) may be awarded the Doctor of Pharmacy degree, provided that they are of good moral character and have met the following standards. They must have:

- Earned a passing grade in all coursework.
- Successfully remediated all course scores below C.
- Maintained a minimum 2.500⁶ cumulative grade point average.
- Satisfied all programmatic requirements.
- Completed all professional coursework in the program within a period of six years, unless the student petitions the Office of Academic Affairs for an extenuating circumstance.
- Satisfactorily completed four academic years of residence in a school of pharmacy that is ACPE accredited, the final two academic years of which

⁶ The minimum cumulative GPA for the Doctor of Pharmacy class of 2021 and prior classes is 2.300.

must be completed at Western New England University College of Pharmacy and Health Sciences.

Doctor of Occupational Therapy program

Students who have satisfactorily completed all academic requirements and who have been recommended by the College of Pharmacy and Health Sciences faculty (as indicated by the successful completion of the Doctor of Occupational Therapy curriculum) may be awarded the Doctor of Occupational Therapy degree, provided that they have met the following standards. They must have:

- Satisfactorily met the cumulative grade point average requirement of 3.000;
- Satisfactorily completed all didactic courses with a minimum of a B-grade.
- Satisfactorily completed all Level I fieldwork courses with a passing grade
- Satisfactorily completed all Level II fieldwork and doctoral experiential residency courses within 18 months following the completion of the didactic portion of the curriculum, with passing grades in each; and
- Met the College standard for being of “good moral character”; and
- Met their university obligations for payment of tuition, fees, and other costs.

Grading Policy

Doctor of Pharmacy program grading scale

For non-experiential courses and laboratory courses offered within the Doctor of Pharmacy program, the grading policy for the graduating classes of 2020 and 2021 is:

A	B	C	F
100-90	89-80	79-70	<70
Exceeds Standard	Proficient	Competent	Failure
Demonstrates full mastery of concept, knowledge, skill, or ability	Demonstrates firm grasp of concept, knowledge, skill, or ability	Demonstrates basic grasp of concept, knowledge, skill, or ability	Demonstrates an incomplete grasp of concept, knowledge, skill, or ability

A	B	C	F
Performance exceeds specified expectations Demonstrates thorough understanding and in-depth application of concepts and skills	Performance consistently meets specified expectations Demonstrates good understanding and application of concepts and skills	Performance minimally meets specified expectations Demonstrates basic understanding and some application of concepts and skills	Performance does not meet specified expectations Does not show/demonstrate understanding and/or application of concepts and skills

In calculation of Grade Point Average (GPA), the following grade and point system is used: A=4.0, B=3.0, C=2.0; F=0.0

For non-experiential courses and laboratory courses offered within the Doctor of Pharmacy program, the grading policy for the graduating classes of 2022 and beyond is:

A	A-	B+	B	B-	C+	C	F
93-100	90-92	87-89	83-86	80-82	77-79	70-76	Below 70
Exceeds Standard		Proficient			Competent		Failure
4.0	3.7	3.3	3.0	2.7	2.3	2.0	0.0
Demonstrates full mastery of concept, knowledge, skill, or ability Performance exceeds specified expectations Demonstrates thorough understanding and in-depth application of concepts and skills	Demonstrates firm grasp of concept, knowledge, skill, or ability Performance consistently meets specified expectations Demonstrates good understanding and application of concepts and skills	Demonstrates basic grasp of concept, knowledge, skill, or ability Performance minimally meets specified expectations Demonstrates basic understanding and some application of concepts and skills	Demonstrates an incomplete grasp of concept, knowledge, skill, or ability Performance does not meet specified expectations Does not show/demonstrate understanding and/or application of concepts and skills				

Doctor of Occupational Therapy program grading scale

For non-experiential/non-fieldwork courses and labs offered within the Doctor of Occupational Therapy program, the grading policy is:

A	A-	B+	B	B-	C+	C	F
93-100	90-92	87-89	83-86	80-82	77-79	73-76	Below 73
Superior	Above Average	Above Average	Average	Below Average	Below Average	Below Average	Failure
4.0	3.7	3.3	3.0	2.7	2.3	2.0	0.0

The Pass/Fail option is used for experiential/fieldwork courses and Professional Development courses, and either Pass (P) or Fail (F) will be recorded on the official transcript. The grade of P is not counted in computing grade point averages; a grade of F is included.

Cumulative GPAs are calculated by dividing the total grade points earned by the total number of semester credit hours completed. To determine academic standing, grade point averages are rounded to the second decimal place (or nearest 0.001 point).

For students granted the opportunity for remediation by the Academic Standards Committee, the GPA will be calculated by replacing the non-passing grade to the minimal passing grade (C or Pass in Pharmacy, B- or Pass in occupational therapy). The non-passing grade will still be maintained on the student record, but will no longer be used in the calculation of the cumulative GPA.

Students who withdraw or take a Leave of Absence (described in the *Leave of Absence Policy* section of this Handbook) from the College of Pharmacy and Health Sciences before the completion of a semester will be assigned a grade of "W" if the withdrawal occurs prior to the last withdrawal date published in the final academic calendar for that semester.

A grade of incomplete ("I") may be granted only when work is not completed due to circumstances beyond the student's control (such as severe illness) or in the case of remediation. The student has four weeks (occupational therapy) or six weeks (pharmacy) from the last day of final examinations to satisfy course requirements. Extension may be granted only for continued circumstances beyond the student's control and must be approved by the Assistant/Associate Dean of Academic Affairs. The "I" becomes an "F" for work not completed after

four weeks (occupational therapy) or six weeks (pharmacy) or by the conclusion of an approved extension period.

A grade of incomplete on an experiential offering will be resolved by the Office of Professional Affairs (pharmacy) or Director of Fieldwork/Experiential Education (occupational therapy). A grade of incomplete on an experiential offering may delay a student's anticipated date of graduation.

Examination Re-Grading Policy

Difficulties with assessment items on examinations should be communicated in writing to the Instructor(s) of Record after the examination has been graded. Students may request to have an examination re-graded within one week of the posting of the exam grade or within the time frame specified in the course syllabus. Requests for re-grading of a question must be supported by appropriate justification (classroom text book, course materials, primary literature, etc.) and not based upon opinion or supposition. Re-grading requests submitted inappropriately will not be reviewed; re-grading may result in the lowering, increasing, or no change of the score.

Early Advisory System

Students will be appraised of in-progress grades via the learning management system throughout the semester; students are encouraged to closely monitor their academic progress and consult with classroom instructors or faculty advisors as needed. The College of Pharmacy and Health Sciences operates an Early Advisory System. The early advisory system can be used to commend a student's exemplary performance or as a warning for problematic performance. Faculty can use this system as an alert and detection mechanism for students who are experiencing the consequences of missed classes, unprofessional behaviors, incomplete assignments, and passive participation. The advisory system will be used to notify the Office of Academic Affairs and as a triggering mechanism for students to meet with instructors and/or advisors for improvement plan development. Early Advisory Reports are not recorded onto the official College of Pharmacy and Health Sciences transcript; however, they do become part of the student's academic record.

Early notification of academic progress for experiential coursework will be coordinated through the Office of Professional Affairs (pharmacy) or the Director of Fieldwork/Experiential Education (occupational therapy).

Academic Course Grade Appeal and Grade Change Policy

The Course Grade Appeal Policy is intended to provide the student protection against receiving an unfair final course grade, while preserving the academic

rights and responsibility of the instructor. Every student has the right to receive a final course grade free from prejudice, discrimination, and arbitrariness. Likewise, every instructor has the right and responsibility to assign a grade based on thoughtful evaluation of students' work in an acceptable professional manner that is employed equally. Students and instructors should make every attempt to resolve questions on final grades prior to pursuing a formal grade appeal.

The Course Grade Appeal Policy is a defined process for a student to appeal a final course grade that was based on prejudice, discrimination, arbitrary action, a miscalculation, or reasons unrelated to academic performance; or a final course grade that was a substantial departure from the previously announced grading standards. Only the final course grade may be appealed. In the absence of compelling reasons, such as clerical error, discrimination, arbitrariness, or departure from written grading standards, the grade assigned by Instructor of Record is considered final. There is the presumption that the Instructor of Record has conducted the course in a professional manner with competent evaluation of students' work. Thus, the student shall have the burden of proof with regards to the complaint and his/her request for review. If the student does not adhere to the allotted time frames, the disposition of the case made in the previous step is deemed final.

Course Grade Appeal Procedure

Step 1: A student who wishes to dispute a final course grade must file an appeal in writing. For all didactic and laboratory courses, the appeal shall be directed to the course Instructor(s) of Record. For pharmacy experiential courses, the appeal shall be directed to the Executive Director of Professional Affairs; for occupational therapy experiential courses, the appeal shall be directed to the Director of Occupational Therapy Experiential/Fieldwork Education. The written appeal shall indicate the basis for the course grade appeal, and include supportive documentation.

For didactic and laboratory courses, this appeal must be submitted no later than 5 business days after final course grades have been posted to Self Service. The Instructor(s) of Record are required to rule on the appeal in writing no later than 2 business days of receipt of the appeal letter.

For experiential courses, this appeal must be submitted no later than 5 calendar days after the last day of the experiential course. The Executive Director of Professional Affairs or the Director of Occupational Therapy Experiential/Fieldwork Education is required to rule on the appeal in writing no later than 5 business days of receipt of the appeal letter.

Step 2: If the matter has not been resolved to the satisfaction of the student in step 1, the student may submit a written appeal to the appropriate Department Chair (pharmacy) or Division Chair (occupational therapy) within 5 business days of the appeal decision in step 1. In the case of a course whose Instructors of Record reside in different departments, both Department Chairs (pharmacy) shall be included in the appeal. Written appeals for experiential/fieldwork courses shall be submitted to the Chair of the Department of Pharmacy Practice (pharmacy) or the Division Chair (occupational therapy). The Department Chair(s)/Division Chair has/have 5 business days from receipt of the appeal to achieve resolution and notify the student of the outcome in writing. If the Department Chair/Division Chair is the Instructor of Record, the appeal must be submitted to the Dean of the College.

Step 3: If the matter has not been resolved to the satisfaction of the student in step 2, the student may request in writing that the appeal be forwarded to the Dean of the College. This request must be made to the Department Chair (pharmacy) or Division Chair (occupational therapy) within 2 business days. The Department Chair or Division Chair must forward all relevant materials to the Dean within 2 business days of this request. The Dean then has 5 business days from receipt of materials to render a written decision; the decision of the Dean is final.

If an Instructor of Record determines that they submitted an inappropriate course grade, they can request a grade change in writing through the University's Student Administrative Services at any time prior to a student's graduation or departure from the College.

Retention of Records

As part of the Course Grade Appeal policy, faculty are required to keep and secure all grade-related materials for a minimum of one additional academic semester. Any materials which apply to a disputed or appealed grade should be retained and secured for a minimum of 6 months following completion of the appeal process. Grade-related materials may include but are not limited to: examinations, attendance records, grade records, written assignments, projects, and any other written material used for student assessment. If materials are returned to students, the student who appeals a course grade must present these materials as evidence to form the basis for their appeal.

Dean's List

The College of Pharmacy and Health Sciences has a Dean's List published each academic semester. The Dean's List is recorded on the academic transcript of students who are pursuing the Doctor of Pharmacy degree and have achieved

a semester GPA of 3.500⁷ in 12 or more semester credit hours for each semester of the academic year and completed programmatic requirements to date. Students will be acknowledged for the Dean's List via a letter from the Dean and a certificate, as well as posted accordingly.

Students who have violated the Student Code of Conduct during the academic year are ineligible for the Dean's List for that semester.

Honors

Honors are awarded at graduation for superior scholastic attainment. Students are recommended for honors if, in addition to satisfying all other requirements for the degree, they have completed a minimum of 60 credit hours at the College of Pharmacy and Health Sciences and have earned the required cumulative College of Pharmacy and Health Sciences grade point average:

- *Cum Laude* requires the cumulative grade point average of at least 3.300.
- *Magna Cum Laude* requires the cumulative grade point average of at least 3.600.
- *Summa Cum Laude* requires the cumulative grade point average of at least 3.800.

Class Attendance and Absence Policy

It is the policy of Western New England University that students are expected to attend all class sessions in which they are enrolled. Attendance at all regularly scheduled classes, laboratories (including clinics) and examinations is a student's obligation to the attainment of professional excellence. Students must comply with the faculty member's method of monitoring attendance (class roll, pre-class assessments, etc). While each individual instructor is free to evaluate the importance of attendance in determination of course grades, unexcused absences from class activities may result in academic penalties.

A student who will not be attending class must inform the course instructor (and copy the Assistant/Associate Dean for Student Affairs) by telephone, e-mail, or letter in advance of the class meeting time. In extraordinary circumstances, the course instructor (and Assistant/Associate Dean for Student Affairs) may be notified after the absence occurs. Lack of communication by the student relative to the absences will be deemed an unexcused absence. In general, excused absences are defined as absences resulting from medical

⁷ The minimum GPA requirement for Dean's List for students enrolling prior to August 2019 is 3.300.

emergencies, sickness, or death in the immediate family. In these instances, the student must provide documentation that attests to the validity of the reason for the absence to the instructor of record within 24 hours of return to campus. Without documentation, the absence is considered an unexcused absence. Accumulation of absences exceeding ten percent of total class time (eg. 3 classroom hours of a 2-credit traditional lecture-based class) in an attendance-required class may be deemed a College of Pharmacy and Health Sciences Code of Conduct violation and constitute the initiation of a disciplinary preliminary hearing. Students are expected to give a reason for their absence to individual instructors and to make up all work missed due to the absence (if allowed by the course instructor as indicated in the course syllabus). If a student is excessively absent, the instructor should report the student to the Assistant/Associate Dean for Student Affairs.

The attendance and absence policies for experiential/fieldwork are outlined in the supplemental experiential/fieldwork handbooks.

Promptness is one of several traits that health care professionals should display. Consequently, students are expected to be at all class meetings, events, and activities on time. Tardiness disturbs both the student and the lecturer; repeated violations will be considered improper professional behavior and may result in disciplinary action.

Absences as a Result of Religious Holidays Policy

The General Laws of Massachusetts Chapter 151C, Section 2B stipulate “Any student in an educational or vocational training institution, other than a religious or denominational educational or vocational training institution, who is unable, because of his (or her) religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination or study or work requirement, and shall be provided with an opportunity to make up such examination, study or work requirement which he (or she) may have missed because of such absence on any particular day; provided, however, that such makeup examination or work shall not create an unreasonable burden upon such school.”

Absences as a result of a religious holiday will be excused when the student presents the request in advance of the absence to the Office of Student Affairs at least 10 business days in advance of the absence. The intent and spirit of this policy is to allow students to attend religious ceremonies on the day of the observance. Retreats, conferences, revivals, or other functions specific to a

denomination or congregation are not eligible for an excused absence within this policy.

Missed Examination and Assignment Policy

Missed examinations or assignments are defined as any missed assessments that constitute a portion of the final grade for a course or for the year. Specific guidelines regarding missed examinations or assignments are as follows:

- Valid reasons for missing assignments or examinations of any kind may include personal illness, illness or death of a close family member, or unavoidable mishaps such as an automobile accident on the way to the examination. **Work is not a valid excuse.**
- When students miss an assignment or examination, it is the student's responsibility to notify the instructor(s) of record. For excused absences, students must notify instructor(s) of record by the deadline required in the College of Pharmacy and Health Sciences Short Term Leave Policy. Students should make every attempt to notify the instructor(s) of record of a known upcoming absence in advance of the assignment due date or the examination date.
- A letter from a physician or member of the clergy (or other appropriate professional familiar with the circumstances) will be required to substantiate the reason for missing the assignment or examination.
 - In regards to attendance requirements and lower-stakes assessments (equal to or less than five percent of the overall course grade), if a student is granted a Short Term Leave from the Office of Student Affairs, the absence shall be deemed excused; instructor(s) of record have the option of providing a make-up assessment or removing the assessment from the course grade calculation.
 - For courses where one or more lower-stakes assessments are dropped from the overall course grade calculation, a missed lower-stakes assessment (excused or unexcused) will be considered the “dropped” assessment; in these instances, a student is not entitled to a make-up assessment.
 - Letters for missed assignments should be delivered to the instructor(s) of record, who will determine if the circumstances allow for the extension of the assignment’s due date.
 - Letters for missed examinations should be delivered to the Office of Student Affairs, who will determine if the circumstances allow for the examination to be rescheduled (“made up”) at a later date and time.

- Decisions of the Office of Student Affairs on missed examinations may be appealed to the Dean of the College.
- For absences causing the student to miss a programmatic assessment, students must notify the Office of Academic Affairs (Pharmacy) or the Director of Occupational Therapy (occupational therapy). Students should make every attempt to notify the Office of Academic Affairs/Director of Occupational Therapy program of a known upcoming absence on the date of a programmatic assessment.
 - Letters for missed programmatic assessments should be delivered to the Office of Academic Affairs (pharmacy) or the Director of the Occupational Therapy program (occupational therapy), who will determine if the circumstances allow for the programmatic assessment to be rescheduled.
 - Decisions on missed programmatic assessments may be appealed to the Dean of the College of Pharmacy and Health Sciences.
- Where a reason for the absence is not presented or is considered invalid, the student will be given a grade of zero for the missed assignment, examination, or programmatic assessment.

The missed assignment policies for experiential/fieldwork are outlined in the supplemental experiential/fieldwork handbooks.

Student Concerns

A student who has academic or non-academic concerns involving a faculty member or course that are not of general interest to the class should speak directly to the course instructor, fieldwork educator, or pharmacy preceptor. If the matter is unable to be resolved at this level, the concern should be taken by the student to the instructor of record (or in the case of experiential/fieldwork learning, to the Executive Director for Professional Affairs or the Director of Occupational Therapy Experiential/Fieldwork Education). If the matter cannot be resolved at this level, or the student feels that it was handled in an unsatisfactory manner, the appropriate Department Chair (pharmacy) or Division Director (occupational therapy) should be contacted concerning the matter. If the matter cannot be resolved at this level, or if the student feels that it was not handled satisfactorily, the student should take the matter to the Assistant/Associate Dean for Academic Affairs. The matter will be reviewed and a recommendation will be made to the Dean for consideration and final determination.

If the academic or non-academic concern(s) involving a faculty member or course might involve more than one individual in the course/class or is of general interest to the class, the student should write down the concern and

present it to the appropriate class representative (see *Student Governance*) so that he/she might sample class opinion to determine whether the concern(s) are valid to the majority of the class. The class representative will perform the class sampling prior to the start of or following the conclusion of a regularly scheduled class, in the absence of any College of Pharmacy and Health Sciences administrators, faculty, or staff. If the class representative determines that the concern is valid for the majority of the class, the class representative shall take responsibility for bringing forth the matter to the instructor with documentation of concern and supporting evidence, and follow the same process outlined above.

All non-academic concerns not involving a faculty member or course should be brought to the attention of the Pharmacy Student Governance Association (PSGA; see *Student Governance*). These concerns will be addressed by the Assistant/Associate Dean for Student Affairs. If the matter cannot be resolved at this level, or if the Pharmacy Student Governance Association feels that it was not handled satisfactorily, the matter should be taken to the Dean for consideration and final determination.

Student/students who believe the appropriate class representatives (for faculty or course concerns) or the PSGA (for non-academic concerns not involving faculty) did not uphold their responsibilities in this process may seek an advisory opinion from their faculty class adviser or the Assistant/Associate Dean for Student Affairs. The Assistant/Associate Dean for Student Affairs may convene a mediation meeting between the students and the appropriate class representatives or the PSGA Executive Committee.

Academic Support Services

Student Advising

The purpose of the student advising program is to:

- Assist students admitted into the professional program in effectively progressing through the professional curriculum
- Provide the student with a resource to reinforce the requirements, expectations, and standards of the professional program
- Guide the student in meeting the professional development requirements necessary for student progression and graduation
- Provide the student with a resource regarding the profession
- The student advising program is designed to help the student successfully navigate the professional program and so the student knows he or she has someone to turn to when issues or questions arise. It is possible the relationships formed during student advising may

evolve into mentoring relationships that may further enhance guidance and career development.

Expectations of the Student

Be proactive in communicating with his/her advisor. Maximizing the value of an advisor as a resource occurs when the student is proactive in seeking guidance or assistance with various issues.

Schedule a meeting with his/her advisor:

- During the first two weeks of the semester to discuss any issues or concerns
- During last two weeks of the semester to discuss how the semester has gone (if necessary)
- As soon as possible if he/she is placed on academic probation
- Seek immediate assistance of his/her advisor if experiencing academic difficulties or any other issues
- Make and keep appointments to meet with his/her faculty advisor regarding his/her academic ability and progress

Expectations of the Faculty

- Be available to meet with advisee in the first two weeks of each semester, and meet more frequently if a student is experiencing academic difficulties or is on academic probation
- Communicate necessary information and updates to his/her advisees on a periodic basis

CHAPTER EIGHT: LAW SCHOOL SELECTED ACADEMIC POLICIES

(for a full listing of policies, please see the [Academic Catalogue: Catalogue | Academic Affairs | Western New England University \(wne.edu\)](#))

Introduction

Welcome to Western New England University School of Law. As a Western New England University student, you are responsible for abiding by the

policies and procedures of Western New England University and the School of Law.

In addition to the [Law School Student Handbook](#), students of the School of Law are fully subject to the University Code of Conduct, Student Handbook, standards, processes, and remedies set forth therein. Policies and procedures not covered in the [Law School Handbook](#) are governed by the [Western New England University Handbook](#). These policies apply with equal force to non-JD students unless otherwise noted. The [Law Student Handbook](#) and the [Western New England University Handbook](#) will be updated on the Western New England University website at www.wne.edu/law. The [Western New England University Handbook](#) can also be found at <http://www1.wne.edu/student-affairs>. Handbook revisions will be posted on the website and all students are responsible for knowing and complying with these standards and regulations.

The [Law Student Handbook](#) addresses Academic Standards and the Honor Code for students enrolled at the School of Law. [The Law Student Handbook](#) is the authoritative handbook for Academic Standards and the Honor Code. Law students should refer to the [2021-2022 Law Student Handbook](#) when addressing the following subject matters:

- Academic Calendar
- Academic Integrity
- Class Attendance
- Midyear and Final Examinations
- Procedures for Handling Plagiarism Allegations

Questions regarding the [Western New England University Handbook](#) or the [Law Student Handbook](#) should be directed to the Associate Dean for Academic Affairs or the Associate Dean for Law Student Affairs and Enrollment Planning.

Mission Statement

Over a century ago, we were founded to educate law students from populations that were underrepresented in the legal profession. Today, we teach a diverse student body drawn from all walks of life in a rigorous program that blends theory, skills, and ethical values. We prepare students to serve the future needs of society with knowledge, competence, and compassion, ensuring that the practice of law can be both a profession and a vocation.

Learning Objectives

In accordance with ABA Standards, Western New England University School of Law shall maintain a rigorous program of legal education that prepares its students, upon graduation, for admission to the bar and for effective, ethical, and responsible participation as members of the legal profession. The School

of Law consistently seeks to improve its students' educational experience and engages in ongoing evaluation of the Law School's program of education, learning outcomes, and assessment methods to determine the degree of student attainment of competency in the learning outcomes and to make appropriate changes to improve the curriculum. The School of Law has established the following desired learning outcomes, which identify the knowledge, skills, and values it desires graduates to possess.

- Learning Outcome 1: Graduates will demonstrate knowledge and understanding of substantive and procedural law.
- Learning Outcome 2: Graduates will demonstrate competence in legal analysis, legal reasoning, and legal practice skills.
- Learning Outcome 3: Graduates will demonstrate competence in problem-solving skills in the legal context.
- Learning Outcome 4: Graduates will demonstrate competence in legal research and written and oral communication in the legal context/regarding legal matters.
- Learning Outcome 5: Graduates will demonstrate the exercise of proper professional and ethical responsibilities to clients and the legal system.
- Learning Outcome 6: Graduates will demonstrate the knowledge, skills, and professionalism necessary for effective, ethical, and responsible participation as members of the legal profession in order to serve the public, the profession, and society/the community. These additional skills may include interviewing, counseling, negotiation, trial practice, document drafting, conflict resolution, organization and management of legal work, collaboration, cultural competency, and self-evaluation.
- Learning Outcome 7: Graduates will be prepared to continue to develop professional skills and attributes.

Academic Standards

PART I: DEFINITIONS; COURSE LOAD; AND STATUS

- Section 101: Academic Year
- Section 102: Completed Credit Hour
- Section 103: Full-Time Student
- Section 104: Variation From Full-Time Course Load
- Section 105: Part-Time Student
- Section 106: Variation From Part-Time Course Load
- Section 107: Maximum Course Load
- Section 108: Change of Status

PART II: DEGREE REQUIREMENTS AND LIMITATIONS

- Section 201: Years Allowed for Completion of Degree Requirements
- Section 202: Academic Requirements for Graduation
- Section 203: Last Day of Enrollment
- Section 204: Course Withdrawal

PART III: OTHER ACADEMIC PROGRAMS AND TRANSFER OF CREDITS

- Section 301: Other Academic Programs Earned Outside the Law School
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PART IV: ATTENDANCE AND AUDITING

- Section 401: General Attendance
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PART V: EXAMINATION AND GRADING

- Section 501: Purpose
- Section 502: Grading System
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- Section 504: Unsatisfactory Grades
- Section 505: Required Courses in Which a Failing Grade is Received
- Section 506: Grades of Incomplete
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- Section 508: Illness Before Examination
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- Section 510: Departure from Examination Schedules
- Section 511: Reporting Grades
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PART VI: ACADEMIC WARNING; DISMISSAL; AND REINSTATEMENT

Section 601: Academic Warning
Section 602: Requirement of Students on Academic Warning
Section 603: Penalty of Noncompliance
Section 604: Petitioning for the Removal of Academic Warning Status
Section 605: Dismissal for Poor Scholarship
Section 606: Procedure Relating to Petition for Reinstatement After Academic Failure
Section 607: Guidelines for Review by the Academic Standards Committee
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PART VII: ASSOCIATE DEAN FOR ACADEMIC AFFAIRS

Section 701: Associate Dean for Academic Affairs
Section 702: Relationship between Associate Dean for Academic Affairs and the Academic Standards Committee

PART VIII: OTHER POLICIES APPLICABLE TO LAW STUDENTS

Section 801: Policies Applicable to Law Students
Section 802: Law School Regulations and Procedures

- Classroom Use
- Use of Recording Devices in Class
- Registrar's Files and Information
- Faculty Evaluations
- Description of Faculty Committees
- Qualifications for Admission to the Bar

PART IX: PROCEDURAL RULES FOR THE ACADEMIC STANDARDS COMMITTEE

Section 901: Petitions to the Committee

- Meetings with the Committee
- Student Members
- Record of Meetings
- Additional Information to the Committee

Section 902: Petitions for Reconsideration

- New or Additional Information
- Action by Committee

Section 903: Miscellaneous Rules:

- Communications with the Committee

- Notice of Decision

Academic Standards Outline

The headings used in these Academic Standards are for convenience only and are not to be considered a part of these standards. The information in this publication does not create a binding contract between the student and Western New England University School of Law ("Law School"). Western New England University reserves the right to change any of the requirements and regulations at any time without prior notice. This includes, but is not limited to, the right to modify requirements for admission, retention, or graduation; to change the arrangement or content of the courses, the instructional materials used, the tuition and other fees; to alter any regulation affecting the student body; to refuse admission or readmission of any student at any time; or to dismiss any student at any time should it be in the interest of the Law School or the student to do so.

PART I: DEFINITIONS; COURSE LOAD; AND STATUS

Section 101. Academic Year

An academic year consists of two consecutive semesters beginning with the fall semester, including fall and spring semester. The summer or winter session is not a semester.

Section 102. Completed Credit Hour

A "credit hour" is defined as an amount of work that reasonably approximates:

- no less than 750 minutes of classroom or direct faculty instruction and 1,800 minutes of out-of-class student work, or a total time of 42.5 hours per credit.
- for other academic activities, including simulation courses, field placements, clinical courses, moot court, law review, and directed independent studies, at least an equivalent amount of work is required.
- "Classroom or direct faculty instruction" shall include: all scheduled class periods; any make-up classes or review sessions that may be held in addition to scheduled class periods; and time spent by students taking scheduled midterm and final examinations. In a course with distance-learning components, time spent in both synchronous and asynchronous instruction may be counted.
- "Out of class work" shall include: preparing for class (e.g., reading and briefing cases, completing other assigned work or assessments), work that assists in the comprehension of course content (e.g., writing outlines, working with other students in study groups, preparing for exams), researching and writing any required papers, and performing any other assigned and evaluated work such as clinic or externship work, preparation for moot court competitions, and law review work like writing, tech-citing, and fulfilling responsibilities of editorial positions.

These requirements apply to coursework that extends over any period of time, including semester-long courses and Summer/Winter session courses. They also apply to distance education and non-JD courses.

Students earn a "completed credit hour" when they receive a grade of "D" or higher.

Section 103. Full-Time Student

A full-time student is one who is enrolled in 12 or more academic credit hours of course work per semester.

Section 104. Variation From Full-Time Course Load

A full-time student may not enroll in fewer than 12 or more than 16 credit hours without special permission from the Dean or the Dean's delegate. Normally a request for an exception shall not be considered unless the reasons for the request are stated in writing, which will be included in the student's personal file.

Section 105. Part-Time Student

A part-time student is one who is enrolled in fewer than 12 academic credit hours of course work per semester.

Section 106. Variation From Part-Time Course Load

A part-time student may not enroll in fewer than 8 or more than 11 credit hours without special permission from the Dean or the Dean's delegate. Normally, a request for this permission shall not be considered unless the reasons for the request are stated in writing, which will be included in the student's personal file. This standard is not applicable to part-time students in a non -JD program.

Section 107. Maximum Course Load

In no event may a JD student enroll in coursework in any one semester that exceeds 20 percent of the total credit hours required for graduation.

Section 108. Change of Status

With permission from the Associate Dean for Academic Affairs, students may change from part-time status to full-time status, or vice versa. The number of months in which a student who has changed status can graduate will depend upon how long it takes the student to earn the required academic credits.

Regardless of status, all students must comply with the Years Allowed for Completion of Degree Requirements. A student may not complete the JD degree in fewer than 24 months or more than 84 months after the student's first matriculation at any law school.

Because there are numerous possible combinations of full-time, part-time, winter and summer sessions, any student who is contemplating a change of status should consult with the Associate Dean for Academic Affairs as well as Student Enrollment Services. A request for permission shall not be considered unless the reasons for the request are stated in writing, which will be included in the student's personal file.

PART II: DEGREE REQUIREMENTS AND LIMITATIONS

Section 201. Years Allowed for Completion of Degree Requirements

A student may not complete the JD degree in less than 24 months or more than 84 months after the student's first matriculation at any law school. A non-JD degree student must complete the degree within 84 months after the student's first matriculation.

Section 202. Academic Requirements for Graduation

A. Credits

1. To earn a JD, students must successfully complete 88 academic credits, no fewer than 64 of which must be earned in courses that meet in regularly scheduled class sessions at a law school, and also satisfactorily complete all required courses and all other requirements, including upper level writing, pro bono, and experiential learning must requirements, in order to graduate. In addition, a student must abide by all restrictions on enrollment as described in subsection B unless waived pursuant to subsection E.
2. To earn an LLM, students must successfully complete 24 credits, including 14 credits of required coursework outlined in the LLM Plan of Study.
3. To earn a MS in Law, students may successfully complete 30 credits, no more than six credits may be taken in University departments outside the Law School, and must satisfactorily complete all required courses identified in the MS Plan of Study.

B. The Law School imposes on JD Students a variety of limitations on enrollment in specific courses or combinations of courses. These are described below:

1. A student must successfully complete 28 hours of law studies before enrollment in a clinic or externship.
2. A student may not simultaneously enroll in more than (i) one clinic, (ii) one externship, or (iii) one clinic and one externship.

3. A student may not take more than a total of three externships for academic credit.
4. A student who has successfully completed 28 credit hours of law studies may take an independent study course with the approval of the Associate Dean for Academic Affairs. Independent study courses include Tutorial Study, Advanced Research, and any other course so designated.
5. A student may not take more than a total of three independent study courses, simultaneously enroll in more than two independent study courses, or take more than one independent study course under the sole guidance of any one faculty member.
6. A student must complete all required courses in sequence as described in the JD Plan of Study.

In addition to the limitations described in the prior section, individual instructors, in consultation with the Associate Dean for Academic Affairs, may impose additional restrictions as a condition for enrollment.

Upper level students must pass two designated writing courses. Upper-level students are also required to earn 6 credits total from designated experiential learning courses. Pursuant to American Bar Association Standards, a student may not use a course to satisfy both the writing requirement and the experiential learning requirement.

The requirements in subsection A may not be waived by the Dean or the Dean's delegate. However, the Dean or the Dean's delegate is authorized to grant variances from the limitations described in subsection B. All variances shall comply with American Bar Association standards.

Section 203. Last Day of Enrollment

No student may enroll in a course after the close of business on the tenth day of classes of a regular semester or, in the case of summer school, the close of business on the third day of classes for the summer school session.

Section 204. Course Withdrawal

- A. Required Courses: Students are required to enroll in and may not drop required courses without approval from the Associate Dean for Academic Affairs.
- B. Restricted Withdrawal Courses: No student may withdraw from a restricted withdrawal course after the time designated by the instructor or subsequent to the second class of the semester, whichever period is shorter. To qualify as a restricted withdrawal course, the course instructor, with the approval of the Dean or the Dean's delegate, must designate the course as restricted withdrawal in the registration materials. A student who

withdraws from a restricted withdrawal course beyond the period permitted in this section shall receive a "W" on the student's transcript.

C. Elective Courses:

1. Deadline for withdrawal: Subject to the limitation in C.2 below, any student may withdraw from an elective course prior to the close of business on the last day of regularly scheduled classes for the semester, provided that the course is not designated as a restricted withdrawal course.
2. Remaining Credit Load: A student in the full-time JD program may not withdraw from a fall or spring semester elective course when such withdrawal would reduce the student's academic load to less than 12 credit hours for that semester. A student in the part-time JD program may not withdraw from a fall or spring semester elective course when such withdrawal would reduce the student's academic load to less than 8 academic credit hours for that semester.

D. Procedure: A student who wishes to withdraw from a course must complete and submit an official withdrawal form to the Registrar's Office.

E. Withdrawals and Refunds: Students who withdraw from a course are subject to the University tuition refund policy in effect at the time.

F. Financial Obligations: No student may withdraw and remain in good standing unless all financial obligations have been met

PART III: OTHER ACADEMIC PROGRAMS AND TRANSFER OF CREDITS (This Part does not apply to non-JD students)

Section 301. Other Academic Programs Earned Outside the Law School

If a student has completed at least 30 credits, the student may earn academic credit in a program outside the Law School as follows:

- A. Combined Degree Programs and Articulation Agreements: Students may earn credit from the University and other institutions pursuant to the terms of a combined degree program or an articulation agreement; or
- B. Non-JD courses at Western New England University: Students may earn no more than 6 credits by the successful completion of non-JD courses offered at Western New England University. To receive credit toward a law school degree, the student must:
 - a. Take an upper-level undergraduate or graduate level course(s);

- b. Demonstrate that the graduate course(s) contribute to the student's education in law or particular professional interests;
 - c. Obtain prior, written approval from the course instructor and the Associate Academic Dean for Academic Affairs of the Law School; and
 - d. Enroll in and successfully complete the course(s) after matriculating in the JD program.
- C. Visiting at Other ABA-Approved Law Schools: Students may earn no more than 15 credit hours while attending another law school approved by the American Bar Association, subject to the prior approval of the Associate Dean for Academic Affairs. Permission shall not be granted to take a course or courses required for graduation at the Law School.
 - a. Grounds for Approval of Request to Visit During Summer or Winter Session: The Associate Dean for Academic Affairs may approve the petition of a student requesting visiting student privileges if the student's requested course load is no heavier than that permitted by the Law School in its summer or winter session and the courses offered by the law school to be visited are similar to those offered by the Law School.
 - b. Grounds for Approval of Request to Visit During Academic Year: The Associate Dean for Academic Affairs may approve the petition of a student requesting visiting student privileges if the student's requested course load is no heavier than that permitted by the Law School in a single semester and the courses offered by the law school to be visited are similar to those offered by the Law School. The student bears the burden of demonstrating by clear and convincing evidence that the student's request meets one of the following requirements:
 - i. The petitioner has a demonstrated a special interest in taking a concentration of courses in a defined subject matter, the Law School will not be able to offer that concentration of courses during the petitioner's period of attendance at the Law School, and the petitioner's cumulative grade point average in the Law School is 2.33 or higher; or
 - ii. The petitioner demonstrates that exceptional personal hardship will result if visiting status is not granted.

Section 302. Transfer of Credits

The Law School will accept the transfer of credit received at another law school during an approved visitation as follows:

- A. The Law School will transfer credit only for courses in which the grade received is equal to or higher than the grade point average required for graduation at the law school visited.

- B. All grades for which credit is transferred will be reported as Pass for purposes of computing academic averages of students at the Law School. The student's transcript will also include the course name and grade for all courses taken during the visit, including any reported course for which transfer credit is not received. Courses for which transfer credit is not received will be accompanied by the notation "No Credit."
- C. In addition to the limitations set out above, the Law School will not accept more than 32 transferred academic credits from an ABA approved law school or 29 transferred academic credits from a law school not approved by the ABA during the student's career at the Law School, including academic credits awarded to a transfer student.
- D. JD and MS students may petition for transfer of credits earned in Law School courses to other MS programs, provided that the grade received is equal to or higher than the grade point average for graduation at the Law School (2.3).

Section 303. Advanced Standing

In the case of admittance of a transfer student, the Associate Dean for Academic Affairs will determine the credit to be awarded toward the Law School's degree.

Section 304. Unapproved Visitation

The Law School does not accept the transfer of credit taken as a visiting student at another law school unless the program of studies was approved in accordance with these Standards.

PART IV: ATTENDANCE AND AUDITING

Section 401. General Attendance

A. Standard: Regular and punctual class attendance is mandatory, as required by the American Bar Association. This policy reflects the belief that dependability is an essential characteristic of a good lawyer. The policy objectives are to ensure academic success, of which attendance is a major component, and to develop standards of professionalism.

B. Implementation:

1. Faculty members will monitor attendance in their classes, choosing an adequate methodology. Any student who is tardy, or who leaves class early, may, in the discretion of the faculty member, be marked absent.
2. Any student who fails to attend at least 80% of the regularly scheduled class meetings, without excuse acceptable to the faculty member, has not met this Standard. All students are responsible for knowing and complying with this Standard and its implementation.
3. Any faculty member may adopt a more stringent attendance standard than that in subsection two (2) above by communicating it to the class in writing before the end of the first class meeting or in

the course syllabus. A student who fails to comply with such policy has not met this Standard.

4. A faculty member must send a student a written warning when the student is at least one absence away from triggering the faculty member's request for administrative withdrawal.
5. Whenever a student fails to meet this Standard, a faculty member shall notify the Associate Dean for Academic Affairs and may request that the student be administratively withdrawn from the course.
6. Upon receiving a request from a faculty member that a student be administratively withdrawn from a course, the Associate Dean for Academic Affairs shall do so unless, after consultation with the faculty member, the Associate Dean for Academic Affairs determines that there is good cause not to withdraw the student.

Section 402. Auditing of Courses and Enrollment of Non-JD Candidates in Law School Classes

- A. Statement of Policy: Individuals may enroll in a limited number of courses as auditors, non-degree candidates, or candidates for a degree other than a law degree. However, such enrollment is permissible only when it does not interfere with the ability of the law school to operate in compliance with the ABA Standards and to carry out the Law School's program of legal education.
 - a. A student must obtain permission to audit a course from both the instructor and the Associate Dean for Academic Affairs.
 - b. A student who wishes to enroll in a JD course must satisfy the following general pre- or co-requisites: Introduction to Law, Lawyering Skills I, and one first-year doctrinal course.
- B. Auditing: An auditing student is expected to acquire the materials for the course and shall be held to the same attendance standards as all other students. If the student satisfies the conditions of permission to audit, including regular attendance, the course is entered on the student's academic record and the word "Audit" is entered where academic credit and grade would normally be entered.
- C. Credits for Degree Candidates: Degree candidates may audit a course, and the credits will not count toward the normal full-time academic course load.
- D. Auditing Fees for Non-Degree Students: Non-JD degree students granted permission to audit a course must pay the regular tuition and fees that apply to the course.

PART V. EXAMINATION AND GRADING

Section 501. Purpose

Where appropriate, instructors should utilize both formative and summative assessment methods to measure and improve student learning and to provide meaningful feedback to students. Grades are designed to measure competency in: (a) knowledge and understanding of substantive and procedural law; (b) legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context; (c) the exercise of professional and ethical responsibilities to clients and the legal system; and (d) other professional skills needed for competent and ethical participation as a member of the legal profession.

Section 502. The Grading System:

A. Assessment: The School of Law records letter grades in courses, except where the nature of the course makes a letter grade impractical. The School of Law grade structure for all course work is as follows:

A 4.00	B 3.00	C 2.00	D 1.00	P Pass
A- 3.70	B- 2.70	C- 1.70	F 0.00	W Withdraw
B+ 3.30	C+ 2.30	D+ 1.30		AU Audit only

The cumulative grade point average of any student is determined by multiplying each grade given for every graded course, including courses in which the student received a grade of F, by the total number of semester hours assigned to that course, and then dividing the product by the number of graded credits attempted. Grade point averages are calculated to the second or hundredth decimal place and are not rounded upward or downward. Academic credit is granted for a final grade of D or higher. If a student receives a failing final grade in a course, the grade is included in calculation of grade point average, but the failed course is not included in calculating the total credits completed for graduation.

B. Grade Normalization: The law faculty has adopted a grade normalization policy for all graded courses. Under this policy, a faculty member who is teaching a required course or a large section course (25 students or more) must distribute grades so that the median grade for the class is a B, with the distribution as follows:

- A- and above 0-25%
- B- and above 40-85%
- C- and above 75-100%
- D+ and below 0-25%

A faculty member who is teaching a graded course other than a required course, a large section course, or a small section course (eight or fewer students) must distribute grades so that the mean or average for the class falls within the range of 2.90 to 3.67. Faculty members whose grades fall outside those limits are required to request a variance from the Associate Dean for

Academic Affairs before grades are distributed. The Dean or Dean's delegate shall review all course grades submitted. After review, course grades shall be posted by the Registrar by course and examination number.

C. Non-JD Students: The Grading System does not apply to non-JD students. Non-JD students are not graded anonymously and may be graded using a different method of assessment. There is no required grade distribution, mean, or median for non-JD students.

The LLM program utilizes the same grade structure as described in 502.A. MS students will be evaluated with the following grades:

- A: exceptional compliance with course requirements
- B: satisfactory compliance with course requirements
- C: minimal compliance with course requirements
- F: does not meet course requirements
- P: Pass (used only in Pass/Fail courses)

Section 503. Pass-Fail Courses

In designated courses, 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+. A grade of F in a pass-fail course is intended to reflect work equivalent to the letter grades of C through F. A grade of F (Fail) in a pass-fail course is treated as if it were a letter grade of F when calculating the student's grade point average.

Section 504. Unsatisfactory Grades

Grades of C, C-, D+, and D are considered Unsatisfactory. A grade of F is considered Failure and no credit is awarded. A student with a grade point average of less than 2.30 at the end of the spring semester of any academic year is subject to dismissal.⁸

Section 505. Required Courses in Which a Failing Grade is Received

Any required course in which a failing grade has been received must be repeated in the next academic period in which the course is offered unless the Associate Dean for Academic Affairs approves an alternative schedule. If a student receives a failing final grade in a course which is a prerequisite to an advanced course, the prerequisite course must be satisfied before the advanced course may be taken. If a student is required to repeat a course because of a failing final grade, the original grade is included in the calculation of

⁸ The policy in effect for students who entered the Law School prior to fall 2014 required a grade of 2.0.

“completed” work for the purpose of grade average calculation, even though the failed course is not used in calculating the total credits required for graduation.

Section 506. Grades of Incomplete

A student who is given a grade of Incomplete in a course shall have an extension of time satisfactory to the instructor to complete the necessary coursework. However, the extension date shall not be later than the last day of the following semester’s regularly scheduled examinations. The instructor shall submit the student’s final grade by the grading deadline of that semester. The Registrar, in consultation with the Associate Dean for Academic Affairs, will convert the Incomplete to an "F" if the grade is not submitted by the grading deadline. Exceptions to this rule may be made only in cases of extreme hardship and with the approval of the Associate Dean for Academic Affairs.

Section 507. The Examination Process

A. Materials Permitted at the Examination: Each instructor shall state which materials are permitted in the examination in the instructor's course. It is the policy of the Law School that an item or material is not to be authorized unless its content is necessary to a proper analysis and solution of one or more problems on the examination, such as a statute on which the problem is based.

B. Form of the Examination: The examination should be by either written examination or term paper. The examination should not be an oral examination, nor should it be a progress report graded by fellow students. The intent is to have a meaningful faculty assessment of the student's work product.

C. The anonymous grading system shall apply to all examinations.

D. Rules for Examinations: The Dean or the Dean’s delegate shall be responsible for establishing rules to govern the examination process. Those rules shall include, but not be limited to, the following:

1. No more than one student at a time may leave the room. Students must sign out at the proctor's desk and cross off their names upon returning. Students are not allowed to take any examination material from the room at any time and are not permitted to consult, obtain, or access any material while outside the exam room.
2. No conversation is allowed during the examination. If a student has a question, the student shall write the question on scrap paper and give the question to the proctor.

3. When the proctor announces that the exam time is up, all students shall stop writing immediately. It is a violation of the Honor Code to continue writing once the examination has ended.
 4. When finished, students shall turn in their examination questions together with any scrap paper. All students must cross their names off the roster and quietly leave the room.
 5. Students who type their examinations shall return them to the proctor from whom they secured the examinations.
 6. Late arrivals are not allotted extra time. Proctors shall ask a student who arrives late if they are willing to take the exam in the reduced time. Students unwilling to accept the reduced time shall report to the Registrar's Office.
 7. Any breach of anonymous grading, whether by including personal identifying information or such notations as "graduating senior" on an examination, shall be reported to the Honor Code Committee.
- E. Take-Home Examination: Requirements:
1. An instructor may give a take-home examination under such conditions as the instructor deems appropriate in consultation with the Associate Dean for Academic Affairs.
 2. The anonymous grading system shall apply to take-home examinations.
 3. If an instructor decides to use a take-home examination, notice shall be given to the students and the Associate Dean for Academic Affairs. That notice should be given before the end of the add/drop period.

Section 508. Illness Before Examination

If a student becomes ill before commencing an examination, the student must attempt to notify the Dean or the Associate Dean for Academic Affairs prior to the commencement of the examination to obtain permission to reschedule the examination. When the Dean and Associate Dean for Academic Affairs are unavailable, the ill student shall have the right to decide not to take the examination but must notify the Dean or the Associate Dean for Academic Affairs of the illness as soon as possible following the examination. If a student leaves an examination for illness or for any other reason, the examination will be graded.

Section 509. Examinations in First-Year Courses

In all first-year courses that are graded with a final exam, professors will provide additional assessment or assessments during the semester that

comprise(s) at least 20%, but not more than 60%, of the final course grade. For purposes of this section, a "first year course" means Constitutional Law, Contracts, Criminal Law, Civil Procedure, Property or Torts, whether offered in the day or evening. The assessment(s) must include formative feedback.

Section 510. Departure from Examination Schedules

No instructor has the authority to grant to a student a departure from the examination schedule. Any student who desires a departure from the examination schedule shall make the request to the Associate Dean for Academic Affairs at the time or times designated:

A. A student shall be granted a departure from the examination schedule for a conflict. In that event, the make-up examinations must be taken in the next regularly scheduled examination period that does not constitute a conflict. An official conflict form must be submitted prior to the examination period. A conflict in the examination schedule is defined as:

1. two examinations simultaneously;
 2. two examinations in successive examination periods (including night-morning but excluding Saturday-Monday);
 3. two examinations on the same day;

 4. three examinations on three successive calendar days for part-time students employed full-time who certify that they cannot obtain time off during the examination period;
 5. four examinations on four consecutive calendar days, unless the student has a reading period of four consecutive calendar days (or five non-consecutive calendar days) between his or her last day of classes and the first of his or her four consecutive exams;
- or**
6. four examinations on four consecutive calendar days in any semester in which the exam schedule was not published by the end of the fifth day of classes.

B. In the event of an emergency, the Associate Dean for Academic Affairs may grant a departure from the examination schedule.

C. It is a violation of the Law School Honor Code to acquire information concerning an examination or assignment without the instructor's authorization; and/or to discuss any aspect of an examination or assignment that one has taken or is currently taking with any person who is currently or will later be taking the same examination or assignment, without the instructor's authorization. See Honor Code Part IV. §401.

Section 511. Reporting Grades

Unless otherwise announced by the Dean, the following procedure applies:

- A. For the fall semester, instructors shall report all final examination grades to the Registrar not later than the day before the Registrar's Office opens after the Winter Recess. For all semesters other than fall semester, Instructors shall report all course grades to the Registrar not later than 14 days after the date of the last final examination.
- B. The Registrar shall record the course grades as part of each student's academic record when the course grades are released.

Section 512. Faculty Requests For Change of Course Grade

There is a strong presumption of finality to all final course grades. Changes may be made to a final exam grade only at the request of a faculty member. The Dean or the Dean's delegate may approve only such changes that are required to correct a mathematical error. The Dean shall submit all other requests by the faculty member to the Academic Standards Committee where there shall be a presumption against approving that recommendation. The faculty member shall bear the burden of overcoming that presumption.

Section 513. Preference for Anonymous Grading

- A. The Law School uses an anonymous grading system for the determination of a student's grade on examinations and for the course, unless it is impractical to employ anonymous grades. It is impractical to use anonymous grades in, inter alia, experiential learning courses, moot court, independent studies or tutorials, writing courses, or courses where grades are based on individual or group projects. In all other instances, the faculty shall adhere to anonymous grading.
- B. Individual Projects or Interim Examinations: Individual or group projects or interim examinations may be used by instructors to be evaluated toward the course grade.
- C. File of Final Examinations: The Law School shall keep an official file of all final examinations administered to students. Each instructor shall give the Registrar's Office at least two copies of each examination that counts toward the final grade.
- D. Preservation of Final Examinations: Each instructor shall deliver to the Registrar's Office all final examination books to be kept on file for at least one year after the examination has been graded.

Section 514. Integration of Non-Anonymous with Anonymous Grades

- A. Integration of Projects with Anonymous Examination Grades: If an instructor uses projects or similar non-anonymous methods of assessment as part of the course grade, the instructor shall submit a list of students by name, showing their project or program grades at the same time as submission of anonymous examination grades by examination number. The instructor shall also state the percent of course grade attributable to the project or program. The Registrar shall integrate the grades according to the instructor's formula after which the instructor shall designate the final grade.
- B. Grade Increase for Superior Classroom Participation: The faculty believes that student performance in the classroom is an essential part of the educational process. An instructor may recognize superior classroom performance by individual students by adding a one-third (1/3) letter grade increase to the student's course grade for grades other than A or F. The following procedures apply:
- a. No instructor may award an increase for classroom participation unless the instructor has announced the intention to do so in a regular meeting of the class within the first three weeks of class or in the course syllabus.
 - b. To make an addition to the grades of individual students, the instructor shall submit a list of the names of those students whose course grades are to be benefited by the practice at the same time that the instructor submits the list of final examination grades by student examination number.
 - c. The Registrar's Office shall integrate the classroom participation letter grade increase with examination grades and project scores, if any.

Section 515. Honors

The Law School awards honors to JD students for superior scholastic achievement. The faculty committee with jurisdiction over academic standards will administer the designation of honors according to the criteria set forth below, except that the committee retains discretion to adjust the criteria in rare cases where such adjustment might be necessary to prevent manifest unfairness.

- A. *Summa Cum Laude*: Any student who would otherwise receive magna cum laude honors upon graduation may be graduated summa cum laude, if, in the opinion of the committee with jurisdiction over academic standards, the

- student has achieved unusually outstanding academic excellence as indicated by the student's cumulative grade point average.
- B. *Magna Cum Laude*: Any student, other than a summa cum laude graduate, whose cumulative grade point average is 3.75 and above will receive magna cum laude honors upon graduation.
 - C. *Cum Laude*: Any student, other than summa cum laude and magna cum laude graduates, whose cumulative grade point average is 3.5 and above, will receive cum laude honors upon graduation.
 - D. *Dean's List*: Dean's List will be awarded at the end of every semester after the first year to any student with a semester grade point average of 3.5 and above.
 - E. Rank: The Law School will rank students at the end of every semester after the first year. For this purpose, students will be ranked by graduating class. Those in the top quartile/twenty-five percent of each group will receive an ordinal ranking. Students in the second, third, and fourth quartile of their respective groups will be ranked by that designation.

PART VI. ACADEMIC WARNING; DISMISSAL; AND REINSTATEMENT

Section 601. Academic Warning

The "academic warning" status is informational to assist JD students in achieving academic success and is an internal designation only that is not noted on students' transcripts.

Reporting of Grades: Each semester, the faculty reports grades to the Registrar's Office, and the Registrar's Office calculates a cumulative grade point average for each student.

Academic Warning, Imposition: At the end of every first-year semester for full-time students and every first- and second-year semester for part-time students, a student will be placed on academic warning if either of the following conditions exist:

the student's cumulative final grade point average for all of the following courses taken as of that date is at or below 2.67: Constitutional Law, Contracts, Criminal Law, Civil Procedure, Property, Torts, and Lawyering Skills; or the student has one or more final grades below a "C+" in Constitutional Law, Contracts, Criminal Law, Civil Procedure, Property, or Torts.

Section 602. Requirements of Students on Academic Warning

Each JD student on academic warning is required to meet regularly with the Director of Academic Success Programs or the Dean's delegate to strategize for success. Based on those meetings, the Director of Academic Success Programs or the Dean's delegate may require any or all of the following measures:

1. enrolling in and completion of the academic success program;

2. having course selections for all subsequent semesters approved by the Director of Academic Success, the Associate Dean for Academic Affairs or Dean's delegate to ensure that the chosen curriculum provides an academically rigorous education and improves the likelihood of academic and bar success; and
3. obtaining prior approval from the Director of Academic Success, the, Associate Dean for Academic Affairs or the Dean's delegate before serving as an officer in any student organization.

Section 603. Penalty for noncompliance

Failure to comply with the conditions identified in Section 602, above, as determined by the Director of Academic Success Programs, at any time, will lead to academic dismissal for poor scholarship. The Director of Academic Success Programs will report non-compliance to the Associate Dean for Academic Affairs, who, in consultation with the Dean and the Dean of Students, will determine whether dismissal is appropriate. Upon such determination, the Associate Dean for Academic Affairs will direct the Registrar to withdraw the student from the Law School due to poor scholarship. The student may petition the Academic Standards Committee for Reinstatement as noted below.

Section 604. Petitioning for the Removal of Academic Warning Status:

Academic warning status will remain in effect throughout a student's enrollment at the Law School. A student on academic warning may petition the Director of Academic Success for the removal of that status, by submitting a letter stating the basis for the removal request, but may do so no earlier than one semester after the status has been imposed. The Director may consider any relevant information in evaluating the petition. If the Director concludes that, in an exceptional circumstance, the academic warning status is no longer necessary for the student, the Director shall make that recommendation to the Associate Dean for Academic Affairs, who, in consultation with the Dean and the Dean of Students, may decide to remove the student from academic warning. This decision is non-reviewable.

Section 605. Dismissal for Poor Scholarship:

A student in any Law School program will be dismissed for poor scholarship if the student's cumulative grade average at the end of the spring semester of any academic year is less than point 2.30. A student is not eligible to graduate if the student's cumulative average on all work completed is less than 2.30.

Section 606. Procedure Relating to Petition for Reinstatement After Academic Failure:

A. Notice of Failure: At the close of each spring semester, the Law School Registrar shall send a list of students to be dismissed due to grade point averages to the Associate Dean for Academic Affairs, who shall then send a written notice of dismissal to each such student. The notice shall be

accompanied by a statement of the Academic Standards relating to dismissal, reinstatement, and the procedure for filing a petition for reinstatement.

B. Petition Procedure: The procedure for filing a petition for reinstatement is as follows:

1. Time for Petition: A petitioning student must file a petition for reinstatement within 15 days after the date of mailing of the notice of dismissal. The student shall file the petition with the Associate Dean for Academic Affairs.
2. Form and Style of Petition: A petition for reinstatement shall be typed and titled "Petition for an Exception to the Rules for Academic Dismissal."

C. Reference to Academic Standards Committee: The Associate Dean for Academic Affairs shall refer any petition for reinstatement to the Academic Standards Committee for review.

Section 607. Guidelines for Review by the Academic Standards Committee:

A. General: The Academic Standards Committee sitting without student members, unless the petitioning student elects otherwise, shall review any petition for reinstatement filed under Section 606. In reaching its determination, it shall be guided by the considerations stated in subsections (B) and (C) below.

B. Specifications of Reason for Academic Failure: The petitioning student must allege and prove that the student possesses the requisite ability and that the prior disqualification does not indicate a lack of capacity to complete studies at the Law School. The petitioning student must also state any extraordinary circumstances beyond the student's control, which rebut the presumption raised by the student's record, and which establish that the deficiency was not due to lack of capacity to complete the program of legal education and be admitted to the bar. If the circumstances are related to physical or psychological incapacity in the course of a semester, or before or during an examination, convincing medical proof must accompany the petition.

C. Scope of Relief: The Academic Standards Committee is authorized to

1. deny the petition; or
2. grant the petition, upon terms and conditions stated by the Committee.

- D. For every admission or readmission of a previously academically dismissed student, a statement of the considerations that led to the decision shall be placed in the student's file.
- E. Guidelines for Readmitted Student: In all cases of readmission the Academic Standards Committee shall determine, on an individual basis, the terms and conditions for readmission, including, but not limited to, the disposition of grades earned prior to readmission. For readmitted students, the grades received by the student in the year(s) prior to readmission being repeated shall not be computed in determining class rank or grade point average, but such grades shall be retained upon the student's transcript. In the case of such student, the following notation shall appear on the transcript: "By faculty action this student was readmitted to the first year for good cause after being dismissed for academic deficiencies. For purposes of computing the student's academic average and class rank on this transcript, only the grades received after readmission are included."
- F. Faculty Review of Decisions by Academic Standards Committee: The Academic Standards Committee shall notify the petitioning student in writing of its decision and of the availability of full faculty review of an adverse decision. The faculty, sitting without student members, unless the petitioning student elects otherwise, shall review the Committee's decision at the request of three full-time faculty members. The petitioning student may appear at the faculty meeting only if the faculty so requests. The faculty shall affirm the decision of the Academic Standards Committee unless, upon review of the available information, the faculty is convinced that the decision is clearly erroneous.

Section 608. Effect of Academic Dismissal:

- A. Attendance and Refund: If a student's cumulative grade point average falls below 2.30 at the end of any semester and/or if a student receives notice of dismissal for poor scholarship while the student is in attendance at the Law School during the next succeeding academic session, the student is eligible to take any final examination(s) or submit any papers or projects for grades for that academic session. However, the student may instead elect to withdraw, in which event the Law School will recommend to the Vice President for Finance of Western New England University that an appropriate refund of tuition be made to any student who is dismissed for poor scholarship during the next succeeding academic session.
- B. Eligibility to Petition for Reconsideration: Any former student dismissed for poor scholarship who is not readmitted immediately following dismissal may petition the Associate Dean for Academic Affairs subject to the following limitations:

1. the petition must be filed not later than 90 days prior to the date upon which the former student wishes to return as a student;
2. the petition must request reentry at a date when at least two years have elapsed after dismissal;
3. the petition must allege and substantiate that the nature of the former student's work, activity, or studies during the interim indicate a stronger potential to complete the program of legal education and be admitted to the bar;
4. this provision applies both to students who filed a petition for readmission at the time of dismissal, and also to those students dismissed for poor scholarship who did not file such petition immediately after dismissal; and
5. the petition shall be reviewed and acted upon by the Academic Standards and Committee.

PART VII. ASSOCIATE DEAN FOR ACADEMIC AFFAIRS

Section 701. Associate Dean for Academic Affairs

The Associate Dean for Academic Affairs is appointed by the Dean for an indefinite term. The Associate Dean for Academic Affairs responsibilities include, without limitation, the following duties:

- A. to develop and manage the curriculum;
- B. to administer academic standards as applied to individual students, including requests for exception to the Academic Standards; and
- C. to develop and manage an effective system of academic and career counseling.
- D. The Associate Dean for Academic Affairs or the Dean's delegate is authorized to grant variances from the Academic Standards in cases of extreme hardship or exceptional merit. All variances shall comply with American Bar Association Standards.

Section 702. Relationship between Associate Dean for Academic Affairs and the Academic Standards Committee:

- A. Petitions for Exceptions to Rules: All petitions filed for exceptions to the Academic Standards must be filed with the Associate Dean for Academic Affairs.

- B. Reference to Academic Standards Committee:
 - a. The Associate Dean for Academic Affairs shall refer to the Academic Standards Committee any petition for: readmission; or
 - b. reinstatement after suspension or dismissal from class for poor attendance;
 - c. The Associate Dean for Academic Affairs shall refer any other petition for exception to the Academic Standards to the Academic Standards Committee.
 - d. Any student who is dissatisfied with the application of these Academic Standards may pursue the matter with the Associate Dean for Academic Affairs. Thereafter, if the student is still dissatisfied, the student may pursue the matter further by petition to the Academic Standards Committee.

PART VIII. OTHER POLICIES APPLICABLE TO LAW STUDENTS

Section 801. All law students are bound by (1) law school policies; (2) Western New England University policies; and (3) the Honor Code.

Section 802. Law School Regulations and Procedures:

- A. Classroom Use: The law school's facilities are under the exclusive control and reserved for the exclusive use of the Law School. If the facilities are not being used for Law School purposes, then alternative use of the classrooms may be permitted.
- B. Use of Recording Devices in Class: No person shall use a recording device in any instructional situation in the Law School without the prior consent of the instructor. Exceptions to this regulation may be granted by the Associate Dean for Law Student Affairs to provide reasonable access and accommodations to persons with disabilities, consistent with applicable law.
- C. Registrar's Files and Information:
 - a. Student Information: Each student is requested to complete a form at registration that provides the Law School with the student's local address, telephone number, emergency contact, and information concerning the student's employment while the student is enrolled. Maintenance of the accuracy of the form is the responsibility of each student.
 - b. Access to File: Under the Family Education Rights and Privacy Act of 1974 (FERPA), a student may inspect and review any and all official records, files, and data directly related to the student in the student's status as a student. The student will also have an opportunity for a hearing to challenge the content of the records to insure that the

records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student.

- c. The opportunity to inspect and review records under the Act may be performed only in the presence of and under the supervision of a member of the staff of the Law School.
 - d. A student who desires to exercise the opportunity to inspect and review must file a written request to do so.
 - e. Subsequent to the receipt of the request, but within the 45-day period specified in the Act, the Law School will designate a time and place for the inspection and review of the records and the member of the staff who will be present.
 - f. The Law School will give notice of this information to the student on the basis of the address or telephone information provided on the request form.
 - g. If, after the inspection and review, the student desires an opportunity for a hearing to challenge the contents of the records, the student must file a request for a hearing on a form that has been created for this purpose.
 - h. Confidentiality of Registrar's Files and Information: The Privacy Act assures students the right to inspect and review all Law School records, files and data directly related to them with the exception of medical and psychiatric records, confidential recommendations submitted before January 1, 1974, records to which they have waived the right to access, and financial records of their parents or guardians.
 - i. The Privacy Act also prohibits the distribution of grades to parents or guardians without a student's prior written consent, or a statement of dependency from a parent or guardian when the student is a dependent as defined under the Internal Revenue Code.
 - j. However, the Law School may make public at its discretion, without prior approval, the following information: class year, home address, telephone number, University address and telephone number, major field, date and place of birth, dates of attendance at the Law School, degree honors, awards received, and previous educational institutions most recently attended. A student may limit the release of the discretionary information by filing a special form with the Provost/Vice President for Academic Affairs of the University each year.
- D. Faculty Evaluations: Students shall be afforded the opportunity to evaluate each instructor in each course.
- E. Description of Faculty Committees: The Dean shall provide to the Student Bar Association a description of the charge and jurisdiction of each faculty committee for which students are eligible for membership. A student may file with the Student Bar Association a request for appointment to one or more faculty committees, stating the student's preference. The Student Bar Association shall announce a deadline for the receipt of student requests

- for faculty committee appointments. The Student Bar Association shall then certify the names of students to serve on each faculty committee to the Dean. The Dean shall then announce the names of the faculty and the student members on each faculty committee.
- F. Qualifications for Admission to the Bar: In addition to a bar examination, there are character, fitness, and other qualifications for admission to the bar in every U.S. jurisdiction. The Law School encourages all applicants to determine the requirements for any jurisdiction in which they intend to seek admission by contacting the jurisdiction. Addresses for all relevant agencies are available through the National Conference of Bar Examiners.

PART IX. PROCEDURAL RULES FOR THE ACADEMIC STANDARDS COMMITTEE

Section 901. Petitions to the Committee

- A. Meetings with the Committee:
1. Initial Readmission Petitions: An individual who petitions the Committee for readmission to the Law School shall have the right to a meeting with the Committee with respect to the initial petition. Only the student and the Committee may be present at such a meeting.
 2. Other Petitions: The Committee may grant, in the Committee's discretion, personal meetings for all other petitions.
- B. Student Members: The petitioner may elect to include or exclude student members of the Committee from consideration and/or decision of the petition. Such an election is to be made in writing. If no election is made, student members will not participate in consideration or decision of the petition.
- C. Record of Meetings: All personal meetings before the Committee shall be recorded and the record retained by the Law School.
- D. Additional Information to the Committee: The Committee may request such additional information it deems necessary or helpful in order to act on a petition. The petitioners shall present all relevant material and information in their written petitions.

Section 902. Petitions for Reconsideration

- A. New or Additional Information: The Committee shall review a petition for reconsideration of a prior petition only to determine if the
- as of 1/20/22

reconsideration petition contains new or additional information which was not available or which could not reasonably have been available at the time of the original petition. If the Committee determines that the reconsideration petition contains such new information, then the Committee will reconsider its prior determination in light of this new or additional information. If the Committee determines that such reconsideration petition does not contain such new or additional information, the reconsideration will be denied.

- B. Action By Committee: The Committee may, in the Committee's discretion, meet with the petitioner during the reconsideration process; however, the petitioner shall not be entitled to such a meeting as a matter of right.

Section 903. Miscellaneous Rules

- A. Communications with the Committee: Students or persons acting on the behalf of any student should communicate only with the Chair of the Committee with respect to any petition.
- B.** Notice of Decision: All notices of decision shall be issued by the Chair of the Committee. The decisions of the Committee shall be communicated in writing to the petitioner. The notice of the decision shall be sent to the mailing address of the petitioner as listed on the petition. The petitioner may request that the written notice be held for him/her in the Registrar's Office of the Law School or that it be sent by another means.

Western New England University: School of Law: Petition Form

ELECTION TO INCLUDE OR EXCLUDE THE STUDENT MEMBERS OF THE ACADEMIC STANDARDS COMMITTEE FROM CONSIDERING AN INDIVIDUAL PETITION

CHECK ONE:

1. I request that the student members of the Academic Standards Committee participate in the deliberation of my petition and vote on its merits.

2. I request that the student members of the Academic Standards Committee participate in the deliberation of my petition, but not vote on its merits.

3. I request that the student members of the Academic Standards Committee **NOT** participate in the deliberation of my petition.

REQUEST FOR PERSONAL APPEARANCE BEFORE THE ACADEMIC STANDARDS COMMITTEE BY THE PETITIONER FOR AN EXCEPTION FROM THE ACADEMIC RULES

CHECK ONE:

1. I request to appear before the Academic Standards Committee and present an oral statement in support of my petition.

2. I do **NOT** request to appear before the Academic Standards Committee and present an oral statement in support of my petition.

PRINT NAME: _____

ADDRESS: _____

TELEPHONE: _____

SIGNATURE: _____

EMAIL: _____

DATE: _____

Honor Code

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Part I. Introduction and Purpose

Western New England University School of Law (School of Law) is dedicated to training members of the legal profession to serve the public, the bar, and the judicial system in the highest and finest traditions of a distinguished calling. To this end, the School of Law's primary mission is to educate lawyers whose professional lives are characterized by the lifelong pursuit of excellence in the craft of legal practice; by the reflective and ethical solution of legal problems; and by the continuation of, and the exercise of responsible stewardship over, a cherished tradition of public service in pursuit of the common good. The School of Law implements this mission through a distinguished faculty, a curriculum of integrated learning and a community of learning and professional service.

The Honor Code of Western New England University School of Law calls for a commitment by students to adhere to the highest degree of professional integrity. The Honor Code furthers the goal of the School of Law to serve the public and the profession by producing attorneys dedicated to promoting justice, excellence, and respect for the law. The Honor Code is based on the fundamental principles of trust and respect. Each student who joins the School of Law community affirms, by the student's acceptance of a position in the community, this commitment to integrity, trust and respect.

Attendance at the Western New England University School of Law is every student's first step toward becoming a member of the legal profession. Essential to the well-being of the legal profession is the presence of a sense of honor, ethical integrity, and mutual respect among its members. The Honor Code is an integral part of proper and complete professional training.

The privilege of admission comes with a unique set of responsibilities not only to fellow students, but to the School of Law, to the legal profession, and to the public. The legal profession demands the highest degree of trustworthiness, honesty and public integrity. As future members of that profession, students of the School of Law are bound to observe principles that reflect the same high standards that govern the practice of law. This Honor Code sets forth conduct that is unacceptable, and therefore, prohibited. This Honor Code establishes minimum standards for student professional responsibility. The standards of conduct in this Honor Code are in addition to the standards set forth in the University Code of Conduct and violations of this Honor Code will be subject to the procedures and sanctions of this Honor Code, as set forth below.

The School of Law's mission is to promote a community where each student can obtain an outstanding legal education. To that end, this Honor Code is not intended to regulate ideas, but to foster an atmosphere of professionalism, trust, mutual respect, civility, and accountability in which those ideas can be created and explored.

Upon admission, all students become part of the School of Law community and share in its mission. Accordingly, by matriculating at Western New England University School of Law, students accept the responsibilities set forth by this Honor Code, including the responsibility to participate in its implementation.

The purposes of this Code are to establish standards of honorable conduct expected and required of students at Western New England University School of Law; to constitute and define the authority of the Honor Committee; and to provide appropriate procedures which the Honor Committee and use to faculty enforce the standards this Code establishes.

Part II. Duties, Scope, and Authority

Section 2.1. Duties:

All students have the duty to know the contents of this Honor Code and to conform their conduct to it. All students are presumed to know the contents of this Code and ignorance of its contents or ignorance of particular conduct that is prohibited under its provisions is not a defense to any violation of the Code.

The School of Law has the duty to make copies of this Code available to students within one week of their matriculation. All students are bound by this Code even in the event that a copy of the Code has not been provided to them by the School of Law.

Section 2.2. Scope:

The success of the Honor Code depends upon the diligence with which members of the School of Law community ensure that they, as well as others, uphold the letter and spirit of the Honor Code. All suspected violations of the Honor Code should be reported to the appropriate faculty member(s), the Honor Code Committee, or the Associate Dean so that appropriate action can be taken. However, failing to give notice of such a suspected violation is not itself violation of this Code.

All provisions of the Honor Code apply to the conduct of all students at Western New England University School of Law during the time they are enrolled in the School of Law. A student is subject to disciplinary action for violations of this Code, including violations in seeking admission, while enrolled at the School of Law or for any period of time during which the student was matriculated at the School of Law, even though the offending student is no longer enrolled in the School of Law.

In addition to the School of Law Honor Code, students of the School of Law are fully subject to the University Code of Conduct, Student Handbook, standards, processes, and remedies set forth therein.

Section 2.3. Authority:

The Dean of the School of Law is responsible for enforcing the Honor Code. The authority is delegated to the Honor Code Committee, or the dean's delegate and a Committee to be appointed by the Dean.

Section 2.4. Residual Authority:

Although only the Honor Committee may determine that a student has violated this Code, nothing in this Code shall limit the authority of:

- A. Instructors to establish academic standards of performance for their courses, to evaluate student performance under these standards, and to impose such sanctions for failure to adhere to these standards as is within the authority of the instructor, including without limitation, the authority to give a failing grade to the student for the course; and
- B. The Dean or the faculty to take measures to protect the physical safety of members of the School of Law community, or to maintain conditions compatible with the educational process or institutional integrity of the School of Law.

Part III. Construction of Code

Section 301. Construction:

The provisions of this Code shall be construed to further the general purposes of the Code and the specific purposes of the particular provision involved.

Part IV. Standard of Conduct

The following conduct, if committed by a student while engaged or participating in academic activities or any School of Law or university activity, will subject the student to action under this code:

Section 401. Academic Improprieties: Academic impropriety in all its forms, in course work, on examinations, or in other academically related activities, including but not limited to:

- A. Cheating in connection with an assignment or examination includes but is not limited to:
 - a. Acquiring information concerning an examination or assignment, without
 - b. the instructor's authorization; copying from another student; unauthorized use of material or using unauthorized materials;
 - c. Collaborating with another person without authorization from the supervising professor;
 - d. Taking an examination for another student in whole or in part, permitting another student to take one's own examination in whole or in part, or

- collaborating with another student by taking an examination jointly, without the instructor's authorization;
- e. Preparing an assignment for another student in whole or in part, permitting another student to prepare one's own assignment in whole or in part, or collaborating with another student by preparing an assignment jointly, without the instructor's authorization;
 - f. Removing an examination from the examination room in order to give or receive assistance on the examination;
 - g. Using materials not authorized by the instructor while taking an examination or completing an assignment;
 - h. Failing to follow instructions concerning the administration of an examination, including the instruction to stop writing;
 - i. Breaching the anonymity of an anonymously graded examination or assignment;
 - j. Discussing any aspect of an examination or assignment that one has taken or is currently taking with any person who is currently or will later be taking the same examination or assignment, without the instructor's authorization;
 - k. Submitting work previously submitted for any other purpose, without authorization;
 - l. Falsely claiming sickness or disability to secure a deferred examination or assignment due date; and
 - m. Assisting another student with legal research for any writing assignment, or receiving such assistance, without the instructor's authorization. Providing or receiving general assistance with generic research skills or strategies is not cheating unless this manner of assistance has been prohibited by the instructor.
- B. Plagiarism in any academic endeavor. Academic integrity requires that all ideas and words be credited to their original source. Plagiarism means representing the words or ideas of another as one's own. The misrepresentation need not be intentional; even inadvertent conduct constitutes plagiarism. Plagiarism includes, but is not limited to:
- a. Quoting without citation or without appropriate punctuation, including quotation marks;
 - b. Paraphrasing without appropriate attribution;
 - c. Misrepresenting another's analysis, synthesis, organization, or compilation of sources as one's own; or
 - d. Using Internet sources without appropriate attribution, on the same basis as any other source.
 - e. Submitting the same or substantially similar work for more than one course, unless authorized to do so by the professors teaching the courses.
 - f. Knowingly obtaining, using, buying, selling or soliciting in whole or in part the contents of an unreleased examination.
 - g. Intentionally causing a disadvantage to other students.

- C. Unauthorized Taking of Academic Materials. An unauthorized taking of academic materials occurs when a student appropriates any academic materials (including, but not limited to, notes, books, papers, outlines, computer files, electronic files, technology, or other electronic materials or other work product) from any other student who owns or is in proper possession of such materials, without that other student's consent.
- D. Library Misconduct. Library misconduct includes:
 - a. Defacing, mutilating, or destroying library material or equipment;
 - b. Hiding or knowingly misfiling library material;
 - c. Knowingly removing library material from the library without checking out the materials;
 - d. Intentionally using any computerized research services covered by a contract to which the School of Law or its Library is a party in a manner that violates such a contract; and
 - e. Creating disturbances that are inconsistent with the rights of others to a quiet study environment.

Section 402. Violations Discovered After Graduation: If a law student commits academic improprieties which are not discovered until after graduation, the student's graduation will not prevent the Honor Code provisions from applying. If, as a result of imposition of sanctions, the student no longer meets the requirements for graduation, the student's law degree will be withdrawn, as will any certifications to bar authorities.

Section 403. Violations involving University documents or records:

- A. Improperly using, destroying, forging, or altering University documents or records.
- B. Misrepresentations, forged, falsified or altered information: Supplying forged, falsified or altered information while seeking employment, educational or professional opportunities or financial aid.
- C. Intentional misrepresentation of School of Law academic or enrollment status, or involvement in extracurricular activities.

Section 404. Aiding or encouraging violations of this Honor Code: Aiding, encouraging, promoting or soliciting the doing of any prohibited conduct.

Section 405. Abuse or Obstruction of the Honor Code Process:

- A. Non-cooperation with the Honor Committee is the refusal to meet with and provide information to the Honor Committee or its representatives with respect to any investigation or proceeding under this Code. No student is required to provide information of a self-incriminating nature. However, the Committee can draw an adverse inference in cases in which a student declines to provide responsive information to the Honor Committee.

- B. Making a false or misleading statement to the Honor Committee or its representatives with respect to any matter under investigation or review pursuant to this Code.
- C. Engaging in conduct intended to obstruct access to potential evidence, or to alter, destroy, or conceal potential evidence connected with an Honor Code investigation or proceeding.
- D. Filing a frivolous complaint of an Honor Code violation with the intent to harass another student. A frivolous complaint is one without basis in fact.
- E. Attempting to intimidate or deter complainants, witnesses, or other participants in an Honor Code investigation or proceeding.
- F. Preventing the discovery of prohibited conduct.

Section 406. Breach of Confidentiality: Breaching confidentiality is knowingly revealing, without authorization, information obtained through participation in a formal School of Law activity (such as a Student Bar Association committee, a School of Law governance committee, Law Review, or some form of employment by the School of Law or University) if that information is of a confidential nature.

Section 407. Academic misconduct at another institution or program:

- A. Acts which would be a violation of the provisions of this Honor Code if committed at the School of Law, but which were committed while enrolled at another academic institution.
- B. A determination of academic misconduct by any other institution or program.

Section 408: Conduct during the admissions process: The following conduct, if committed by an applicant to the School of Law, and not discovered or disclosed until after the applicant's matriculation as a law student, will subject the student to action under this code:

- A. Knowingly providing false or misleading information to any person to gain an advantage in securing admission to the School of Law;
- B. Forging, falsifying or altering documents or records submitted in connection with the student's application for admission to the School of Law;
- C. Submitting false information in response to questions on the student's School of Law application or questions from admissions officers asked in connection with the student's School of Law application;
- D. Failing to provide information or providing incomplete information in response to questions on the student's School of Law application or questions from admissions officers asked in connection with the student's School of Law application if the omitted information would have been material to the decision of the School of Law Admissions Committee regarding the student's application.
- E. The conduct described above, if discovered or disclosed prior to the applicant's matriculation as a law student, will be reviewed by the Admissions Committee,

which will determine whether the applicant's conduct should preclude admission to the School of Law. The Admissions Committee, where appropriate, will also forward information concerning the applicant's conduct to the School of Law Admissions Council.

Section 409. Misconduct in Seeking Employment: Knowingly providing false or misleading information to any person to gain an advantage in securing employment.

Section 410. Misconduct in Seeking Financial Aid: Knowingly providing false or misleading information to any person to gain an advantage in securing financial aid.

Part IV. Non-Academic Standards

Section 501. Non-academic misconduct is addressed by the terms and policies of Western New England University.

Students of the School of Law are fully subject to the University Code of Conduct, Student Handbook, standards, processes, and remedies set forth therein.

Part VI. Standard of Review for Violations

A student violates a standard of conduct set forth in this code if the Committee concludes by a preponderance of the evidence that the student engaged in the prohibited conduct.

Part VII. Sanctions

This Honor Code does not require the imposition of any particular sanction or range of sanctions for any of the types of misconduct described herein. Thus, for any misconduct under this Honor Code, the full range of sanctions described below is available. What sanction or sanctions are appropriate in a particular case will depend on the circumstances of that case.

Section 701. Possible Sanctions. The following sanctions may be imposed for violations of this Honor Code:

- A. Expulsion from the School of Law;
- B. Suspension with the opportunity to apply to the Admissions Committee for readmission after a specified period of time;
- C. Suspension for a definite period of time;
- D. Partial or total revocation or suspension of scholarship assistance;
- E. Probation for a definite period of time under specified terms or conditions with consequences specified for noncompliance;

- F. Removal from any student governmental office or position in any School of Law sponsored activity or organization or from any other University sponsored position of trust, responsibility or interest;
- G. Denial of the privilege of participation in any School of Law or University sponsored extracurricular or athletic activity or organization for a definite period of time;
- H. Written warning or reprimand, including a report to the dean and bar admission authorities;
- I. Verbal warning;
- J. Prohibiting or restricting access to and/or use of School of Law or University facilities or services;
- K. Monetary or other restitution;
- L. Change of grade in a course;
- M. Withdrawal of academic credit in a course; or
- N. Receiving no credit for an academic work product, with or without an opportunity to redo the product.

Section 702. Expulsion, suspension, and probation: The sanctions of expulsion, suspension and probation are inconsistent and shall not be imposed concurrently. Any suspension will be considered a total suspension from all School of Law classes and activities unless it is expressly limited to specified classes or activities. The sanctions of suspension and probation may be subject to conditions.

Part VIII. Rules of Procedure

Section 801. The Honor Code and Student Petitions Committee:

- A. Composition. The Committee shall consist of three members of the faculty,
- B. chosen by the faculty, and two law student representatives chosen by the Student Bar Association. The Associate Dean for Academic Affairs serves *ex officio*. The Student Bar Association also will designate two alternate members at the beginning of the year. If no students are able to serve, the Committee may go forward without student members. At the beginning of each academic year the Committee shall select a chair for that year from among its members.
- C. Quorum. A quorum for any meeting of the Committee shall consist of three members.
- D.** Withdrawal and Ineligibility of Members: A member of the Committee may withdraw from the consideration of any Committee matter if such member believes that participation would be improper or unwise. A member of the Committee shall withdraw from consideration of any Committee matter if such member provided the statement of violation to the Committee, if such member may reasonably be expected to testify or otherwise furnish information regarding facts pertinent to the matter, or if such student member is charged with a violation of the Code in the matter before the Committee. A charge against a student

member renders that student member ineligible for continued service on the Committee.

- E. Replacement of Members: Whenever a faculty member of the Committee withdraws from participation on the Committee, the Chair shall appoint another faculty member to serve. Whenever a student member of the Committee withdraws or is rendered ineligible from participation, the Student Bar Association President shall appoint one of the alternates designated to serve. The Dean or the Dean's designate shall appoint members in the event there is no quorum or the Chair of the Committee withdraws.
- F. Responsibilities:
 - a. The Committee shall resolve all suspected violations of this Code brought to its attention according to the procedures set out in this Code.
 - b. The Committee may also issue written advisory opinions as to whether particular hypothetical conduct constitutes a violation of this Code.
 - c. The Committee shall carry out all other responsibilities that this Code assigns to it.

Section 802. Investigation:

- A. Notification of Suspected Violation: Any person who reasonably believes that a student has violated this Code and who wishes to report such violation shall submit a statement, orally or in writing, containing all relevant information to any member of the Committee.
- B. Initiation of Investigation: As soon as practicable after receiving notification of a suspected violation, the Committee shall meet to determine whether investigation of the matter described in the statement is warranted. If the Committee determines by majority vote that investigation is warranted, the Chair shall appoint one faculty member and one student member of the Committee to serve as investigators. Investigators shall not thereafter act as members of the Committee with regard to the matter under investigation.
- C. Investigation: The investigators shall conduct their investigation in whatever way they consider appropriate, including gathering relevant documentary evidence and speaking to the person who referred the matter and other persons who may have relevant information. The investigators shall not reveal the name of the person who notified the Committee of a suspected violation or the name of the student whose conduct is under investigation unless doing so is necessary to their investigation.
- D. Before concluding their investigation, with respect to any student whose conduct is under investigation, the investigators shall:
 - a. notify such student in writing of the investigation;
 - b. provide such student with a copy of this Code; and
 - c. advise such student in writing that the Code details the student's rights and responsibilities concerning all investigations and proceedings regarding alleged violations.

- E. The investigators shall complete their investigation within two weeks of the date of their appointment or within such longer time period as may be authorized by the Chair for good cause.
- F. After investigation, subject to the approval of a majority of the Committee members including the investigators, the Committee has discretion to dismiss the matter without issuing a complaint, informally resolve the matter, or issue a complaint.

Section 803. Filing and Notice:

- A. The investigators shall submit the original complaint to the Committee for placement in the file.
- B. The investigators shall, by certified mail and by electronic mail, send the student a copy of the complaint and a copy of this Code to the student's last known address. Concurrently with the mailing to the student, the investigators shall provide each member of the Committee with a copy of the complaint.
- C. The investigators' failure to provide the student with proper notice is not a ground for dismissal of the charges against the student. Such failure may constitute good cause for a continuance.

Section 804. Continuing Responsibilities of Investigators.

After the issuance of a complaint, the investigators:

- A. may continue to gather evidence relevant to the alleged violation in preparation for the hearing on the charges set out in the complaint; and
- B. retain the authority to resolve the matter informally.

Section 805. Time Limitation.

No investigation shall be instituted later than one year following the student's graduation, final withdrawal, or dismissal from the School of Law.

Section 806. Hearing, Decision, and Sanction:

- A. Timing: As soon as practicable after the Committee receives a copy of the complaint, the Committee shall determine the date, time, and place of the hearing on the alleged violation, and notify the student, by certified mail and electronic mail, of the time and place and of the student's rights. At any time, the Committee may grant a continuance of a hearing for good cause shown.
- B. Rights of Student Charged: A student who has been charged with a violation of the Code shall have the following rights:
 - a. to be present at the hearing and, at the student's expense, to be assisted at the hearing by counsel or any other representative of the student's choice;

- b. to review (personally and/or through counsel and/or representative) any information gathered by the investigators and any evidence in the possession of the investigators at a reasonable time prior to the hearing;
- c. to present any relevant evidence at the hearing and to cross-examine any witnesses who testify at the hearing;
- d. to testify at the hearing or to refrain from testifying; if however, the student refrains from testifying, the Committee may draw an adverse inference;
- e. to a closed hearing, or, upon written request to the Committee, an open hearing;
- f. to request or oppose at the hearing any particular sanction for violating this Code; and
- g. to prepare, at the student's expense, a daily transcript of the hearing record.

Section 807. Conduct of the Hearing:

- A. Judges. The three Committee members not serving as investigators, shall serve as judges and they shall appoint one member to serve as presiding judge for the hearing. The presiding judge shall convene the hearing and shall advise the student of the student's rights.
- B. Investigators: The investigators shall present all relevant evidence, including any exculpatory evidence, to the judges.
- C. Evidence: Formal rules of evidence do not apply at the hearing. The presiding judge shall admit to the record any relevant evidence, unless it was obtained unlawfully. Notwithstanding the right to an open hearing, witnesses other than the student charged with a violation shall not be present during other testimony unless at least three judges decide otherwise.
- D. Decision:** A majority vote of the Committee is required to find a violation.
- E. Hearing Record:** The judges shall maintain a recording of the hearing and preserve all documentary evidence.
 - a. Opinion: Within seven days of the hearing the judges shall prepare a written opinion briefly setting forth: the evidence they considered; their findings of fact; their decision on the merits of each charge set out in the complaint; the sanctions imposed, if any; the reasons for their decisions on the merits and as to any sanctions; and the number of judges who concurred in each aspect of the decision.
 - b. A judge who disagrees with any aspect of the disposition may prepare a separate opinion.
 - c. As soon as practicable, the judges shall send a copy of each opinion by certified mail and electronic mail to the student charged in the complaint to the student's last known address.

Section 808. Records of Proceedings:

- A. Committee File: Creation and Maintenance: The Committee shall create and maintain a file with respect to every notification of suspected violation and

advisory opinion. The file shall contain all documents relevant to the Committee's consideration and disposition of the matter in question.

- B. **Duty to Prepare Official Record: Matters Resolved After a Hearing:** When a matter is resolved after a hearing, the official record shall contain the hearing record maintained, the original complaint, the judge's opinions, any decision on appeal, and any other information the Committee decides should be retained.

Section 809. Appeals:

- A. **Right of Appeal:** The student may appeal the judges' decision or the sanctions imposed, or both, to the faculty. Requests to stay sanctions pending the appeal, shall be submitted to and considered by the Committee.
- B. **Notice of Appeal:** Within ten days of receiving the decision, or within such additional time as the Chair may allow, a student who wishes to appeal must submit a written notice of appeal to the Chair. The notice of appeal shall include a brief statement of the reasons for appeal. The student may assert additional grounds for the appeal in the written brief. As soon as practicable after receiving notice of an appeal, the Chair shall inform the Dean of its submission.
- C. **Written Briefs:** The student (or the student's representative) and the investigators may submit written briefs regarding the appeal within.
- D. **Record of Hearing:** At the request of the faculty or the student taking the appeal, the Chair of the Committee shall make available the record of the hearing. The Committee shall make such copies of the recording available as soon as practicable.
- E. **Transmission of Documents:** As soon as practicable, but in no event later than two days before the hearing on appeal, the Chair of the Committee shall transmit to the faculty copies of the written notice of appeal submitted by the student, the complaint, the judge's written opinions and any briefs submitted.
- F. **Hearing on Appeal:** As soon as practicable after receiving notice of an appeal from the Chair of the Committee, the Dean shall set the date, time, and place for the hearing of the appeal by the faculty and shall provide at least five days advance written notice of this date, time, and location to the student and to the Chair of the Committee. The Dean, or a faculty member designated by the Dean, shall preside at the hearing on appeal.
- G. **Oral Statement:** The student (and the student's representative) and the investigators may make brief oral statements to the faculty regarding the appeal.
- H. **Decision on Appeal:** As soon as practicable after the hearing on appeal, a majority of the faculty voting on the appeal shall affirm, reverse, or modify the judges' decision and sanctions, or remand the matter to the Committee. The faculty shall affirm all findings of fact made by the judges unless it determines that the findings were not supported by substantial evidence. The faculty shall not consider any evidence outside the hearing record, although for good cause shown the faculty may remand the matter to the Committee for the purpose of taking additional evidence. The faculty shall review *de novo* any sanction imposed

by the judges, but shall not increase any sanction. The faculty shall also review *de novo* any interpretation of this Code made by the judges.

- I. Withdrawal: A faculty member may withdraw from participation and voting in the determination of an appeal if such member believes that participation or voting is improper or unwise. A faculty member shall withdraw from participation and voting in the determination of an appeal if the faculty member filed the statement of violation with the Committee, represented the charged student in connection with the charges, or served as a witness during the hearing. Neither Committee members nor investigators shall be present or vote at the hearing on appeal except to provide a statement as provided above.
- J. Disqualification: The student may petition the faculty to disqualify not more than two faculty members from voting on the appeal. The student shall present a written memorandum in support of the petition to the faculty. By majority vote, the faculty may grant the petition and disqualify up to two faculty members from hearing the appeal. Faculty members who are the subject of the petition shall not vote on the question of their disqualification.
- K. Finality of Decision on Appeal: Decisions of the faculty on appeal shall be final. Decisions of the Committee pursuant to a remand by the faculty shall be appealable as provided in this Part.

Part IX. Reports to Bar Authorities

Section 901. As a gateway to the legal profession, the School of Law holds students to a high standard of professional and ethical conduct. The School of Law is required to certify graduates' good character and fitness to state bar examiners. Every finding of an Honor Code violation will be reported by the Dean to any board of bar examiners or equivalent bar investigative authorities for any bar to which the student applies. Students are also responsible for disclosure on the character and fitness requirements of the bar in the state or states where they intend to practice.

Part X. Ratification and Effective Date

Section 10.01. Ratification and Effective Date: This Code, and any amendments thereto, shall take effect upon ratification by majority vote of the faculty and shall be updated and amended by following the procedures set forth in the faculty handbook.

Section 10.02. Prospective Application. This Code shall apply to conduct only if the conduct in question occurs entirely after the date of ratification. Amendments to this Code also shall have only prospective effect. Conduct not governed by this Code is governed by the Honor Code in effect at the time the conduct constituting an alleged offense commenced.

APPENDIX

Definitions

- A. Administrator: University representative responsible for implementing the conduct review and outcome.
- B. All University Disciplinary Board: All-University Disciplinary Board (AUDB) consists of three faculty, three students, and three administrative representatives. The Board elects its own Chair. Any combination of five members is satisfactory to conduct hearings. A majority vote of those present is required for recommending action. Recommendations of the AUDB are forwarded to Director of Community Standards and Education for consideration and approval. The AUDB is utilized for Level II cases. In cases where the University is not in active session and the AUDB has not been established or is not available, or where the University is in session and the AUDB has not been established or is unavailable, the appropriate administrative officer serves as the original hearing body and the other designated administrative offices serve as the reviewing agent.
- C. Business Day: **Monday through Friday from 8:30 a.m. to 4:30 p.m.** local time and excludes weekends and public holidays.
- D. Complainant: is the person, group or the University reporting an incident or act that allegedly violated a policy, procedure or guideline of the University.
- E. Conduct Review: a meeting between a student and Administrator to discuss an incident that may contain alleged violations of University policy or expectations
- F. Designee: an individual who has been selected to carry out a duty or role
- G. Hearing officer: professional staff member who determines accountability in conduct review and to which level
- H. Member of University Community: all faculty, staff, students and administrators affiliated with Western New England University
- I. Notice: a student has been contacted via University email or cell phone regarding a meeting
- J. Preponderance of the evidence (standard of proof): based upon the information available, what is more likely than not occurred in an incident; it is a more likely than not a violation occurred.
- K. Peer Review Board: The Peer Review Board (PRB) consists of five upper-class students selected by Director of Residence Life, the Director of Community Standards and Education, the President of the Residence Hall Association, and the President of the Student Senate. The Director of Community Standards and Education serves as the administrative

advisor to the PRB, without the right to vote. A majority vote of those present is required for recommending action. In the event of a tie, the decision reverts back to the administrative officer who originally referred the case. In cases where the University is not in active session and the PRB has not been established or is not available, or where the University is in session and the PRB has not been established or is unavailable, the appropriate administrative officer serves as the original hearing body and the other designated administrative offices serve as the reviewing agent. The PRB is utilized for Level I cases.

- L. Recipient: the University
- M. Respondent: the student(s), group(s), or student organization(s) allegedly in violation of the applicable policy, procedure or guideline of the University.
- N. Student is defined as one who has attended or is attending Western New England University and whose records are in the files of the University.
- O. Student Handbook: the document that sets forth the rules and regulations relating to conduct of students, including information regarding the type of violation that will subject a student to conduct review and the procedures.
- P. University Policies, Rules and/or Regulations: This term refers to the written regulations of the University including, but not limited to any policy or regulation set forth in official University communication, policies, agreements, handbooks, or websites.

