



# STUDENT HANDBOOK

## 2019-2020

ST. THOMAS UNIVERSITY  
SCHOOL OF LAW



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St. Thomas University School of Law is an equal opportunity institution of higher education. The Law School conforms to all applicable laws prohibiting discrimination and is committed to nondiscrimination on the basis of gender, sexual orientation, marital status, age, race, color, disability, religious affiliation, national origin, ancestry, or social condition in its educational programs, admission policies, employment policies, financial aid or other school-administered programs and activities. The Assistant Dean for Student Affairs, located in the Law School Administrative Offices on the first floor of the main law school building, at (305) 623-2358 has been designated as the person to handle inquiries regarding this policy.

St. Thomas University School of Law reserves the right to change, without notice, statements in this handbook concerning rules, policies, fees, curricula or other matters. Statements in this handbook should not be construed as the basis of a contract between an applicant or a student and the Law School or the University.



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**ST. THOMAS UNIVERSITY SCHOOL OF LAW**

**MISSION STATEMENTS**



## **THE MISSION OF ST. THOMAS UNIVERSITY**

St. Thomas University is an urban, student centered, Catholic university with rich cultural and international diversity, dedicated to developing leaders who contribute to the economic and cultural vitality of the regions they serve.

## **THE MISSION OF THE SCHOOL OF LAW**

St. Thomas University School of Law trains and graduates lawyers capable of applying legal principles to address and solve problems of an increasingly complex and changing society. The rigorous academic program of the Law School emphasizes lifelong learning and scholarship in a personalized, caring environment under Catholic auspices with a diverse student body and faculty. To this end, the Law School remains committed in teaching, scholarship, and service, to fostering a public order of human dignity, to training lawyers sensitive to the needs of the region's underrepresented communities, and to expanding access to professional opportunities which includes active partnerships with business, government and the South Florida Community.



**ST. THOMAS UNIVERSITY SCHOOL OF LAW**

**RULES AND REGULATIONS**



## PROGRAM OF STUDY

### REQUIREMENTS FOR THE J.D. DEGREE

To be eligible for the degree of Juris Doctor (J.D.), a student must meet:

1. successfully completed 90 credits with a cumulative grade point average of 2.0;
2. attended as a “full time” student or “flex time” student (as defined below);
3. completed all required courses and academic requirements within five years of initial matriculation, unless a written extension of this period is granted by the Academic Standing Committee or the Dean;
4. completed the 50-hour *pro bono* requirement (as defined in this handbook).
5. completed the skill requirement of at least 6 hours of designated skill course credit hours.
6. satisfied the Intensive Writing Requirement by receiving a passing grade in a seminar class.

"Full-time" study requires completion of 12 or more hours per fall or spring semester. A “flex time student” must take at least 9 credits in any fall or spring semester. A student may be a “flex time” student only with approval of either the Assistant Dean for Enrollment and Scholarships or the Assistant Dean for Student Affairs. A student may not enroll in more than 15 hours in any fall or spring semester without the approval of the Associate Dean for Academic Affairs or her designee. Any student may take any number of credits (but not to exceed 18) in his or her last semester if he or she obtains prior approval from the Associate Dean for Academic Affairs or her designee. A student may take no more than 15 on-line credits that will count towards his or her J.D. degree. No student is required to take classes any summer term. No student may take more than 7 J.D. credits in any summer term, without express approval of the Associate Dean for Academic Affairs.

When a student is out from school for any reason (for example, leave of absence, dismissal, visiting other schools), he or she will be obligated to meet the requirements in place at the time the student is readmitted to the Law School.

Degrees are ordinarily conferred upon students who meet the prescribed academic requirements. The Law School reserves the right, however, to withhold a degree whenever it appears that a student's character, conduct, or the quality of work completed will prevent acceptable representation of the school or compromise the standards of the legal profession.

St. Thomas University considers the graduation ceremony to be an academic event. There is a formal graduation ceremony only in the spring semester each year. Only students who have completed all requirements for graduation prior to the date of the

ceremony, and those students who have registered for the summer session to complete 9 or fewer credits remaining toward graduation, will be allowed to participate.

Please note that requisites for graduation are subjected to change by the faculty. Students must meet the requisites for graduation in existence in the semester in which they would otherwise graduate.

### REQUIRED COURSES\*

Civil Procedure	Legal Skills Workshop
Contracts	Criminal Law
Torts	Constitutional Law
Legal Analysis, Writing and Research	Property I
	Advanced Legal Research and Writing
Appellate Advocacy	Advanced Legal Skills
Business Associations	Evidence
Professional Responsibility	Bar Prep Skills

\* *Students who matriculated prior to Fall 2016, should consult the law school website.*

### ACADEMIC REQUIREMENTS

In addition to successfully completing the required classes and obtaining a total of ninety (90) law school credits, all students must:

1. taken and passed a course described as a “seminar which satisfies the **Intensive Writing Course Requirement** (as defined in this handbook)
2. complete at least 6 credits of **Skills Instruction** (as described in this handbook)
3. complete the **Pro Bono Requirement** (as described in this handbook).

### PROBATION MODIFICATION

Any student who goes on “Academic Probation” as defined in the Handbook may be required to add additional courses as ‘required’ for graduation. If such a determination is made, the student will be advised in writing of the additional course(s) required by the Associate Dean of Academic Affairs.

### INTENSIVE WRITING COURSE REQUIREMENTS

The Intensive Writing Course requirement is satisfied by successful completion (i.e. a passing grade) of a Seminar Course.

All Seminar Courses will require the completion of one or more writing assignments that involve legal research, appropriate citations, independent thought, critical thinking, and legal analysis on the part of the student writer. The professor will have the academic freedom to tailor the writing assignments to his or her seminar’s subject matter and course objectives. There will be no ability for a student to satisfy this requirement without completing a seminar course.

- a. Independent Study cannot satisfy the Intensive Writing Course Requirement
- b. Seminar Courses are only taught by full-time faculty or adjuncts approved by the faculty.

## SKILLS INSTRUCTION

The educational objectives of the clinical programs at St. Thomas are to the following:

1. to serve the public;
2. to explore career possibilities in various areas of legal practice;
3. to gain first-hand insight into the strategic and ethical dimensions of the profession; and
4. to acquire valuable legal skills in a supportive educational environment.

St. Thomas has a broad range of clinical and skills opportunities. This variety allows accommodation for a wide range of student substantive interests and opportunities for experiencing law in many different practice contexts. Keep in mind that clinical deadlines are generally several months before regular course registration. This is to allow for required background checks and orientation programs. In addition, to internships, externships and clinical opportunities the curriculum includes simulation based skills courses that are taught in small sections with intensive practical work.

All students are required to satisfy the Professional Skills Requirement prior to graduation. The Professional Skills Requirements may be satisfied by taking at least six credits of courses designated as “Skills” courses. The “Skills” designation appears in the course description as an “{S}” and in the course title on the schedules published for registration.

## PRO BONO REQUIREMENT

In furtherance of St. Thomas University School of Law’s mission to provide service to the community, both the law school faculty and students must meet mandatory *pro bono* requirements. Each student is required to perform a minimum of fifty (50) hours of *pro bono* before graduation. First-year law students are only allowed to participate in community based *pro bono*; however, second- and third-year law students are able participate in both legal and community based *pro bono*. This requirement instills a long-term *pro bono* ethic among law students and provides them with practical legal experience. Students work under the supervision of lawyers in a variety of non-profit legal service organizations, government agencies, and law firms. The Office for Career Development coordinates the *pro bono* program, developing a variety of sites where students can fulfill their *pro bono* requirement, and maintains the records of students’ *pro bono* work. A comprehensive handbook explaining the *pro bono* program, listing the organizations, and containing the reporting forms can be found in the Office for Career Development, or online under the Career Development tab.

## CLINICAL PROGRAMS

The educational objectives of the clinical programs at St. Thomas are to:

1. serve the public;
2. explore career possibilities in various areas of legal practice;
3. gain first-hand insight into the strategic and ethical dimensions of the profession; and
4. acquire valuable legal skills in a supportive educational environment.

St. Thomas has a broad range of clinical opportunities. This variety allows accommodation for a wide range of student substantive interests and opportunities for experiencing law in many different practice contexts. Keep in mind that clinical deadlines are generally several months before regular course registration. This is to allow for required background checks and orientation programs. In addition, to internships, externships and clinical opportunities the curriculum includes simulation based skills courses that are taught in small sections with intensive practical work.

### **TRANSFER STUDENTS AND ADVANCE STANDING STUDENTS**

A student admitted as a transfer student from another law school or admitted as “Advance Standing Student” may be given credit for courses completed in another program of legal study. The student’s transcript will be evaluated by the Admissions Office and the student will be notified of the number of credits and the courses taken that will count towards the graduation requirements of St. Thomas University School of Law.

An “Advance Standing Student” is a student who has completed the course of study and obtained the terminal degree that allows the student to practice law in a foreign (non- United States) jurisdiction.

Any credits given to a transfer student or advance standing student for courses take at another institution do not factor into the student’s grade point average.

### **JOINT DEGREE STUDENTS**

Students participating in one of St. Thomas University School of Law’s Joint Degree Programs (as set out in the Law School Catalog) are given up to 12 credits for classes taken in the master-level classes as part of the joint degree programs and may have additional “required” law school classes. The details of the requirements of each of the Joint Degree Programs are set out in the Law School Catalog.

Joint degree students are governed by the rules and polices of both the Law School and the University and by any rules or policies applicable to their particular graduate program.

### **REQUIREMENTS FOR ADMISSION TO THE BAR**

A number of states require that a law student who intends to sit for the bar examination register with the appropriate state agencies prior to or during his or her legal studies. Students who desire admission to the bar of a particular state should contact that state’s Board of Bar Examiners to learn more about the state’s requirements for admission to the bar. It is important that this be done upon entering law school to prevent delaying admission to the bar. Information regarding bar admission requirements is available online at [www.barexam.org](http://www.barexam.org).

Admission to The Florida Bar is administered by the Florida Board of Bar Examiners. The requirements for admission are contained in the “Rules of the Supreme Court of Florida Relating to Admissions to the Bar.” In summary, these rules require that a prospective applicant to the bar possess the degree of Doctor of Jurisprudence from a school that is approved by the American Bar Association. An applicant must also possess a Bachelor’s degree from a college or university approved by a regional accrediting association or the Florida Supreme Court. The latter requirement may be waived for those applicants possessing a foreign law degree. Additional requirements relating to the character of the applicant must be met in order to be admitted to The Florida Bar.

It should be noted that the Florida Bar of Board Examiners (and other state bars) engage in quite a comprehensive investigation regarding character and fitness issues. Past criminal behavior, incidents suggesting substance abuse, or lack of financial responsibility and incidents suggesting a lack of candor or truthfulness may act as impediments to admission to the bar. Full, candid and early disclosure is in the applicant’s best interests. If you have questions concerning character or fitness issues, you should see the Assistant Dean for Student Affairs and/or discuss the matter with an attorney who specializes in bar admission issues.

For a full explanation, refer to the “Rules of the Supreme Court of Florida Relating to Admissions to the Bar.” Individuals with specific questions may contact the Florida Board of Bar Examiners, 1891 Eider Court, Tallahassee, Florida 32399-1750, (850) 487-1292 or visit their website at [www.floridabarexam.org](http://www.floridabarexam.org).

### EMAIL AND OFFICIAL NOTIFICATION

All students are assigned STU email accounts upon entering the Law School. The email address is generally the student’s first initial then last name (and sometimes a number) @stu.edu (e.g. jdoe@stu.edu). Students are required to access their STU email account regularly.

All official notices are sent via STU email accounts and students are charged with the responsibility for accessing such notices. Notices regarding class information, attendance issues, financial aid status, scholarships, employment information and other matters germane to the Law School are disseminated by use of STU email.

### LAW SCHOOL APPLICATION

All law students were required to complete a comprehensive application when they applied for admission to the Law School. That application includes a signed certification of accuracy. The Law School will be required to provide a copy of the Law School application to the bar examiners from the respective state to which a student applies to sit for the bar examination. Bar examiners typically review the bar application and the Law School application for consistency and completeness. Therefore, it is essential that the Law School application be in conformity with the bar application. Students are specifically directed to the following questions on the Law School application:

Question:

*“Have you ever been dropped, suspended, warned, placed on academic or disciplinary probation, accused of an honor code or student conduct code violation, disciplined, expelled, advised or*

*required to withdraw, or otherwise been subject to discipline by any college, university, graduate or professional (including law) school?"*

Question:

*"Since the date of your 16<sup>th</sup> birthday have you ever been arrested for, charged with, or convicted of a crime? You must include juvenile offenses, alcohol offenses, including driving under the influence of alcohol or drugs, and any adjudications withheld by court. Also include any misdemeanor or felony offenses for which the charges were dropped, dismissed, referred to a pretrial interventional program, deferred prosecution and/or for which the records have been sealed or expunged. If you have ever been arrested for, charged with or convicted of a felony you must include copies of official documentation that demonstrates the disposition of the matter. Please explain in detail the circumstances surrounding the incident(s) and the disposition of each matter. The school has the right to conduct a criminal background check on all applicants to verify the information disclosed. Additionally, the school may revoke an acceptance if the applicant has not made a full disclosure.*

Also, students were required to list all places of employment and all colleges, universities and professional schools attended. It is important that these matters be completely and honestly disclosed on the Law School application. The fact that records were sealed or expunged does not justify non-disclosure of the underlying incident. Students have a continuing duty to amend their law school application for incidents that occur after the application was filed and prior to graduation.

To amend an application, to correct incomplete or inaccurate information or, to include an incident that occurred after the application was filed the student must submit to the Assistant Dean for Student Affairs, **in writing**, an Amendment to the application.

The Amendment must state:

- 1) What is being amended/corrected.
- 2) Why the amendment/correction is necessary (i.e. explain why the correct information was not included in the original application).
- 3) A complete explanation of the facts and circumstances surrounding the incident that is the subject of the Amendment.
- 4) A complete explanation of the disposition of the matter.
- 5) The nature of any official documentation generated in regard to the incident (a copy of the documentation should be attached).

The Amendment should be submitted by use of the form available at the St. Thomas Law school website. The Amendment must be submitted in a timely manner. The Amendment will then be considered and the Assistant Dean for Student Affairs will decide whether to accept the Amendment. Failure to have provided an accurate application or to timely amend an application may be the basis for an honor code violation and may cause the law school to revoke admission, dismiss the student, revoke or withhold the granting of the *Juris Doctor* degree or take any other action necessary to protect the integrity of the Law School. Disposition of an amendment is handled by the Assistant Dean for Student Affairs. Acceptance of an amendment may be conditioned on the student providing additional information or updates, completing additional *pro bono* hours or other requirements.

If the amendment provided is not “accepted” by the Assistant Dean for Student Affairs because he finds that the nature and content of the amendment may have led to the student not being offered admission or arose from conduct after the filing of the original application that call into question the student’s fitness and character to remain a student, or an amendment filed very late that eliminates the feasibility of any modification of the terms and condition of the student, the Amendment will be referred to the Honor Council for disposition.

If a matter is not referred to the Honor Council for disposition and the student filing the amendment disagrees with the disposition of the Assistant Dean for Student Affairs, the student can appeal that disposition to the Associate Dean for Academic Affairs who may consider the matter *de novo*. The Associate Dean for Academic Affairs may also refer any appealed disposition of an amendment to the Honor Council.

### **SUMMER SCHOOL/SUMMER ABROAD PROGRAMS**

The purpose of summer school is to provide students with an opportunity to take additional courses during their law school careers, and also to enable them to lighten their normal course loads in the fall and spring semesters. Students may accelerate graduation by attending summer sessions, provided that they are in compliance with all other requirements necessary for graduation. A student may not enroll in more than seven hours in a summer session. Students are generally not allowed to visit at the regular summer term of other local schools.

Please be advised that students who attend summer school and otherwise complete the requirements for graduation in summer school will not be certified to sit for the July Bar examination. Since summer school grades are not due until after the July Bar Examination, the Registrar will not be able to certify summer graduates to take the July Bar. This means the earliest Bar a student completing the requirements for graduation in the summer term can take will be the following February’s Bar.

A St. Thomas law student desiring to attend an accredited law school program for a summer session, at another U.S. law school or at a summer abroad program, must comply with the following requirements and procedures:

1. The student must obtain the written approval of the Assistant Dean for Student Affairs prior to registering for the course(s).
2. Requests must be in writing, accompanied a description of the program and courses to be taken.
3. The program must be approved by the ABA.
4. The student must be in good standing, both academically and financially, at St. Thomas University School of Law.
5. To receive credit, the student may only take courses that are not required for graduation at St. Thomas; a maximum of seven elective credits will be accepted per year.

6. In order to transfer credits earned, grades of "C" or better must be obtained in each of the courses attempted; credits earned will be recorded on the transcript but will not be included in the computation of the cumulative grade point average. No credits will be given for any course, internship or clinic graded on a pass/fail basis.
7. A letter of good standing will be furnished by the Assistant Dean for Student Affairs directly to the particular program authorizing the participation of the student.
8. Credits earned at summer abroad programs from ABA accredited schools may be counted toward residency requirements.
9. A letter will be written to the student, with a copy to the student's file, specifying the terms and conditions of approval to attend the program.
10. Students must request that the program transcript be sent directly to the St. Thomas University School of Law Registrar as soon as the program is completed.

### **AUTHORIZATION TO VISIT ANOTHER SCHOOL**

A St. Thomas law student may under some circumstances visit another ABA accredited law school. Students can generally visit in any ABA approved study abroad program. But, a student may not visit at any other school during his or her first year or third year. Generally students cannot visit at any local law school.

Students may be allowed to visit at a law school in another state or locale if there are circumstances warranting the need to take classes elsewhere. The student must obtain the written approval of the Assistant Dean for Student Affairs prior to registering for any courses. The student must submit a written request to the Assistant Dean for Student Affairs. Students are not allowed to visit in their last two (regular) semesters except upon showing of exceptional circumstances and with express approval of the Associate Dean for Academic Affairs.

The student must be in good standing, both academically and financially, at St. Thomas University School of Law. He or she will be allowed to transfer a maximum of 15 elective credits per semester (7 credits in the summer). Students can only take elective course credits while visiting at another school. All required courses must be taken at St. Thomas University School of Law. In order to transfer the credits earned, the student must receive a grade of "C" or above (pass/fail is not sufficient) in each of the courses attempted. The credits earned will be recorded on the transcript, but they will not be included in the computation of the grade point average.

A letter of good standing will be furnished by the Assistant Dean for Student Affairs directly to the school authorizing the student to take courses at their institution. A letter of authorization will be provided to the student, with a copy to the school the student will be visiting specifying the terms and conditions of approval to visit the other law school. Students must request from the visiting school that transcripts be sent directly to the St. Thomas University School of Law Registrar as soon as the semester has ended.

Please be advised that if under any circumstances a student is visiting a law school in his or her last semester that unless that school submits all grades to the Law School

Registrar for that student **prior to the graduation date** set by St. Thomas University School of Law in that semester, that student will not be able to actually graduate until the following semester. This may affect the student's ability to sit for the Bar examination in that he or she will be deemed to have graduated in the subsequent semester.

### CREDITS ACQUIRED AS A VISITING STUDENT

Students allowed to visit at any other ABA accredited school will receive credits for classes taken in the other program under the following conditions:

1. Summer programs limited to 7 credits; up to an additional 2 credits may be allowed with special authorization from the Associate Dean for Academic Affairs; and
2. Fall/Spring limited to 15 credits (up to an addition 3 credits may be allowed with special authorization from the Associate Dean for Academic Affairs); and
3. Student may only take elective credits, (not required courses); and
4. Courses taken must be for a grade (not pass/fail); and
5. Student must receive a grade of C or above in the course to receive credit from St. Thomas.

### REGISTRATION

Registration is a formal procedure that represents both an academic and a financial commitment. To be officially enrolled at the Law School, students must register on-line or by submitting a drop/add form to be manually processed by a staff member of the Law School Registrar's Office. Students must complete the financial part of registration before each term's classes begin.

Attending class by itself does not constitute an official registration. All prior balances must be cleared before students are permitted to register for the current term. The financial obligations that a student incurs through registration remain unless the registration is cancelled by the Law School or the student officially withdraws from school during the refund period. If a student withdraws during the refund period, he or she is entitled to a refund based on the effective date of the withdrawal.

### COURSE CHANGES

Students who decide to add, drop, or change their course schedule must do so via Web Advisor by the end of the add/drop period. Students can access MyBobcat online at St. Thomas Law school website. If problems occur while accessing the web site, or in processing the add/drop transaction, the student will need to contact the Registrar's Office. Students enrolled in the J.D. program must be enrolled full-time (12 credits minimum during the fall and spring semesters). Unless the student is designated as a "flex" student in which case he or she must register for at least 9 credits.

The add/drop period for the fall and spring semesters is scheduled during the first week of class. In the summer, the add/drop period is the first three days of class. Discontinuing class attendance does not constitute official withdrawal. *Once the add/drop period has passed, students may only add or drop individual courses upon receiving written approval from the Assistant Dean for Student Affairs. Students who*

*are authorized to withdraw from any class after the add/drop period remain financially responsible for the course from which they withdraw.* Students authorized to withdraw must submit the written approval to the Registrar's Office for processing. A "W" grade will be entered on the transcript. Students who fail to submit the written approval from the Assistant Dean for Student Affairs to the Registrar's Office will receive a grade of "F".

Students who completely withdraw from the Law School must return all borrowed books to the libraries, pay any fines due and clear all outstanding accounts with the Law School and/or the University.

## ATTENDANCE

### CLASS ATTENDANCE

Standard 304 of the Standards for Approval of Law Schools of the American Bar Association states that regular and punctual class attendance is necessary to satisfy residency and class-hour requirements.

The Law School is required to certify that bar applicants were in regular attendance and have successfully completed the course of instruction required by the school for the J.D. degree. The Dean has charged each professor with noting absences.

### ATTENDANCE AND ENROLLMENT

Attendance at classes is mandatory. A student may enroll in a course after the first week of classes only with permission of the instructor and the Associate Dean for Academic Affairs. Prior to enrolling in a course for which credit is obtained, a student must complete all prerequisites for that course, unless prior approval has been granted by the instructor and the Associate Dean for Academic Affairs.

Attendance and preparation for class may be considered in determining students' grades in courses. A student may be requested to leave a class for being unprepared.

During the first full academic year of residence at the Law School, a student is required to maintain enrollment in all first-year required courses unless the student obtains prior administrative approval from the Assistant Dean for Student Affairs or the Assistant Dean for Enrollment and Scholarships. In subsequent years, a student may drop a course during the first week of classes, provided that the student remains enrolled in 12 or more credit hours. After the first year, students are required to enroll in not less than twelve credit hours of courses each semester, unless he or she obtains prior permission to take less credits (but no fewer than 9) from the Assistant Dean for Student Affairs or Assistant Dean for Enrollment and Scholarships.

### ATTENDANCE POLICY

This attendance rule is designed to help enforce the current 20 percent limit on class absences in a fair and consistent manner and to emphasize the importance of class attendance by precluding students from sitting for the final exam who have missed too large a portion of a course — *for whatever reasons* — to have mastered the course material. In relevant part, the rule states: No absences are considered "excused". All absences **for**

**whatever reason** are counted for purposes of the rule.

<b>Term</b>	<b>Class Frequency</b>	<b>Maximum Absences</b>
Fall/Spring	Three times a week	8
Fall/Spring	Twice a week	5
Fall/Spring	Once a week	2
Summer	Three times a week	4
Summer	Twice a week	2
Summer	Once a week	1

For classes that meet on another class schedule, the number of classes that do not exceed 20% of the total class time.

The required amount and method of contact for on-line or partially on-line classes will be set out in the syllabus provided by the professor for the class to insure that students work regularly and consistently over the term of the class.

Missing any part of a class may be counted as missing the entire class. "Make-up" classes count as if a regular class session.

A student shall receive a grade of "F" (an "Administrative F") for a course and shall not receive academic or residency credit for the course if the student absences exceed those outlined above.

This rule does not preclude instructors from also imposing their own, more demanding attendance requirements. This rule also does not preclude a student from petitioning the administration prior to the beginning of the exam period to voluntarily withdraw from school and receive a "W" in the class(es) in which the student was enrolled at the time. The Law School does not guarantee that students will be notified when they are near the applicable limit of absences in a course. No appeal of the rule's sanction to the administration or faculty is permitted.

[Adopted by the Faculty, effective Fall 1996.]

### **WITHDRAWAL IN LIEU OF ADMINISTRATIVE F**

In exceptional cases if a student has exceeded the 20 percent limit on absences from a course and he or she provides evidence of exigent circumstances and, in the judgment of the Assistant Dean for Student Affairs, the absences have resulted from exigent circumstances beyond the student's control, the Assistant Dean for Student Affairs may direct the Registrar to enter a "W" (indicating withdrawal) for the course on the student's official transcript.

An "exigent circumstance" is one that arises due to serious illness or injury to the student, death of an immediate family member, or a call to active duty in the military.

It is not an exigent circumstance if a student has taken on a work load that exceeds the work load he or she contemplated at the time of registration. A student cannot withdraw from a class (even an elective class) due to inconvenience or scheduling conflicts.

Even when a student is allowed to withdraw (receive a “W”) from a class, he or she may remain financially responsible for the class.

Students should also be aware that being allowed to withdraw from a class (or all classes) may have a negative impact on the student’s ability to qualify for financial aid.

[Adopted by the Faculty, effective Spring 2002.]

*Attendance LL.M. Programs*

The School of Law’s attendance policy also applies to all courses of the LL.M. Programs in Intercultural Human Rights and the LL.M. in Environmental Sustainability. The Directors of each Program respectively may excuse non-attendance in individual cases for compelling reasons.

## COURSE CANCELLATION

From time to time, a course will draw insufficient enrollment and must be cancelled. Make-up classes will be scheduled for any cancelled class and attendance at any make up class shall be treated as “required” class as set forth above. No professor may schedule a make-up class that conflicts, with any other required class.

## GRADES

### BASIS

The unit of credit at St. Thomas University School of Law is the semester hour. Credits may be earned in the regular fall and spring semesters or in a summer session. A student’s performance in courses and seminars is evaluated with letter grades which translate into quality points according to the scales below:

#### GRADES AND GRADE POINTS

A	=	4.0
B+	=	3.5
B	=	3.0
C+	=	2.5
C	=	2.0
C-	=	1.5
D	=	1.0
F	=	0.0
P/NP	=	Pass/Fail (grade points are not applicable)

St. Thomas University School of Law uses letter grading for course evaluation purposes

and the semester system for its calendar. No transfer credits are used in calculating the St. Thomas University School of Law Grade Point Average (GPA).

## GRADING CURVE

Students are required to maintain a 2.0 grade point average to be considered in good standing. First year classes have a mandatory grading curve such that the average grade for each first year course must fall between a 2.25 and 2.5. Required upper level courses have a mandatory grading curve of 2.25-2.75. In each first year and upper division required course, at least 15% of all grades assigned shall be higher than C+ and at least 15% of the grades assigned shall be lower than C. Elective courses have a mandatory grading curve of 2.50-3.25. The current range of means requirement for electives (2.25-3.00) does not apply to Legal Writing, Summer-in-Spain, seminars, clinics, and skills courses. Elective courses with an enrollment of ten or less are exempt from the mandatory curves.

A student's grade point average for any given period is determined by dividing the total quality points earned by the number of graded semester hours attempted during the period. The total quality points for any given period is derived by multiplying the numerical value of the grade earned in that period by the number of semester hours of the course, and then adding the sums derived for each course in the given period.

An "F" grade or "NP" grade remains on a student's permanent record and the credit attempted is not counted toward residency requirements. Both the failing grade and the grade earned when the course is repeated are computed into the grade point average.

The University's administrative database maintains a complete record of each student's progress, which includes the grades earned, hours attempted and completed, semester grade point averages and cumulative grade point averages. Students may access their grades online at the St. Thomas Law school website under "Students". Unofficial transcripts for printing can should be accessed online at <http://www.flvc.org>. No official transcript, letter of good standing, Dean's certificate, certificate of completion, diploma, or leave of absence will be granted to any student until all financial obligations to the Law School and/or the University have been met.

## GRADE REPLACEMENT POLICY

A law student may replace a poor grade earned in one class during law school by retaking the class.

If a student earned a C-, D, F or NP in a class, he or she can retake the class and whatever he or she makes on the retake will replace the earlier grade. Students can do this only once for one class. The "new" grade replaces the earlier grade (so the student gets the "new" grade, not the higher grade). Also, this only applies to the exact same class (with the same course number). So, if a student is unable to retake a class due to the fact that it is not offered, he or she is not able to take advantage of this opportunity.

The student is charged for the new class (if he or she is paying by the credit hour) when he or she retakes it. However, since full time J.D. students do not pay by the credit hour it may not actually lead to an additional cost. Upon completion of the course the second

time, the student's grade from the earlier class is replaced with an asterisk on the transcript that indicates that the course was retaken for improvement of grade. The student loses the credit hours associated with the class from the first time he/she took it. The transcript will show the class when it was retaken and the grade and credit from the retake will be included.

Please note that the student's grade point average will not be retroactively adjusted, but the grade replacement will be used in any ranking going forward from the time of the replacement. So, the previous grade no longer factors in the student's grade point average and the replacement grade becomes a component of the student's grade point average.

### **CLASS STANDING/RANK**

Class standings are computed approximately three weeks after all grades are submitted at the end of each fall and spring semester by percentile rank and are posted on the Registrar's bulletin board. Students are not ranked at the conclusion of the summer term. Also, no adjustment is made to ranking due to grade changes that occur after the ranking are published.

If any student receives advanced standing credits to be applied towards the Juris Doctor degree those credits will not be applied toward the J.D. degree until the last semester in which the student is scheduled to graduate. So, those credits (and grades if applicable) will not be used for purposes of ranking registration.

### **RANKING POLICY FOR TRANSFER STUDENTS**

After a transfer student completes one semester at St. Thomas University School of Law, the student will then be ranked in accordance with the Law School policy. Only St. Thomas University School of Law quality points will be considered in assigning the rankings. A transfer student is not eligible for a Merit Scholarships (based on class ranking) until he or she has completed two regular semesters and the regular class rankings have been computed.

### **CUMULATIVE WEIGHTED AVERAGE**

A student's grade point average for any given period is determined by dividing the total quality points earned by the number of graded semester hours attempted during the period. To be considered for graduation, a student must successfully complete at least 90 semester hours of course work. A student is only eligible for graduation if he or she is in good standing. Therefore students must have a cumulative G.P.A. of 2.0 or above.

### **STUDENT ADVISING**

The Office of the Assistant Dean for Student Affairs works to insure that all J.D. students are provided academic advisement. Students, at their discretion, can meet with any of: the Assistant Dean for Student Affairs, the Assistant Dean for Professionalism, the Assistant Dean for Enrollment and Scholarships, the Assistant Dean for Alumni Relations, the Assistant Dean for Career Development, the Associate Dean for Administration, and the Associate Dean for Academic Affairs to discuss course offerings, curricular planning, clinical experiences, satisfaction of the senior writing

requirement and any other questions regarding completion of the J.D. program, preparation for the Bar examination and guidance with regard to career path options. If a J.D. student is unsure who to meet with regard to these matters, the student can contact the office of the Assistant Dean for Student Affairs for assistance.

The Office of the Assistant Dean for Student Affairs also refers students to Professors, Adjunct Professors and Career Counselors in the Office of Career Development who can provide specific information and guidance with regard to areas of practice and guidance on career path options.

All students are required to meet with the Office for Career Development at least once per year. Students will be notified as to the dates for these meetings via email each year. At their individual appointments, First and Second-year students will discuss career goals, interviewing strategies, and applications for summer internships. Students who do not comply with this requirement will be precluded from registering for classes. Third-year students will meet with the Assistant Dean for Career Development who will conduct an Exit Interview. Students who do not comply with this requirement will not be eligible to graduate.

LL.M. students and J.S.D. students should consult with the Director of the Graduate Program in Intercultural Human Rights or the Executive Director of the Graduate Program in Intercultural Human Rights for Academic Advisement and guidance.

The Associate Dean for Academic Affairs is responsible for class scheduling, and meets with students who wish to discuss their course and scheduling preferences.

First-year students are introduced to the Law School culture and academic requirements during the orientation program. The Law School catalog and website clearly set out all course and academic requirements. All full-time law faculty have an “open door” policy and mandatory office hours. Advance placement students and transfer students meet with the Assistant Dean for Student Affairs for Enrollment and Scholarship. Students in one of the joint degree programs meet with the Assistant Dean for Student Affairs.

## EXAMINATIONS

Under no circumstances should students ever write their names anywhere on the blue books, or otherwise identify their exams by name or any other way before, during or after an exam. Students are required to use only their AGN (Anonymous Grading Number).

There are certain take-home exam/paper that will require students to use their name instead of the AGN, this is the only exception.

Students are not allowed in the faculty office area during the reading period, when exams are being prepared, or during the exam period, unless instructed by a professor to submit a paper to the faculty secretaries.

## COMPUTER USE ON FINAL EXAMS

Students are generally provided the option of using a personal computer to generate an answer on essay-style examinations. This option is facilitated by the use of a software

program known as "Exam4." Exam4 allows the student to use his or her personal computer as a word processor; however, it blocks access to the internet and all other software programs. Exam4 also does not make available spell check, grammar check or other corrective features.

Exam4 is compatible with personal computers and with Apple operating systems. Students must provide their own computer for use on examinations.

Students must follow the directions provided by the Registrar to enable Exam4 prior to the start of his or her first exam. A student may elect to handwrite any one or more of his or her examinations even if he or she registered for Exam4.

### **PROCEDURES FOR ADMINISTRATION OF EXAMINATIONS**

Each student will be issued a different examination number for each semester. These numbers will be available in the Registrar's Office. An announcement will be sent out by email and posted on the registrar's bulletin board when the numbers are available.

The faculty, with the assistance of the Registrar's Office, is responsible for the administration of examinations. Students, under the provisions of the Code of Academic Integrity, are responsible for ensuring that examinations are fairly conducted and for reporting violations of examination procedures.

The day, time, and room assignments of examinations are posted prior to exams on the Registrar's bulletin board and on each classroom door. Students are required to take exams in assigned rooms. Assignments are made using the anonymous examination number selected by the Registrar on a random basis prior to exams, and rooms cannot be changed.

Each professor should issue detailed instructions regarding: the time, written materials, and number of bluebooks allowed; the importance of writing the anonymous examination number on all bluebooks and the examination; and the proper securing and numbering of bluebooks, i.e., 1 of 3, 2 of 3, etc.

If two rooms are to be used for the same exam, students need to ascertain that they are in the correct room by checking the anonymous grading numbers posted on the doors of the classrooms.

During examinations, proctors will enter classrooms, restrooms, and hallways and report any problems that may occur. Students must follow all directions of the proctors any problems or disagreements are to be resolved by the Registrar. Students are allowed to bring into the classrooms only those written materials explicitly allowed by the faculty member. Students are not allowed to take any written materials into the restrooms or the hallways while taking exams. Improper conduct during an examination should be reported directly to the Assistant Dean for Student Affairs or the Associate Dean for Academic Affairs. Materials that are allowed to be brought into the testing room may be limited. Students are responsible for being aware of what is, and what is not, allowed in a testing room.

When students complete exams, they will check off their exam numbers in the "sign-out" book provided in the classrooms and leave their exams in the designated boxes. Each room will have a supply of bluebooks and paper clips so that the books and exams will

be secured properly. At the end of the exam period, all exams must be "signed out" and placed in the designated boxes in the classrooms. The professor or monitor will pick up the box of bluebooks at the end of the exam and deliver them to the Registrar's Office for processing.

Thereafter, the Registrar's Office will provide professors with the bluebooks and a grading sheet listing the anonymous examination numbers.

### **POLICY ON ABSENCE FROM FINAL EXAMINATION OR FAILURE TO SUBMIT FINAL EXAMINATION**

1. Students shall appear for final examinations at the date, time and place specified in the posted exam schedule.
2. Students shall appear for and hand in examinations. Students will be excused from complying with these requirements only in rare instances and for extraordinary cause. No student shall be excused from his or her failure to hand in a final examination at the designated time and place unless both of the following conditions are met:
  - a. The student establishes, to the satisfaction of the Assistant Dean for Student Affairs, that "extraordinary circumstances" exist(ed) which would warrant exempting the student from the requirement of taking the examination at the designated time; and
  - b. The student has given timely notice of the extraordinary circumstances to the Law School.

Notice is "timely" only if given to the Assistant Dean for Student Affairs as soon as practical after the student becomes aware of the circumstances. If such circumstances arise during the taking of an examination, the student must inform the exam monitor.

3. If the Assistant Dean for Student Affairs determines that extraordinary circumstances have been sufficiently established, the Assistant Dean for Student Affairs will set a rescheduled examination. The content of the rescheduled examination may differ from the content of the regularly scheduled examination. A student who takes an examination at any time other than the regular scheduled time may be required to waive anonymity in the grading of the exam.
4. A student shall not exit an examination with the examination or fail to turn in all components of an examination.
5. A student may not bring into a testing room or have on his or her person any devices or material not allowed in the room.
6. A student may not take from the testing room any of the testing materials.

### **FAILURE TO COMPLY WITH EXAM RULES/PROCEDURES**

Failure to comply with the examination rules and procedures set forth herein or in the examination itself may lead to the examination being deem invalid and the student being given an "F" (or zero) for the applicable exam.

## EXAMINATION REVIEW POLICY

1. The examiner, a member of the faculty, is **not permitted** to change an examination grade.
2. It is recommended that faculty members provide written comments on student examination papers and, where clarification of these comments is required, faculty members should give personal interviews to students, by appointment.
3. All students are permitted to **view** their examination(s). Students will do so by contacting the professor directly or by appointment with the secretaries to the faculty. The school retains examination papers for one academic year following the examination in question.
4. The anonymous examination number is required to review an examination, and must be given to the professor or faculty secretary in order to review the examination in question.
5. In the event of an alleged arithmetical or administrative error in grading, the faculty member concerned will promptly refer the matter to the Associate Dean for Academic Affairs with his or her recommendation for determination.
6. Only the Associate Dean for Academic Affairs may change a final grade reviewed for **arithmetical** or **administrative** reasons.

## PRINTING/PHOTO COPYING POLICY

### 1.0- GENERAL

St. Thomas University has implemented the Pharos Print solution to provide a "green", student-friendly approach to printing and photo copying on campus. The system increases student functionality to a wide range of services to meet ever-evolving document needs. At the start of each semester, each law student is given \$75.00 worth of print credit which is equal to 1500 pages/ per semester. This can be used for both printing and photocopying in the law school library. A student may replenish his/her account by going to <http://www.stu.edu/print> with a minimum purchase of \$5.00/100 pages using a credit card. The 1500 credit is replenished at the start of each semester for each student; any "unused" credit does not roll over from the previous semester.

### 2.0- FREE PRINT CREDITS

**2.1-** Students are given a standard number of free print/photo copying credits each semester. This allows printing and photo copying.

**2.2-** At the beginning of each semester students will be credited with 1,500 pages. This allocation can be used both to print and to make photo copies.

**2.3-** A "page" consists of a single sheet of paper, regardless of whether the student prints on one side or both sides. Because of this, students can make the most of their print credits by selecting double-sided and printing on both sides.

**2.4-** At the end of each semester all credits will be set to zero and new print credits will be issued at the beginning of the semester as described in **2.2** above.

**2.5-** Students can check their available print/photo copying credit balance at any of the Konica Minolta printers in law library by swiping their Student ID card at the terminal or by signing in as well. Students can also check their balance online at <http://www.stu.edu/print>.

**2.6-** The print/photo copying credit has no cash value; there are no refunds, carryovers or transfers for unused print credits, whether the unused print credit is free or paid.

### **3.0 PAID PRINT CREDITS**

**3.1-** After students exhaust their free printing/photo copy balance, they have the option to purchase additional pages online at <http://www.stu.edu/print>

**3.2-** Additional printing/photo copy credit is sold in five dollar (\$5.00) increments of one hundred (100) pages.

**3.3-** Additional printing credit purchased may not be credited to the student's printing account until the next business day. Therefore, it is incumbent upon each student to monitor his or her balance and plan accordingly.

**3.4-** At the end of each semester all credits will be set to zero and new free print credits will be issued at the beginning of the semester as described in **2.2** above.

### **4.0 SUPPORT**

**4.1-** Students in need of technical support should contact the Help Desk via email at [helpdesk@stu.edu](mailto:helpdesk@stu.edu) or by calling (305)628-6610.

**4.2-** Students are encouraged to visit the Office of Information Technology (OIT) website at <http://www.stu.edu/print> for the latest updates regarding student printing on campus.

## **DISABILITY SUPPORT SERVICES**

Disabled students are directed to contact the Assistant Dean for Student Affairs in order to request reasonable accommodations upon submission of adequate documentation of the disability. The school may require that the student be tested, at his or her expense, by a qualified professional. Student seeking accommodations for class room or examination conditions should consult the Disability Guidelines Handbook available from the Office of Student Affairs and also available online at St. Thomas Law school website under "Students". Students must make a request for accommodations and provide documentation in a timely manner.

Any student who has previously received special accommodations in an educational setting and or on standardized testing (e.g., the L.S.A.T) should consult with the Assistant Dean for Student Affairs about the policies and procedures regarding special accommodations. Generally professors are not consulted, advised, or informed of a student's request for accommodations and consultations remain confidential.

Any student suffering from a physical injury or illness that may impact his or her ability to take examinations under ordinary circumstances should consult the Assistant Dean

for Student Affairs as soon as practical to address the potential need for accommodations.

Students are provided special accommodation within the parameters of the Americans with Disabilities Act (ADA). Students taking examinations with accommodation must check with the Registrar to verify the time and place of their examinations. A student's failure to arrive timely for his or her examinations may lead to a termination of accommodations.

## STUDENTS SERVING IN MILITARY

Students serving in the military, including the guard or reserve components of the Armed Forces, may at times receive orders causing the student to miss classes or examinations. In general, the requirements associated with attendance, successful course completion, and total credit hours will not be waived. Students called for routine and short-term drill duty, for example, should manage their schedules and assignments on their own. However, if the military orders involve longer durations, if test dates are affected, or if other circumstances arise, students are encouraged to contact the Assistant Dean for Student Affairs, to determine whether accommodation of the military service is required or otherwise available.

## WITHDRAWALS

An enrolled student who wishes to withdraw from the Law School entirely must submit a withdrawal form or a written request for approval to the Assistant Dean for Student Affairs. Withdrawals will only be granted upon a showing of extraordinary circumstances. A student who fails to satisfy financial obligations to the Law School or the University will not be granted a withdrawal. Students authorized to withdraw from the Law School during a semester or a summer session, but prior to the beginning of an examination period, will receive a "W" as the recorded grade on his or her transcript. After the examination period begins, grades will be assigned in accordance with the Law School's grading policy. Discontinuing class attendance does not constitute a withdrawal. Any student who drops out of law school without obtaining the prior written approval of the Assistant Dean for Student Affairs will be deemed to have been dismissed from the Law School and will receive an "F" in any classes he or she was taking. Unless the Honor Council finds otherwise, any student who is expelled or dismissed for an Honor Code violation receives a "W" in all classes in which he or she was registered at the time of the dismissal or expulsion and the dismissal or expulsion are noted on the student's transcript.

A student cannot "withdraw" from any class after the drop/add period without the authorization of the Assistant Dean for Student Affairs. Withdrawing from a class is only allowed under "exigent circumstances." See "Withdrawal in Lieu of Administrative F" in this handbook for a description of "exigent circumstances."

A student wishing to withdraw from the University permanently with a grade point average below a 2.0 will be academically dismissed.

## LEAVE OF ABSENCE

An enrolled student who wishes to take a leave of absence must submit a written request for approval to the Assistant Dean for Student Affairs. In the case of a student who has not yet completed the first-year program, a leave of absence will be granted only for serious medical or personal reasons. A student who fails to meet any of the conditions of the leave of absence must reapply for admission. A student who has failed to satisfy financial obligations to the Law School and/or the University will not be granted a leave of absence. Students granted a leave of absence from the Law School during a semester or summer session, but prior to the beginning of an examination period, may do so with no grades recorded. After the examination period begins, grades will be assigned in accordance with the Law School's grading policies. A student out from school for any reason will be obligated to meet the requirements in place at the time of readmission to the Law School.

## TUITION

Please refer to the Law School Catalog or the Business Office Bulletin for the current schedule of tuition, fees, and refunds.

## PAYMENT PLANS

Students may choose to enroll in the Tuition Payment Plan for Fall and Spring semesters. There are 2 options: a (10) month installment annual plan for the academic year and a monthly installment plan for one semester. The application fee to join both plans is \$75. This fee is non-refundable and is not applied toward student account balances. Applications for Tuition Pay are online via [www.ecsi.net/stu](http://www.ecsi.net/stu). Any student inquiries should be directed to (866) 927-1438.

## PAYMENT OF STUDENT ACCOUNTS DUE THE UNIVERSITY

Please note that letters of good standing, transcripts, certificates of completion, Dean's certificates and diplomas are not released, and leaves of absence or withdrawals are not allowed, until all financial obligations to the Law School and the University have been met.

A student may not sit for examinations unless his or her tuition is fully paid prior to examinations and on a date set by the Law School administration, unless acceptable arrangements have been made for payment.

Students are encouraged to pay their fees on the Web, by logging onto the St. Thomas Law school website under "MyBobcat". Payments can also be made in person at the Business Office in Mimi Dooner Hall or mailed to:

**St. Thomas University  
Attn: Business Office  
16401 NW 37<sup>th</sup> Avenue  
Miami Gardens, FL 33054**

Normal Hours of Operation:

Monday – Friday

9:00 a.m. – 5:00 p.m.

## FINANCIAL ASSISTANCE

The law school has an in-house Director of Law Student Financial Services. His office is located in the Student Affairs suite on the first floor of the law school, across from the Law School Registrar's counter. The guidelines for Federal Financial Aid are set out below. The Director of Law Student Financial Services processes all law student loan applications, provides on-going training and information sessions to students regarding the financial aid process, financial aid planning and programs that may be available to a student to assess financial aid. Please note that disbursements are made from the University Business Office, therefore it is essential that students timely complete all financial aid forms and provide all needed information to allow for timely payment of tuition and receipt of disbursements.

To assist students with the cost of their education, St. Thomas University School of Law offers financial assistance to eligible law students in the form of scholarships, federal student loans and part-time employment. A law student at St. Thomas may receive a financial assistance packet combining aid from more than one of these sources. Aid from all sources may not exceed the cost of attendance.

St. Thomas University School of Law has a program that provides merit scholarships to incoming students based upon admissions criteria established by the Dean. Students may "earn" a merit scholarship in their second and/or third year based upon their class ranking.

In addition to merit scholarships there are a number of scholarships made available due to the generosity of donors and alumni. These scholarships are competitive and selection is based on criteria established by the donor.

Inquiries regarding law school scholarships should be made to the Law School Office of Admissions. Inquiries regarding other financial aid programs should be directed to the Director of Law Student Financial Services. The guidelines for Federal Financial Assistance are set out below.

### GENERAL ELIGIBILITY FOR FINANCIAL AID

To be considered for Federal Financial Assistance programs, a student must:

- Be a citizen, national or eligible non-citizen of the United States.
- Have a valid Social Security Number.
- Be Registered with Selective Service (if required by law).
- Be accepted and enrolled in the JD program at least half-time (6 credits fall/spring; 3 credits summer).
- Maintain satisfactory academic progress (as determined by the law school and the Financial Aid Standards of Satisfactory Academic Progress).
- Not owe a refund or be in default of any Title IV funds.
- Complete the Free Application for Federal Student Aid (FAFSA) and all other required forms within designated deadlines.

## APPLYING FOR FEDERAL FINANCIAL ASSISTANCE

Students interested in applying for federal student aid may do so only after they have submitted their application for admission to St. Thomas University School of Law. A student may complete financial aid forms prior to being accepted to the Law School at St. Thomas University. However, no offer of financial aid will be awarded until the student has been officially accepted for admission to the law school and all required financial aid documents have been received. **Financial aid is not available for audited or minimester courses.**

To be considered for federal financial assistance through the U.S. Department of Education's Federal Direct Student Loan Programs, the student must:

1. **Request a Federal Student Aid Identification (FSA ID)** at [www.fsaidth.gov](http://www.fsaidth.gov). Your FSA ID is used to electronically apply for federal student aid and access your federal student aid records online. Your FSA ID serves as your electronic signature. Be sure to keep your FSA ID in a safe place.
2. **Complete the Free Application for Federal Student Aid (FAFSA)** each year at [www.fafsa.gov](http://www.fafsa.gov). The result of your FAFSA is called the Student Aid Report (SAR) and it summarizes the data you reported on your application. You will receive your SAR via e-mail confirmation. Please be sure to read and review this information carefully for accuracy. Should you need to make corrections you may do so electronically by submitting a FAFSA correction online at [www.fafsa.gov](http://www.fafsa.gov). **St. Thomas University's Federal School Code is 001468.**
3. **Complete a Loan Entrance Counseling** online at [www.studentloans.gov](http://www.studentloans.gov). Federal regulations governing the borrowing of Federal Student Loans require that all students receiving a Federal Direct Student Loan must complete a Loan Entrance Counseling. If you are borrowing a Direct Stafford or Graduate PLUS Loan for the first time as a student of St. Thomas University's School of Law, you must complete an Entrance Counseling before your loans can be disbursed. You will only be required to complete the Loan Entrance Counseling once.
4. **Complete a Direct Unsubsidized Stafford Master Promissory Note (MPN)** online at [www.studentloans.gov](http://www.studentloans.gov). You must have an MPN on file with the U.S. Department of Education before your loans can be disbursed. If you are borrowing a Direct Stafford Loan for the first time as a student of St. Thomas University's School of Law, you must complete a Stafford Unsubsidized MPN before your loans can be processed. You may be eligible to borrow up to \$20,500 per academic year through the Stafford Loan program. These loans are unsubsidized so interest will begin accruing at disbursement at a fixed rate of 6.08%\*. This loan is subject to a 1.062%\* federal loan fee deducted at the time of disbursement. There is no credit check required and no payments are required while you are in school at least half-time. Several repayment options are available.
5. **Complete a Direct PLUS Loan MPN for Graduate/Professional Students.** In some cases, it may be necessary for you to request more than the maximum loan limit under the Unsubsidized Stafford Loan Program. The Direct PLUS Loan program may allow you to borrow up to your cost of attendance minus all other forms of financial aid you will be receiving. This loan is subject to credit

approval by the U.S. Dept. of Education. Interest on this loan will begin accruing at disbursement at a fixed rate of 7.08%\* and a 4.248%\* federal loan fee will be deducted at disbursement. Although the Direct PLUS Loan enters repayment immediately after the loan is fully disbursed, you are not required to make payments while you are in school at least half-time. To apply for a Direct PLUS Loan for Graduate/Professional Students you must complete a Grad PLUS MPN online at [www.studentloans.gov](http://www.studentloans.gov). You must have an MPN on file with the U.S. Department of Education before your loans can be disbursed. This loan is subject to credit approval based on criteria established by the U.S. Department of Education. If your application is declined due to adverse credit, you may be given the option to appeal the credit decision or apply with an endorser. Should your loan be approved, with a successful appeal or obtaining a credit-worthy endorser, you will be required to complete a **PLUS Loan Counseling** session at [www.studentloans.gov](http://www.studentloans.gov) prior to your loan being disbursed. To learn if your loan will be approved for credit, you may complete the "Apply for a Direct PLUS Loan" Process (this is a credit check) online at [www.studentloans.gov](http://www.studentloans.gov) after May 1<sup>st</sup>, 2019.

In addition to the items listed above, you may be required to submit other forms of documentation such as: proof of U.S. citizenship or permanent residency, income verification, copies of a valid Driver's License or Social Security Card, proof of Selective Service Registration, and/or proof of non-default. Be sure to review your Student Aid Report (SAR) carefully to determine if you should submit any additional documentation to the Office of Law Student Financial Affairs. Your financial aid file can only be processed once you have submitted all required documents.

**Please be sure to read all documents carefully and complete each item in its entirety. Incomplete applications will delay the processing of your Financial Aid file.**

*\*Rates and Fees are subject to change. For more information on the Federal Direct Student Loan Programs please visit [www.studentaid.ed.gov](http://www.studentaid.ed.gov).*

For more information on the Federal Direct Student Loan Programs please visit [www.studentloans.gov](http://www.studentloans.gov).

## VIEWING AND ACCEPTING YOUR FINANCIAL AID

**A student can check on the status of his or her award, and accept, decline, or reduce the award online via your STU MyBobcat Account's Financial Aid Self-Service portal.** Once St. Thomas University's Office of Financial Aid receives and reviews the results of the FAFSA and all required documents are submitted to process the file, an estimated Financial Aid Award notification will be prepared for you based on full-time enrollment. The award may include Scholarships awarded by the School of Law as well as a Direct Stafford *Unsubsidized* Loan, Direct Graduate PLUS Loan and/or a Private Loan. **Keep in mind this is only an estimated award notice, final eligibility for loans will be determined by the Financial Aid Office, U.S. Dept. of Education, or the lender.** By accepting a loan as part of a financial aid package, you will incur a binding obligation to repay the loan in full, including interest and any applicable fees. It is essential when a student plans their educational costs that they also plan for future repayment of any amounts borrowed.

## DIRECT DEPOSIT FOR FINANCIAL ASSISTANCE REFUNDS

Any funds applied to your student account in excess of your tuition, fees, and other direct costs will be refunded to you via Direct Deposit to your personal bank account within 14 business days of the funds being received by the University's Student Accounts Office. If you are requesting financial aid funds in excess of your anticipated costs, you will be required to complete a Direct Deposit Form at least 15 business days in advance of receiving your refund. To complete the Direct Deposit Form, please go to [www.stu.edu/law/financial-aid/forms](http://www.stu.edu/law/financial-aid/forms). You will need to provide the name of your financial institution, along with their routing number and your personal account number. Should your bank information change, you will need to submit updated Direct Deposit information to the University by submitting a new Direct Deposit Form. For further information or assistance, please contact the University's Student Accounts Office at (305)474-6977.

## STUDENT LOAN PROGRAMS

### Federal Direct Unsubsidized Stafford Loan Program

As a law student you may be eligible to borrow up to \$20,500 per academic year (Fall-Spring) through the Stafford Loan program, if you are a U.S. citizen, or eligible non-citizen, and meet all other eligibility requirements for Federal Student Aid. These loans have a fixed interest rate of 6.08%\* and interest will begin accruing at disbursement. This loan is also subject to a 1.062%\* federal loan fee deducted at the time of disbursement. There is no credit check required and you will not be required to make payments on this loan while you are in school at least half-time. Your total aggregate borrowing limit under the Stafford Loan program is \$138,500 (including undergraduate loans).

### Federal Direct Graduate PLUS Loan Program for Graduate/Professional Students

In addition to the Stafford Loan, law students needing to borrow more than \$20,500 per academic year (Fall-Spring) may be eligible to borrow additional funds through the Federal Direct Grad PLUS Loan program. The Direct Grad PLUS Loan may allow you to borrow up to your Cost of Attendance minus all other forms of financial aid you will be receiving. Interest on this loan will begin accruing at disbursement at a fixed rate of 7.08%\* and a 4.248%\* federal loan fee will be deducted at disbursement. Although the Direct PLUS Loan enters repayment immediately after the loan is fully disbursed, you are not required to make payments while you are in school at least half-time. This loan is subject to credit approval based on criteria established by the U.S. Department of Education. If your application is declined due to adverse credit, you may be given the option to appeal the credit decision or apply with an endorser. Should your loan be approved, with a successful appeal or obtaining a credit-worthy endorser, you will be required to complete a **PLUS Loan Counseling** session at [www.studentloans.gov](http://www.studentloans.gov) prior to your loan being disbursed. To learn if your loan will be approved for credit, you may complete the "Apply for a Direct PLUS Loan" Process (this is a credit check) online at [www.studentloans.gov](http://www.studentloans.gov) after May 1, 2019.

*\*Rates and Fees are subject to change. For more information on the Federal Direct Student Loan Programs please visit [www.studentaid.ed.gov](http://www.studentaid.ed.gov).*

### Private Loans

Private or Alternative Loans are non-federal student loans typically borrowed by

students who are not eligible for Federal student loans, or otherwise chose not to borrow from the U.S. Department of Education's Federal Direct Student Loan Program. Private loans are subject to credit approval by your lender of choice. In some cases, you may be required to apply with a credit-worthy cosigner. Although the private loan may allow you to borrow up to your total Cost of Attendance (COA), you should borrow only what you need. In most cases, these loans have variable interest rates and repayment terms may vary between lenders. International students may be required to apply with a credit-worthy United States citizen as a co-signer/borrower. In some cases, the lender may require that you submit additional information along with your application such as, proof of U.S. citizenship or proof of income. It is strongly suggested that students consider borrowing through the U.S. Department of Education's Federal Direct Student Loan Programs before pursuing any private or alternative loan programs. If your total COA has been met by other forms of assistance (scholarships, grants, federal loans, etc.) you will not be eligible for a private/alternative loan. Private loans cannot be consolidated with your federal loans, and repayment options and incentives may vary from those offered by the U.S. Department of Education.

### **Bar Study Loans**

Bar Study Loans are credit-based private loans (not a federal loan) which may be borrowed to assist law school graduates with costs related to the Bar Exam. Students may apply for a Bar Study Loan in their last year of law school. The funds from the Bar Study Loan are disbursed directly to the student from their lender of choice. Most Bar Study Loans have variable interest rates and the borrower benefits may vary between lenders. Because Bar Study Loans are private loans they cannot be consolidated with your federal loans, and repayment options and incentives may vary from those offered by the U.S. Department of Education. In most cases, lenders will require the school to certify your graduation date before funds can be disbursed.

## **FEDERAL STUDENT LOAN EXIT COUNSELING**

In accordance with federal regulations, all students who have received a Federal Stafford and/or Grad PLUS Loan while attending the University must complete **Loan Exit Counseling** prior to leaving the University or graduating, whichever comes first. The purpose of the Loan Exit Counseling is to advise the borrower of the amount of indebtedness, deferment, forbearance, and consolidation provisions related to loan repayment. The student can complete the Loan Exit Counseling online by visiting the U.S. Department of Education's website at [www.studentloans.gov](http://www.studentloans.gov).

## **HOW TO BORROW WISELY**

- Don't borrow without looking into alternate methods of financing your education (i.e. scholarships, fellowships, savings, family assistance, etc.)
- If you must borrow a private loan, carefully compare loan terms, including interest rates, loan fees, and repayment incentives.
- Repay your debts as soon as possible, the longer you owe, the more you will pay.
- To help secure your financial future, don't borrow more than what you will be able to afford to repay.
- Try to borrow as little as possible. **Borrow ONLY what you need.**

## STANDARDS OF SATISFACTORY ACADEMIC PROGRESS

The federal regulations governing the student financial assistance programs stipulate that in order to continue to be eligible for Title IV funds (i.e. Direct Stafford Loans, Direct PLUS Loan, Federal Perkins Loans, and Federal Work Study) students must maintain satisfactory academic progress towards a degree. Satisfactory Academic Progress (SAP) will be reviewed at the end of each semester. To maintain satisfactory academic progress, students must achieve both a minimum grade point average (GPA) and complete a minimum number of credit hours as defined below.

**Qualitative Measure (GPA):**

All Law students are expected to maintain a minimum cumulative GPA of 2.0.

**Quantitative Measure (PACE):**

All law students are required to complete a minimum of 67% of all credit hours attempted.

**Maximum Time Frame:**

Law students are eligible to receive financial aid up to 50% over and above the maximum number of credit hours required to obtain his/her law degree as defined in the University's Catalog.

Additional information regarding the Financial Aid Standards for Satisfactory Academic Progress may be found online at [www.stu.edu/law/financial-aid](http://www.stu.edu/law/financial-aid).

**Merit Scholarships and other Institutional Awards** may be subject to other measures of Satisfactory Academic Progress determined by the School of Law.

## DEFICIENCIES/PREREQUISITES

Students who are admitted with deficiencies and/or prerequisites will have those credits added to their minimum degree requirements.

## TREATMENT OF PUNITIVE AND NONPUNITIVE GRADES AND COURSES

All courses with a grade of F, I, NP, W, UW and repeated courses will be considered in the calculation of credit hours attempted and will be subject to the Standards of Satisfactory Academic Progress. Audited courses are not considered in awarding financial aid; therefore, they will not be counted in the determination of satisfactory academic progress. Incomplete (I) grades will be calculated as failing grades in regard to Credit Hour Completion until the course has been satisfactorily completed. For the purposes of Federal Financial Assistance, students granted Academic Amnesty will have ALL credits attempted and grades earned prior to Re-starting at the Law School included in the calculation of Satisfactory Academic Progress.

## NOTIFICATION OF SATISFACTORY ACADEMIC PROGRESS STATUS

Before issuing an award, the Director of Law Student Financial Services will review the applicant's eligibility based on the student's academic performance at the end of each semester. Students who have not met the minimum standards of satisfactory academic

progress will be placed on **Financial Aid Warning** for one semester. Students who have not met the minimum standards of satisfactory academic progress at the end of two consecutive semesters will be placed on **Financial Aid Suspension**. Students placed on Financial Aid Suspension will not be eligible to receive additional federal student aid funding (including federal loans).

### REINSTATEMENT OF FINANCIAL AID ELIGIBILITY

A student may regain eligibility by:

- Achieving the required GPA and Credit Hour Completion as outlined above, or
- Appealing the financial aid decision as described below.

### APPEAL PROCESS

A law student who does not meet satisfactory academic progress standards and is able to document extenuating circumstances may appeal the suspension or termination of financial aid eligibility.

1. To appeal, the student must submit the Satisfactory Academic Progress Appeal Form (available on line at [www.stu.edu/law/financial-aid/forms](http://www.stu.edu/law/financial-aid/forms)) with proper documentation to the Director of Law Student Financial Services.
2. Provide in writing a one page “academic plan” on how he or she plans to regain satisfactory academic standards.
3. The student will be notified of the decision within 15 business days of the receipt date.

More information on the Federal Financial Aid Appeal Process is available online at [www.stu.edu/law/financial-aid](http://www.stu.edu/law/financial-aid).

**Note: All charges incurred during any period of time for which a student’s aid is denied/suspended are the sole responsibility of the student.**

### DROPPING/WITHDRAWING

Federal student aid is subject to the U.S. Department of Education’s Return of Title IV funds policy which states that when a student completely drops or withdraws from school during a semester in which he/she received federal student aid (including loans), the school must calculate, according to formulas defined by the U.S. Department of Education, the portion of aid the student earned for the time he/she was enrolled in school. If a student completely drops or withdraws from school prior to completing at least 60% of the semester, you (the student) and/or the school may be required to return all or a portion of the aid awarded to you, and you may incur a balance with the University. To avoid any unnecessary financial hardship, you should consult with the Director of Law Student Financial Services prior to dropping or withdrawing.

Financial aid is refunded based on the date of withdrawal from St. Thomas University. Refunds to the federal student financial aid programs must be made prior to issuing a refund to the student. The order of distribution of refunds is as follow:

1. Direct Unsubsidized Stafford Loan
2. Direct Subsidized Stafford Loan

3. Federal Perkins Loan
4. Direct PLUS Loan for Graduate/Professional Students
5. Other Title IV Programs
6. Other non-federal financial aid
7. Student

**Your ability to drop or withdraw from a class and the procedures for doing so, are set out in the section of the Handbook entitled “Withdrawals”.**

## RIGHTS AND RESPONSIBILITIES

### **As a Student you have the Right to:**

- Information regarding application procedures, cost of attendance, aid availability, financial need, awarding criteria, and disbursement information.
- Information regarding tuition and fees as well as refund policies and procedures (available in the Business Office Handbook).
- Information regarding the terms and conditions of student loans (provided by your student loan lender).
- Information regarding how academic progress is determined (available in the school’s catalog or website).
- Make Inquiries regarding the status of your financial aid application.
- Accept or decline all or any portion of the financial aid being offered to you.

### **As a Student you are Responsible for:**

- Submitting valid financial aid applications in a timely manner for each academic year for which you are seeking financial assistance.
- Providing all documentation, verification information and corrections as requested by the Office of Financial Aid, Federal Processor, or your lender/servicer.
- Reading and responding, if necessary, to all materials sent to you from the Office of Financial Aid, Federal Processor or your lender/servicer.
- Knowing and complying with rules governing the aid you are receiving including enrollment requirements and satisfactory academic progress.
- Knowing the conditions and repayment terms of any loans you borrow as well as completing the **Loan Entrance Counseling** prior to receiving any disbursements of a Direct Stafford or Direct Grad PLUS Loan.
- Completing a **Loan Exit Counseling** prior to graduation or separation from school.
- Paying any tuition, fees, room and board, or other expenses not covered by your financial aid.

## WORK STUDY PROGRAMS

### **LEGAL RESEARCH ASSISTANTS**

Students who have completed the first year of law school may be eligible for positions as research assistants. Research assistants work a maximum of 20 hours per week. Research assistants are selected by faculty members and are generally students who have demonstrated strong research and scholastic abilities.

## WORK STUDY

This is a limited need-based program providing on-campus jobs for second and third year students. The application process is similar to that for federal financial aid. The average work study award is \$2,000 per semester.

## PART-TIME EMPLOYMENT

First-year students and any student taking more than 9 credits are strongly discouraged from any outside employment during the academic year. First-year students are not authorized for work study to be research assistants or other university sponsored employment.

## CODE OF CONDUCT

All student taking classes at St. Thomas University School of Law (whether for credit or not) are governed by the St. Thomas university school of Law Honor Code and are subjected to the procedures, and penalties set forth therein. A copy of the Honor Code can be obtained on-line at the Law School website and/or from the Office of Student Affairs.

## ACADEMIC PROBATION AND EXCLUSION

**Students in their first two regular (fall or spring) semesters of law school:**

1. If any student (including a transfer student) fails to make a grade point average of 1.65 or greater in his or her first semester, then he or she will subject to dismissal and will be dismissed unless the student files a petition as provided under the following section entitled "Policies and Procedures for Petitioning to Continue in Academic Program." If that petition is granted the student then continues in school for his or her second semester and is subject to the provisions of paragraph 4, below. If the student fails to file a petition or files a petition and the petition is denied, then the student shall be dismissed and the student shall have no further right to petition or to appeal the dismissal.
2. If a student makes a grade point average of at least 1.65 but less than 2.0 in his or her first semester, then he or she is automatically allowed to continue in law school, but is considered on "Academic Probation" and not in "Good Standing."
3. If a student makes a grade point average of at least 2.0 in his or her first semester then he or she is considered in "Good Standing."
4. Notwithstanding paragraph 3, above, all students must have a *cumulative grade point average of 2.0 (or above) at the end of their second semester or they will be* subject to dismissal and will be dismissed unless the student files a petition as provided under the section entitled "Policies and Procedures for Petitioning to Continue in Academic Program.
5. If a student takes a leave of absence after completing only one semester, then upon his or her return in the subsequent fall or spring, he or she will be considered in his or her "second" semester.
6. For purposes of these provisions, courses taken during a summer session will be deemed to have been taken during the following fall or spring semester.

**All students following the completion of the first two semesters of law school:**

1. After completing the first two semesters of law school, every student must maintain a cumulative grade point average of 2.0 or above. In the event a student's cumulative grade point average falls below a 2.0 in any semester, then he or she is placed on Academic Probation and considered not in "Good Standing".
2. In the semester following the semester in which the student's cumulative grade point average fell below 2.0 and he or she was placed on Academic Probation, the student must increase his or her cumulative grade point average to 2.0 or above, or the student will be subject to dismissal and will be dismissed unless the student files a petition as provided under the following section entitled "Policies and Procedures for Petitioning to Continue in Academic Program."
3. A student who has completed the number of semester hours required for graduation, but has failed to achieve a cumulative grade point average of 2.0 (or above) will not graduate and may not continue in the School of Law, except with the express approval of the Dean.

If a student is financing his or her legal education with loans, he or she should also be aware that eligibility for those loans may depend on the student making "satisfactory academic progress". For further information on how academic performance can affect eligibility for loans see the section of this handbook regarding Financial Aid.

### **ACADEMIC REQUIREMENT MODIFICATION**

Any student who is placed on "Academic Probation," as defined herein may be required to take additional, specific classes as a prerequisite to graduation. If a student is so required he or she will be notified of the additional requirement(s) in writing by the Associate Dean of Academic Affairs.

### **READMISSION**

If a student was dismissed for failing to have at least a 1.65 then he or she cannot petition to start school where he or she left off. He or she may re-apply to start school over again by filing a new application with the admissions office.

Any other student who is excluded from the Law School for academic reasons may seek to continue school by submitting a petition for readmission and said petition being granted by the Academic Standing Committee. In determining questions of readmission, the Committee will be governed by the applicable standards and guidelines of the American Bar Association and the Association of American Law Schools, in addition to the School of Law's Policies and Procedures for Readmission. A student seeking readmission should review the School Law's Policies and Procedures for Petitions for Readmission contained herein or obtain a separate copy from the Assistant Dean for Student Affairs. A copy of the petition is available on-line at the St. Thomas Law school website under "Students".

## POLICIES AND PROCEDURES FOR PETITIONING TO CONTINUE IN ACADEMIC PROGRAM

The following policies and procedures apply to the submission and determination of petitions for readmission to St. Thomas University School of Law.

1. A student wishing to continue his or her legal studies at St. Thomas University School of Law ("the School of Law") who is subject to dismissal due to his or her grade point average, as discussed in section above entitled "Academic Probation and Exclusion" must petition the Academic Standing Committee (the "Committee") or he or she will be dismissed.
2. A student wishing to petition the Committee may obtain a petition and copy of these Policies and Procedures from the Assistant Dean for Student Affairs or online at the St. Thomas Law school website under "Students".
3. The petition and all required supporting documentation must be filed, with the Assistant Dean for Student Affairs by the deadline set by the Committee for the year in question. The student must provide the Office of the Assistant Dean of Student Affairs with five copies of all supporting documentation.
4. The student has the burden of proof with regard to all matters relating to the petition.
5. All requirements set forth in the petition and in these policies and procedures are mandatory. Noncompliance with any of these requirements can result in the denial of the petition.
6. No petition shall be granted unless the Committee finds that the record (consisting of the petition, documents submitted in connection with it, the petitioner's law school file and the preponderance of credible testimony, if any, given at a hearing) affirmatively demonstrates that the student possesses the requisite ability, and that the prior poor academic performance does not indicate a lack of capacity, to successfully complete the course of study at the Law School.
7. Students subject to dismissal for failing to have at least a 1.65 g.p.a. in his or her first law school semester must file a petition within the deadline set forth in the notification of being subject to dismissal by the Office of the Assistant Dean for Student Affairs. If the student fails to timely file a petition, then he or she is dismissed and shall have no right to petition or appeal. If the student timely files a petition then he or she shall be afforded the opportunity for a hearing. The student has the option of appearing at the hearing in person. Following the hearing and a deliberation of the Academic Standing Committee the student will be timely informed of the Committee's determination. If the Committee denies the student's petition then he or she shall be immediately dismissed and will not have any further right to petition or appeal the dismissal. If the Committee grants the petition then the student shall have the right to continue in law school in his or her second semester.
8. Any other student subject to dismissal as provided in section entitled "Academic Probation and Exclusion" must either file a petition within the time set out in the notice that the student is subject to dismissal or request an extension to file a petition. The extension can in no case exceed more than 1 year.

- a) If the student does not timely file a petition or request an extension to file a petition, then he or she shall be dismissed. If the student is dismissed under this provision then he or she will have to wait two years from the date of the dismissal to petition for readmission.
  - b) If the student files a petition then he or she shall be afforded the opportunity for a hearing. The student has the option of appearing at the hearing in person. Following the hearing and a deliberation of the Academic Standing Committee, the student will be timely informed of the Committee's determination. If the Committee grants the petition, the student is allowed to continue in school for one additional semester (or some other time determined by the Committee) and must meet any of the academic standards required by the Committee. If the Committee denies the student's petition he or she shall be immediately dismissed and he or she will have to wait two years from the date of the dismissal to petition for readmission. A petition for readmission will be considered only if the petitioner can still graduate no later than five years from the time of his or her initial matriculation.
9. The decision of the Committee with regard to a petition filed pursuant to paragraph 7 and 8, above, is final and not subject to review or appeal.
  10. A student who bases his or her petition on medical reasons must also:
    - a) Sign a waiver of doctor-patient confidentiality, deliver a copy to the treating physician and attach a copy to the petition; and
    - b) Submit a letter from the treating physician explaining: (i) the nature of the medical problem; (ii) the opinion, if any, of the doctor as to the causal relationship between the problem and the student's academic performance or separation from the Law School; and (iii) the likely effect, if any, of that problem on the student's future academic performance.
  11. All student petitioners before the Committee shall, upon request, be given a personal hearing. The personal appearance shall not substitute for, or excuse; the complete written petition. The hearing will be informal, and will normally be closed to any person not on the Committee. The petitioner should briefly outline points not made in the application, present any written or oral evidence supporting his or her petition and be willing to answer any questions or supply any information requested by the Committee.
  12. The Committee will debate the petition outside the presence of the petitioner and vote by secret ballot. The student will be permitted to continue with his or her studies only by the affirmative vote of a majority of the members present.
  13. The Assistant Dean for Student Affairs will inform the petitioner of the Committee's decision in writing and by use of the student's St. Thomas University email.
  14. The Committee may, *inter alia*:
    - a) Grant a petition, subject to any condition(s) it deems proper to impose; *Note that the Committee may impose more rigorous academic requirements and/or the completion of and/or additional courses require courses to be retaken than are otherwise required of a student not previously dismissed.*

- b) Require that the petitioner submit additional information or documentation on any question posed in the petition or otherwise relevant to readmission;
  - c) Convene a hearing and require that the petitioner and others appear;
  - d) Dismiss an incomplete petition; or
  - e) Deny a petition.
15. The Committee will consider several factors, including, but not limited to:
- a) The best interests of the Law School as an educational institution, including the maintenance of high standards of academic excellence and professional responsibility among members of the student body;
  - b) As the paramount criteria for the decision to permit a student to continue his or her studies, the student's reasonable prospect for success in the course of study at the Law School;
  - c) Any evidence of correctable problems or disabilities that may have contributed to the student's academic performance;
  - d) The extent to which it appears that a petitioner's previous academic, personal, medical, financial or other concerns, if any, have been addressed and satisfactorily resolved; and
  - e) The activities of the student, undertaken after leaving the Law School, to improve his or her prospect for successfully completing the study of law.

### **FINANCIAL AID AND READMISSION**

To qualify for Financial Aid a student must make satisfactory academic progress. (See section in this Handbook entitled "Standards of Satisfactory Academic Progress") Any student subject to dismissal may have failed to make "satisfactory academic progress." If a student is allowed to continue because his or her petition to continue in school is granted by the Academic Standing Committee the student may still not qualify for financial aid. Granting of a petition for does not serve to insure that the readmitted student will be eligible for Financial Aid.

Any student in this situation should address this issue with the Assistant Dean for Student Affairs.

### **READMISSION OR RETURNING TO SCHOOL**

When a student is out of school for any reason (for example, leave of absence, dismissal, visiting other school) he or she will be obligated to meet the graduation and educational requirements in place at the time the student is readmitted or returns to the Law School.

### **READMITTED STUDENT**

If a student attended St. Thomas University School of Law and was academically dismissed and subsequently readmitted and allowed to restart law school, then the earlier attendance and grades earned remains on the student's transcript and are used in calculating Financial Aid eligibility. However, those grades are not used in calculating the new grade point average for such a student.

## LETTERS OF GOOD STANDING

Letters of good standing certify that a student has a cumulative grade point average of 2.0 or above. Requests for letters of good standing should be made in writing to the Assistant Dean for Student Affairs. The request should state the reason the letter is needed and the name and address to which the letter should be sent. Letters of good standing are normally sent within 3 working days, however during periods of high work volume, a period of up to 10 working days may be required. Letters of good standing for transfer purposes are sent after grades have been received for the existing semester. A student who has failed to satisfy financial obligations to the Law School and/or the University will not be granted a letter of good standing.

## POLICY REGARDING PARTICIPATING IN SCHOOL ACTIVITIES

Students must have a grade point average of 2.5 or higher to participate in the *St. Thomas Law Review*, *The Intercultural Human Rights Law Review*, *The Journal of Complex Litigation*, Moot Court, Mock Trial, International Moot Court, Student Government, or to be an officer of any student organization.

## TRANSCRIPTS

A transcript is the student's official academic record. Requests for official transcripts are ordered on-line through the National Student Clearinghouse. To order transcript please visit

[https://secure.studentclearinghouse.org/tsorder/faces/TranscriptOrder?\\_afLoop=1942687685770274&\\_afWindowMode=0&\\_adf.ctrl-state=1ddcjenf2l\\_4#firstload](https://secure.studentclearinghouse.org/tsorder/faces/TranscriptOrder?_afLoop=1942687685770274&_afWindowMode=0&_adf.ctrl-state=1ddcjenf2l_4#firstload)

All transcripts from other institutions and other materials submitted to St. Thomas University School of Law become the sole property of the University and cannot be returned to the student. The Law School does not provide transcripts from other colleges or universities. Transcripts of records from other institutions must be obtained from those institutions.

All students must provide an official transcript confirming a bachelor's degree was awarded within forty-five days of matriculation. Failure to provide the required transcript will lead to the student being involuntary withdrawn from all courses.

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

St. Thomas University, in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, assures the confidentiality of student educational records. Students have the right to inspect and review their education records within 45 days of submitting a written request to the Registrar's Office at the School of Law.

A third party may be given information about a student's academic record only with the written consent of the student with certain exceptions. For further information, please go to the U.S. Department of Education Website at:

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

## EVENTS INVOLVING ALCOHOL

Student organizations wishing to sponsor events involving alcohol must request permission in writing from the Assistant Dean for Student Affairs at least one week prior to the event. No student organization can facilitate or sponsor an event in which alcohol is sold on campus.

## DRUG FREE WORKPLACE & SCHOOL POLICY

A part of the mission of St. Thomas University is our commitment to competence and objectivity. Through its personalized and caring environment, the University strives to provide a safe environment and encourages personal health. As such, the abuse of drugs or alcohol within the educational setting is an unsafe and counterproductive practice and is considered to be directly contradictory to our mission.

It is, therefore, the policy of St. Thomas University to create a drug-free school and workplace environment in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988 and the Drug Free School & Communities Act Amendments as of 1989. The use of controlled substances is inconsistent with the behavior expected of students and employees. In this connection, any student or employee found with the presence of alcohol or a controlled substance in an unauthorized area, and/or in possession of, using, selling, trading, or offering for sale controlled substances or who attends class or any school function under the influence of alcohol or a controlled substance will be subject to disciplinary action up to and including dismissal.

Alcohol purchase and consumption is authorized only in licensed campus facilities, such as the Campus Rathskeller, or at special events/locations which have been authorized by appropriate campus authorities.

Students found to be in violation of the University's policy will be subject to action as provided in the University Code of Conduct and face sanctions up to and including dismissal from the University.

## STANDARDS OF CONDUCT

Students, faculty and staff are expected to recognize the potential for alcohol and drug abuse whenever alcohol or illegal drugs are sold, given and/or used and that such abuse is in conflict with the University's drug free workplace and school policies. Violation of these policies by students or employees is reason for disciplinary action up to and including termination of employment or student expulsion from the University.

The University publishes a student handbook which includes policies on alcohol and drugs. The "Code of Conduct" outlines disciplinary actions which may be taken for violation of the University's policies. Students should review this section of the undergraduate student handbook and be familiar with possible consequences.

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## STUDENT HEALTH AND WELLNESS

The **Student Health Center** is dedicated to promoting health and well-being from the foundation of Catholic Identity guidelines for University communities. Our work is based upon the principles of Catholic Social Teachings and Catholic Health Care: the care and dignity of the individual, attending the needs of the marginalized and disenfranchised, respect for workers, care of the environment, and the promotion of peace and nonviolence in our world. At St. Thomas University, we have the unique advantage of providing an intimate, family education model, aimed at *'developing leaders for life.'* The Student Health Center staff generally holds a master (or above) level certification, in addition to contracted health care services provided by Jessie Trice Community Health Center, Inc.

### MISSION STATEMENT

The Student Health Center aims to promote the physical, emotional, behavioral, and mental health of students in a personalized, supportive, and professional manner as they prepare to become *leaders for life* in our global community.

### SERVICES

Mental health counseling and acute medical care for the St. Thomas community, and if unable to help you directly, Center staff will assist you in searching for resources.

- **Mental Health Counseling:** The Student Health Center provides students with assistance in addressing mental, emotional and behavioral concerns. Professional staff provides a variety of assessment, treatment and psycho-educational services. Services typically include brief psychotherapy, crisis intervention, referral programs, and psycho-educational resource materials. Through our comprehensive educational wellness programs, students may engage in "hands on" learning opportunities on special integrative wellness topics. The center also offers consultation services for faculty and staff to contribute to the overall goal of student success. Confidentiality is a foundational principle supporting our services.
- **Acute Medical Care:** To support the well-being of our students and in conjunction with our mission, services provided by a Registered Nurse and an Advanced Registered Nurse Practitioner - through our contractual agreement with the Jessie Trice Community Health Center, Inc. - include: emergency first aid, nutrition counseling, screenings (e.g., HIV, vision, breast exam), chronic disease management (e.g., diabetes, high blood pressure), medication prescriptions. Individuals with medical concerns that require specialized diagnosis and treatment, or more comprehensive care are referred to a physician, clinic or hospital. Medical services received as a result of a referral are generally at the student's expense and based upon insurance provisions. Emergency medical care is obtained at Urgent Care Centers or hospitals. Transportation to these centers is usually provided by ambulances or, in less severe cases, students may arrange for their own transportation. Emergency and urgent care medical services are partially covered by students' health insurance. This includes ambulance services. For more information, please visit our web pages,

<https://www.stu.edu/students/student-affairs/student-health-center/student-health-insurance/>.

**Contact:** For non-emergency questions regarding student health insurance, general health care, or to make an appointment in the University clinic, contact the center's front desk at (305) 628-6690. To make an appointment for counseling services, call (305) 628-6695 or e-mail Maria Bedoya at [Mgaravito@stu.edu](mailto:Mgaravito@stu.edu) For emergencies, call 911.

**Hours:**

Clinic:	Monday – Friday.....	8:00 a.m. – 5:00 p.m.
Counseling:	Monday – Friday.....	9:00 a.m. – 5:00 p.m.
Nurse Practitioner:	Tuesday & Thursday.....	9:00 a.m. – 5:00 p.m.

## STUDENT HEALTH INSURANCE

**Student Insurance:** All full-time undergraduate, international, and law students are required to have adequate health insurance. This policy is in place for the sole purpose of safeguarding the well-being of students. There are no exceptions to this policy. If you do not have personal health insurance, an affordable health insurance plan is available for students of St. Thomas University. All full-time undergraduates, international, and law students are automatically enrolled in this insurance plan for the 2019-2020 academic year unless proof of comparable health coverage is provided online by the waiver deadline date. The Student Health Center communicates to students through St. Thomas University e-mail accounts, this includes the waive/enroll insurance information and deadline. Please be very careful to check your STU email regularly for updates on verifying existing health insurance, enrolling for student health insurance, and for all applicable deadlines. It is each student's sole responsibility to assure full cooperation with the guidelines for health insurance enrollment every calendar year. Each student is required to submit proof of health insurance. Active insurance status will be checked for accuracy. Both enrollment for the insurance and providing proof of alternative insurance must be done entirely online during the period of July 1st through September 9, 2019.

For complete details of the plan benefits, enrollment and waiver deadlines, please visit: <https://www.stu.edu/students/student-affairs/student-health-center/student-health-insurance/>

**Health Record Requirements:** All incoming first year students must submit immunization records and physical forms prior to starting the semester. All first-year students residing on campus must show proof of a recent meningitis immunization. Check the Student Health Center webpage for information and University Immunization Guidelines and for health forms. <https://www.stu.edu/students/student-affairs/student-health-center/insurance-and-forms/> You may submit your health forms via e-mail at [studenthealth@stu.edu](mailto:studenthealth@stu.edu), via mail, or in person at the student health center (building 9). Students who reside on-campus may give their health forms to their Resident Advisors or Housing Officers when checking in. Health forms are maintained by the Student Health Center in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

At St. Thomas University, the Student Health Center reminds you that “*Health is a Unity of Mind, Body and Spirit.*”

## NOTICE REGARDING HEALTH INSURANCE

All law students are required to have health insurance. If a student has his or her own policy he or she must provide proof of insurance by the established deadline. The student **must submit Proof of Insurance every year.** If the student does not provide proof of insurance by the established deadline, he or she will automatically be enrolled in the insurance program provided by the University. To find out more about the University’s health insurance program the student can go to <http://www.aisstudentinsurance.com/stu>. The insurance is charged directly to the student’s account in the fall and spring terms.

The student might want to shop for health insurance with private insurance companies. Also, the Law Student Division of the ABA makes available a health insurance program for law students. In order to purchase the ABA policy the student must be a member of the Law Student Division of the ABA. The student can access information about the Law Student Division of the ABA at [www.abanet.org/newstudent](http://www.abanet.org/newstudent).

Proof of insurance must be submitted on-line to AIS/Aetna Student Health. Objective criteria must be met by any policy that a student is using to waive the coverage otherwise provided by AIS/Aetna Student Health. In order to waive out of the AIS/Aetna Student Health policy the student must timely submit proof of insurance that meets those criteria.

## CAMPUS MINISTRY

It is with great joy to welcome you to Campus Ministry! The Campus Ministry team takes a leading role in the mission of Catholic Higher Education by assisting and mentoring students, faculty and staff in the ongoing tasks of faith and spiritual formation, evangelization and participation in the sacramental life of the Church and different faith sharing programs.

Campus ministry, driven by a Catholic identity at St. Thomas University, recognizes four essential Characteristics and uniqueness of a Catholic University highlighted in the Apostolic Constitution *Ex corde Ecclesiae - On Catholic Universities* (Par. 13): 1) *Christian Inspiration*: Not simply individuals, but the Catholic university as a whole; 2) *Faith Reflection*: In the light of the Catholic Christian faith upon the growing treasury of human knowledge; 3) *Fidelity to the Christian Message*: In order to transmit the Christian message; 4) *Service to the Church and Humanity*: keeping an institutional commitment of service to the people of God and to the whole human family.

The word “Catholic” means universal. “We are a Catholic university because we seek truth through the intellectual life, because we want to be a transformative presence in the world; because we seek to infuse the world with compassion and faith, animated by the spirit of Christ (Ex Corde 21); because we ground our work in the hope to be found in the Eucharist, the source and summit of Catholic belief and practice (St. Thomas University, Catholic Identity Statement, 2016).” Campus Ministry, composed by faculty, staff and students, it is also sensitive to the ecumenical and interfaith dimension of the

University's population by "welcoming people from all religious and humanistic traditions (The Uniqueness of a Catholic University, 1990)."

**Mission:** The Pastoral letter written by the US Catholic Bishops, *Empowered by the Spirit: Campus Ministry Faces the Future*, notes: "Campus ministry is one of the important ways the Church exercises her mission in higher education. Its goals include promoting theological study and reflection on the nature of human beings so that intellectual, moral, and spiritual growth can proceed together; sustaining a Christian community on campus, with the pastoral care and liturgical worship it requires. (Empowered By The Spirit, 21)." It is at the center of the community and joyfully serves and celebrates the students, faculty, staff, administration, alumni and beyond.

This Mission has been identified in the formation of student peer ministry leaders who are mentored by the Campus Ministry Staff at STU, so they can lead and participate in the different initiatives that ignite faith on Campus and beyond (their families, social circles, parish/church and communities of faith). "We actively engage ever-widening circles of relationship and responsibility, beginning with each person's own spirit and moving out (St. Thomas University, Catholic Identity Statement, 2016)." The staff invites all the community to participate by bringing different gifts and talents that enrich the community at St. Thomas..

### **Campus Ministry Programs and Values**

**Fidelity to the Christian Message:** Recognizing our Sacramental call to love, compassion, care and solidarity with one another and the stranger, with a call of transformation. Ministry is built person to person. "Missionary renewal" requires "personal dialogue, when the other person speaks and shares his or her joys, hopes and concerns for loved ones, or so many other heartfelt needs (The Joy of the Gospel, 128)." This is possible through ministry of presence at the people's journey and at the University programs organized throughout the school year.

**Christian Inspiration:** Reaching out one-on-one and igniting in faith through the celebration of the Eucharist as the source and summit of Catholic belief and practice. This is possible through daily Mass (Monday-Friday at 12:15 p.m.; Wednesday Upper Room Mass at 7:30 p.m.), and Sunday Mass (7:00 p.m.) at the Chapel of Saint Anthony. The sacrament of Reconciliation (confessions) is available throughout the academic semester. Moreover, the Campus Ministry team is attentive to the liturgical celebrations that bring the seasons of Advent, Lent, Holy Week and Easter within the Catholic Church. Campus Ministry works in the organization of yearly celebrations such as Mass of the Holy Spirit, Baccalaureate Mass, Orientation Mass and other extraordinary celebrations. In addition, the Office of Campus Ministry and its staff extend solidarity with St. Thomas University students who observe feasts and religious holidays from other faith traditions. This is visible by the celebration of ecumenical prayer services throughout the academic year

**Faith Reflection:** Inviting students who are following to a deep and lifelong relationship with Christ (through programs included but not limited to: RCIA -Rite of Christian Initiation of Adults, IGNITE-Weekly Upper Room Mass and Young Adult Group, Retreats). In addition, campus ministry has an important role in contributing to theological study and reflection, with a pastoral component, within and beyond the classroom setting.

**Service to the Church:** Student leaders are mentored to take leadership in programs such (small bible studies, faith-sharing adult nights, retreats, service-learning opportunities) and they are mentored to discover their vocation in life and to invite other friends and peers. This leadership and vocational opportunities are helpful tools as they build meaningful lives; grow in their academic and spiritual path and transform the world as they reach graduation and beyond.

***Collaboration with Law School Student Associations:***

The staff collaborates with other departments and student organizations in the planning and initiation of prayer services, opening prayers, faith sharing groups, workshops, religious services or holidays, etc. It also advises in matters related to faith at St. Thomas and the spiritual needs of the students, faculty and staff. The members of *St. Thomas More Catholic Law Society* meet once a week for prayer and reflection in room 109A (seminar room in the rear of the law library). By sharing their faith, they support each other as law students and Catholics. Everyone from all faiths is welcomed for prayer, reflection and meditation. In their commitment to helping the community they have sponsored a Food Drive, a Children's Book Drive, a Homeless Project, and Clothing Drive. At the end of each semester, a Mass for Law School students in finals is celebrated at the Chapel of Saint Anthony. For more information about St. Thomas More Catholic Society, please contact: Prof. June Mary Makdisi, Faculty Advisor at [JMakdisi2@stu.edu](mailto:JMakdisi2@stu.edu)

Campus Ministry also supports the *Jewish Law Student Association* in the celebration of their annual Mock Passover Seder Celebration and other celebrations and *Jewish life* initiatives throughout the academic year.

Campus Ministry encourages all students, faculty and staff to visit our office and learn about how the ministry can help during their journey at St. Thomas. The team provides direct service to students in the office of Campus Ministry (Dooner Hall 111), the Chapel of Saint Anthony as well as throughout the entire campus. The Chapel of Saint Anthony is open throughout the day and provides our university community with a quiet place for private and communal prayer, worship and reflection. We welcome you with open arms and invite you to take a few minutes and enjoy a cup of coffee at the Campus Ministry brand new office/lounge located in Mimi Dooner Hall 111. For more information of campus ministry programs and opportunities, contact: [campusministry@stu.edu](mailto:campusministry@stu.edu) or (305) 628-6525. Follow us on Instagram: [stu\\_campusministry](https://www.instagram.com/stu_campusministry).

## HOUSING

Law students have the opportunity to reserve housing at the Villanova Hall graduate floors, which offers private rooms with private baths. Students who live in the residence halls have the flexibility of paying for on-campus housing with a meal plan or choose to opt out of the meal plan and pay less. Meals are available in the cafeteria, buffet-style, the Rathskeller, which offers a variety of sandwiches and grilled foods. Recreational facilities are also available at the convenience of the students when living on-campus. These facilities include basketball and tennis courts, a pool area and weight room. Students interested in on-campus housing are advised to apply early for the limited spaces available. Housing is on a first-come, first-served basis. For more information, please contact the Residential Life Office directly at Office of Residential Life & Housing,

St. Thomas University, 16401 NW 37th Avenue, Miami, Florida 33054, (305) 628-6554, e-mail: [reslife@stu.edu](mailto:reslife@stu.edu).

## FERNANDEZ FAMILY CENTER FOR LEADERSHIP AND WELLNESS

The Fernandez Family Center for Leadership and Wellness is a teaching and learning center that offers students the opportunity to maintain a healthy lifestyle. The center is the home for Bobcat Athletic teams and a learning laboratory for the nationally ranked Sports Administration program. The Fernandez Family Center (FFC) is the home court for the Bobcat Women's Volleyball team and the Men's and Women's Basketball teams. Additionally, the facility is used for intramural sports, university commencement, and special events.

### INTRAMURALS AND RECREATION

The Fernandez Family Center for Leadership and Wellness' Intramurals and Recreation department offers a variety of activities featuring team and individual/dual competition. These year-round activities include flag football, soccer, basketball, volleyball, table tennis (ping pong) and more.

The FFC Department has several recreational facilities located on campus for use by current faculty, staff, and students. The Fernandez Family Center for Leadership and Wellness includes a state-of-the-art fitness center, concession and lounge area, full size gymnasium for volleyball and basketball, locker rooms, and an Ogazon Family Fronton-racquetball court. Additional recreational facilities include an outdoor swimming pool, outdoor basketball courts, Dominick Miniaci Beach volleyball courts, and tennis courts. Use of all recreational facilities requires a valid STU ID.

**Mission:** St. Thomas University is dedicated to placing an emphasis on providing students ongoing social, physical, intellectual, and cultural development. Students will have the ability to achieve these developmental needs through participation in Intramurals and Recreational Sports activities. Intramurals and Recreational Sports afford students, faculty, and staff the opportunity to work together to strengthen personal development while enhancing academic productivity through the increase of physical fitness, psychological health, wellness, and exercise. All Intramurals and Recreational Sports programs highlight and reward values such as sportsmanship, leadership, teamwork, and lifelong leisure skills. The goal of Intramurals and Recreational Sports is to be as varied as possible to support the diverse population at St. Thomas University in addition to participation among the local educational institutions.

For more information call (305) 474-6874; [www.stu.edu/ffc](http://www.stu.edu/ffc) or follow us on: [www.facebook.com/FernandezFC](https://www.facebook.com/FernandezFC); [www.twitter.com/FernandezFC](https://www.twitter.com/FernandezFC); and on Instagram: [stuintramurals](#).

### POLICY REGARDING SALE OF FOOD

The sale or provision of food items by departments within the Law School or student organizations is permitted if approved by the Assistant Dean of Student Affairs.

A request for approval to serve food at such an event must first be approved by the Dean's Office. The request for approval must be submitted to Assistant Dean for Student Affairs at least two weeks prior to the event. Limitations may be placed on the frequency, type of food, cost, and place of distribution. The sale of any alcoholic beverages is prohibited.

## PARKING AND AUTO REGISTRATION POLICIES

### PARKING POLICY

St. Thomas University (STU) requires that all motor vehicles, owned and/or operated by students, Faculty and Staff which park in any of the campus parking areas, shall be registered with the Office of Public Safety. This registration is done in order to obtain a student or employee parking decal.

### PARKING PROCEDURES

The following information will be needed to receive a parking decal: 1) A complete parking application via STU website [www.stu.edu](http://www.stu.edu); 2) A picture ID (student or staff); 3) A vehicle state registration; 4) Proof of current insurance; and 5) A valid driver's license.

- The first decal issued to any individual student or staff is cost free. Staff members can also receive a second decal free of charge. Decals are not transferable, and separate decals must be purchased for each vehicle registered. Decals are not valid if exchanged among and between individuals.
- All decals must be attached to the appropriate vehicle as per instructions provided by the Department of Public Safety at the time of issuance.
- Additional parking decals are available for users with more than one vehicle as well as replacement decals for ones that have been stolen or lost. There is a cost of \$30.00 for each additional or replacement decal and shall be purchased at the Business Office. The decals shall be displayed in the bottom left corner of the rear windshield on the driver's side, outside of the vehicle.
- All Faculty and Staff parking decals will be issued by the Department of Public Safety.
- Faculty and Staff parking decals shall be placed in the bottom left corner of the rear windshield on the driver's side, outside of the vehicle.
- Failure to register motor vehicles will result in ticketing, a \$30 per day fine and/or the eventual towing of illegally parked vehicles at the owner's expense.
- Any individual temporarily driving a vehicle without a decal, **must** utilize the guest lane to enter campus in order to receive a parking pass for the day. Vehicles without this pass will be ticketed. These daily passes will only be issued for a finite period of time to be determined on a case by case by the Public Safety Department.

Guests can receive a parking pass valid only for the date of entry upon entering the main gate house located at 16401 NW 37<sup>th</sup> Avenue. Resident Hall Guests will receive

their one entry parking pass from the main entrance located at 16401 NW 37<sup>th</sup> Avenue, upon approved access. Vehicles parked on campus without a valid decal or parking pass are subject to being cited and fined.

### GENERAL PARKING REGULATIONS

- Motorcycles are limited to campus roadways and are not to be driven on sidewalks or parked at the entrance of STU buildings.
- Motorcycles are motorized vehicles, and as such are subject to the same decal requirements as automobiles.
- Violations of STU's parking policy can result in the ticketing, fines and/or towing of the vehicle. STU reserves the right to tow any vehicle which obstructs emergency services, illegally blocks another vehicle, or has been ticketed three or more times. All towing and storage fees are the sole responsibility of the driver/owner.
- The Department of Public Safety reserves the right to remove a vehicle from the premises in situations where the vehicle presents safety concerns, i.e. leaking fuel or any other hazardous material. The license plate number and the new location of the towed vehicle will be recorded at the Public Safety Office. The Department of Public Safety reserves the right to deny access to the parking facilities until proof of the vehicle's repair has been presented to the Director of Public Safety or his representative. The owner of vehicle will be responsible for any damage to University premises and for any costs incurred by the University as a result of the condition of the vehicle.
- Drivers shall park only where indicated and shall observe traffic signs. Violations of parking regulations may result in the immediate loss of parking privileges and violators' vehicles may be ticketed or towed. Tickets and towing are at the driver's risk and expense. Designated areas are to be used by permit holders only.
- Bicycles are not permitted in University buildings.
- Parking spaces have been allocated for disabled users whose vehicle displays a handicap tag or placard.
- The University assumes no responsibility for loss, theft, or damages to vehicles parked in University parking, premises or rented areas.
- Other than residential students and visitors, overnight parking or any other long term parking is prohibited unless authorized in advance by the Department of Public Safety.
- Residence hall parking is located on the west of Donnellon Hall, University Inn and the east side of Cascia Hall.
- No vehicle will be granted a permit that exceeds the normal parking stall size. No trailers (including house trailers, popup tent trailers, vehicle trailers, rental

trailers) will be granted regular permits nor will they normally be permitted to park in University parking lots.

- Neither Student nor Faculty and Staff parking decals guarantee the driver a parking space. The permit grants the driver permission to use campus-parking facilities.
- In exceptional circumstances, the Director of Public Safety reserves the right to authorize the use of specific parking spaces by specific individuals in University owned or rented space at his or her discretion.
- The Director of Public Safety reserves the right to close parking facilities when conditions warrant and to reduce or remove parking spaces when required.
- The overall responsibility for parking rests with the Department of Public Safety. Problems should be referred to the Director of Public Safety.

### PARKING CITATIONS

All students are required to adhere to the traffic policies and procedures adopted by the University and enforced by Campus Security. Students who violate a traffic rule or regulation will be provided notice of a citation by Campus Security. The notice of the citation will provide the procedures that must be used to appeal a citation. Once the time for appealing the citation has expired, or if the appeal is denied, the student will be assessed a fine for the violation in accordance with the schedule set out below. Students should be aware that these fines are added to their student accounts and result in additional amounts due to the Business Office

### PARKING CITATION APPEALS

An alleged, student violator of a University parking regulation, who has been issued a ticket for a monetary fine, may appeal the ticket. The appeal must be in writing on a Parking Appeal form (obtained at the 37th Avenue Gatehouse) and must indicate the reason(s) for the appeal. A copy of the citation must be attached to the appeals form or the appeal will not be considered.

- Student appeals must be received by the Department of Public Safety and the Appeals Committee within seven (7) days of the receipt of the ticket.
- All decisions made by the Appeals Committee are final.
- If the appeal is upheld, the ticket may be altered or voided.

*Note: Parking appeals should be delivered to the Public Safety Department gatehouse on 37<sup>th</sup> Avenue*

### CITATION COSTS

1. Speeding	\$50.00
2. Reckless driving	\$50.00
3. Possession of a lost permit	\$50.00
4. Parking in a handicapped space	\$50.00

5. Failure to obey traffic sign (moving) \$40.00
6. Blocking emergency access zones \$40.00
7. Non registration of vehicle \$30.00
8. Parking in reserved space or lot \$25.00
9. Blocking traffic \$25.00
10. Driving and parking on the grass \$25.00
11. Parking at a non-designated curb \$20.00
12. Blocking sidewalk or crosswalk \$20.00
13. Parking in a no parking zone \$20.00
14. Improper display of parking decal \$15.00
15. Improper parking \$15.00

### **COMPUTER USE POLICY**

Unless a professor decides otherwise, students are permitted to use a personal computer in classes, but only to take notes or complete class work. Getting e-mail messages, playing games and other uses of the computer unrelated to note taking or class work distracts others, shows disrespect and is forbidden. A professor may lower a student's grade, request that a student leave class, or take other steps if a student uses a computer for activities unrelated to note-taking or class work. For the policy regarding the use of computers to take examinations, see Computer Use on Final Exams.

### **NEW STUDENT ORGANIZATIONS**

Students desiring to charter a new student organization must get approval from the Interclub Council, which is chaired by the Student Bar Association (S.B.A.) Vice President. For additional information or guidance with starting a new organization students should consult with the Assistant Dean for Student Affairs.

### **STUDENT ORGANIZATION ACTIVITIES**

Any law student organization that wishes to engage in any activity that requires any law school resources (including meeting space) must get approval for such activities from the Assistant Dean for Student Affairs. No student organization is to organize events that invite speakers, guest lecturers or other non-law school community members to the Law School or elsewhere without express authorization of the Assistant Dean for Student Affairs. Such efforts must be coordinated to minimize conflicts and insure that appropriate procedures are in place for the proposed speakers.

### **STUDENT COMPLAINTS**

Students wishing to lodge a formal complaint should access the "Student Complaint Procedure" portal on the Website. This can be found at [www.stu.edu/law/students/studentcomplaintprocedure](http://www.stu.edu/law/students/studentcomplaintprocedure). That portal then provides instructions for filing a complaint. If the complaint concerns any matter, other than a complaint with regard to the Office of Student Affairs or personally regarding the

Assistant Dean of Student Affairs, then the complaint is handled by the Assistant Dean of Student Affairs. If the complaint concerns the Office of Student Affairs or personally addresses the Assistant Dean of Student Affairs, then the complaint is handled by the Associate Dean of Academic Affairs. If the student who filed the complaint is not satisfied once he or she receives notice of the disposition, then he or she can file an appeal with the Associate Dean of Academic Affairs (if the complaint was handled by the Assistant Dean of Student Affairs); or the Dean of the Law School (if the complaint was handled by the Associate Dean of Academic Affairs). The appeal must be made in a timely manner. Timeliness will be determined by the office that considers the appeal. The appeal is considered *de novo* and disposition of the appeal will be communicated in writing to the student within 30 days of acceptance of the appeal (unless notice of an extension is provided). The disposition as determined in the appeal is final.

## NOTICE OF CHANGES

St. Thomas University School of Law reserves the right to change, without notice, statements in this handbook concerning rules, policies, fees, curricula or other matters. Statements in this handbook should not be construed as the basis of a contract between an applicant or student and St. Thomas University School of Law or St. Thomas University.

## TOBACCO/SMOKE-FREE ZONE POLICY

### PURPOSE

St. Thomas University is committed to providing a healthy working and learning environment for the entire campus community. To that end, smoking areas have been designated throughout the campus. The policy will reduce harm from secondhand smoke, provide an environment that encourages persons to become tobacco free, reduce health insurance and health care costs, and promote a campus culture of wellness.

### SCOPE

This policy applies to all faculty, staff, students, contractors, vendors, and visitors. **The use of tobacco and all smoking products are allowed within the designated smoking areas, anyone smoking outside of these areas is in violation of this policy.**

### ENFORCEMENT

Effective implementation of this policy depends on the courtesy, respect, and cooperation of all members of the St. Thomas University community.

The enforcement period will run from August 1 – July 31, annually. Individuals found in violation of this policy will be subject to the following:

1. First-time offenders will receive a warning.
2. Individuals violating the policy thereafter will pay a \$10 donation to the Business Office. All donations will be sent to the American Lung Association of Florida, Ft. Lauderdale.

## SEXUAL AND DISCRIMINATORY HARASSMENT POLICY

### STUDENT POLICY

#### I. Purpose

St. Thomas University (*hereafter* University or STU), is committed to encouraging and sustaining a learning and living community that is free from harassment, violence, and prohibited discrimination. Consistent with this commitment and Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex/gender in any of the institution's programs or activities. STU has developed this comprehensive Sexual and Discriminatory Harassment Policy, applicable to all students. Further, STU conducts education and awareness programs with the goal of preventing and discouraging sexual assault, domestic violence, dating violence, and stalking.

As discussed more fully below, this Policy on Sexual and Discriminatory Harassment (*hereafter* Policy) prohibits all forms of sex/gender-based harassment, sexual violence, sexual exploitation, relationship violence (domestic violence and dating violence), and stalking. Collectively, these terms are referred to in this policy as "Sexual Misconduct." They are defined below under "Prohibited Conduct." (Note that non-sex/gender-based harassment is also a violation of university policy, as described under the university's Policy, available at [www.stu.edu/titleix](http://www.stu.edu/titleix)).

The Policy serves three principal purposes. First, it establishes conduct standards—namely, prohibited Sexual Misconduct—for all University faculty, staff and students. Note that a violation of this Policy may also constitute a crime, which will be independently reported to STU's Public Safety Department, Miami Gardens Police Department, or other appropriate law enforcement agency.

Second, the Policy outlines reporting, investigation, and complaint resolution procedures in cases where it is alleged that an STU faculty, staff or student has engaged in Sexual Misconduct. In the paragraphs that follow, the Policy specifies to whom violations of this policy should be reported, the availability of confidential reporting, intermediate measures available to the **complainant** (i.e., the individual who was the alleged victim of the behavior[s] in question) and the **respondent** (i.e., the one alleged to have committed a possible violation of the policy), how the University will investigate and resolve alleged violations, possible sanctions, and appeals. The University's Office of Administrative Affairs (restricted to the following units/sections: Administrative Affairs, Human Resources, Public Safety and Risk Management, Environmental Compliance and Emergency Management) is primarily responsible for implementing these procedures. Anyone with concerns about a possible violation of the Policy by a student, faculty or staff member is encouraged to contact Lenore Prado, Human Resources at (305) 628-6514, [lprado@stu.edu](mailto:lprado@stu.edu), or through an online reporting system located at [www.stu.edu/titleix](http://www.stu.edu/titleix)

Third, the Policy describes resources available to complainants of Sexual Misconduct. A variety of support resources are available on campus and in the community to assist students in dealing with the impact of Sexual Misconduct,

whether it happened recently or in the past. Such services are provided in the section titled *Resources to Help Survivors Cope* and interim measures issued by the Office of Student Affairs and/or the Human Resources (or her/his designee).

**II. Scope**

This Policy on Sexual and Discriminatory Harassment applies to any instance in which any STU student or campus visitor is alleged to have engaged in Sexual Misconduct, regardless of the complainant's or respondent's sex, gender, sexual orientation, or gender identity. The University may respond to any complaint of Sexual Misconduct that occurred within a student's career, from matriculation to graduation (including breaks, leaves of absence, travel aboard or periods of dismissal), whether on or off campus, as limited to under *Section III. A. Applicable Jurisdiction*. The disciplinary process is available as an option until an accused student graduates.

**III. Definitions of Prohibited Conduct and Consent**

Consistent with the federal requirement that the definitions of sexual assault, domestic violence, dating violence, and stalking in this policy be drawn from the state in which the institution is located, the following definitions of offenses and consent reflect Florida law.

- A. **Applicable Jurisdiction** includes all St. Thomas University property or off campus, where the conduct was in connection with a University or University-recognized program or activity, or the conduct may have the effect of creating a hostile environment for a member of the University community.
- B. **Complainant** is defined as an individual who complains of sexual misconduct in the manner provided under this policy.
- C. **Consent to Sexual Activity** means intelligent, knowing, and voluntary consent and does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.
- D. **Dating Violence** (also referred to as intimate partner violence) means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature.
- E. **Domestic Violence** means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.
- F. **Respondent** is defined as the individual who is alleged to have engaged in sexual misconduct.
- G. **Responsible Employee**, as defined by the Department of Education's Office of Civil Rights, is an employee who has the authority to take action to redress sexual harassment/misconduct; who has been given the duty of reporting incidents of sexual harassment/misconduct or any other misconduct by students to the Title IX Coordinator or other appropriate

designee; or who a student reasonably believes has this authority or duty. *For the purpose of this policy, STU has declared that all faculty, staff, designated third party contractors (G4S Secure Solutions USA, Inc./Public Safety, Follett Bookstore, Fast Twitch, The Boras Corporation, The Athletes Meals, Law School Cafe and Metz Culinary Management), "student peer mentors" and "resident assistants" as responsible employees. This does not include student employees defined as "work-study" or "tutor".*

- H. **Sexual Assault**, which is called "sexual battery" under Florida law, "means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object": (1) by force; or (2) by threatening (a) to use force or violence likely to cause serious personal injury on the victim or to retaliate against the victim or any other person, and (b) the victim reasonably believes that the offender has the present ability to execute the threat; or (3) when the victim is mentally defective and the offender has reason to believe this or has actual knowledge of this factor; or (4) the victim is physically helpless to resist or is physically incapacitated.
- I. **Sexual Contact** includes intentional contact with the breasts, buttock, groin, genitals, (or the clothing covering these areas) or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner.
- J. **Sexual Discrimination** is any action that adversely affects the employment or educational opportunities of a person due to his or her sex. This includes discrimination on the basis of pregnancy, in sports, in scholarship programs and in decisions or action at all operational levels on campus.
- K. **Sexual Harassment** is unwanted conduct of a sexual nature which can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment may include but is not limited to unnecessary touching or brushing against someone in a sexual manner; demanding sexual favors; and unwelcome messages or communications of a sexual nature.
- L. **Sexual Intercourse** involves vaginal, oral, or anal penetration by a penis, object, tongue, or finger.
- M. **Stalking** means "willfully, maliciously, and repeatedly follow[ing], harass[ing], or cyberstalk[ing] another person." "Harass[ing]" means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.

*Any and all forms of Sexual Misconduct are strictly prohibited by the University and the University will not tolerate any violations of the Policy.*

#### IV. **The Importance of Consent**

Consent is an affirmative decision to engage in mutually acceptable sexual activity given by clear actions or words. It is an informed decision made freely

and actively by all parties. Relying solely upon nonverbal communication can lead to miscommunication. It is important not to make assumptions; if confusion or ambiguity on the issue of consent arises anytime during a sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. All parties should understand that consent may not be inferred from silence, passivity, or lack of active resistance alone. Furthermore, a current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. *Being intoxicated does not diminish one's responsibility to obtain consent.*

Conduct will be considered “without consent” if no clear consent, verbal or nonverbal, is given. It should be noted that in some situations an individual's ability to freely consent is taken away by another person or circumstance. Examples include, but are not limited to, when an individual is incapacitated due to alcohol or other drugs, scared, physically forced, passed out, asleep, unconscious, intimidated, coerced, mentally or physically impaired, beaten, threatened, isolated, or confined.

**V. Evidence Preservation**

Survivors of sexual assault, domestic violence, dating violence, and stalking are encouraged to preserve evidence of these acts, which can take a great variety of forms and must often be preserved, or obtained through the help of medical or law enforcement personnel, immediately after the traumatic event. Evidence of a sexual assault, for example, can disappear if the survivor showers or washes up before it is collected, or changes clothes (If clothes are changed, evidence is best preserved by placing each item in a separate paper bag, rather than plastic bag). Evidence of “date rape” drugs like Rohypnol and Gamma-Hydroxybutyrate (GHB), which are better detected through urine samples than blood tests, dissipates rapidly over time.

**VI. Bystander Intervention**

Sexual misconduct, assault, domestic violence, dating violence, and stalking can occur in the presence of bystanders or even friends of the parties involved. It can occur over the course of time with the knowledge of others, sometimes many others. Often opportunities present themselves for others to intervene in a fashion that is both safe for them and effective in averting an offense. Just as it is said that friends don't let friends drive drunk, it could also be said –particularly in the context of “date rape” occurring during or after a party or domestic violence and stalking occurring over the course of time – that friends intervene when friends are committing or about to commit serious offenses of a violent or sexual nature. The University encourages all those who can safely and effectively help prevent sexual misconduct, assault, domestic violence, dating violence, and stalking to intervene, and will take the steps within its powers to protect anyone who does from retaliation.

**VII. Retaliation**

Retaliation is prohibited under this Policy. Any individual who believes he or she has been subjected to misconduct under this policy is encouraged and has the right to seek support, utilize available resources, and come forward with

his/her concern or complaint. Fear of retaliation should never be an obstacle to reporting an incident of alleged sex/gender-based harassment, sexual violence, relationship violence, or stalking. Retaliation is prohibited against anyone who participates in an investigation of or follow-up to a complaint of a violation of this policy.

### VIII. Reporting

All violations of the Policy must be submitted to Lenore Prado, Title IX Coordinator/Associate Director of Human Resources at (305) 628-6514, [lprado@stu.edu](mailto:lprado@stu.edu) or online at [www.stu.edu/titleix](http://www.stu.edu/titleix). Alternatively, reports can be submitted to Deputy Title IX Coordinators: Laura J. Varela, Private Sector Career Counselor, (Law) at (305) 623- 2350/[lvarela@stu.edu](mailto:lvarela@stu.edu) or Maritza Rivera, Director of Academic Enhancement, (Main Campus) at (305) 628-6564/ [mrivera@stu.edu](mailto:mrivera@stu.edu).

Faculty, staff and students may also contact the Department of Education’s Office of Civil Rights (OCR).

The OCR office for Florida is located at:

Atlanta Office  
Office for Civil Rights  
U.S. Department of Education  
61 Forsyth St. S.W., Suite 19T10  
Atlanta, GA 30303-8927  
Telephone: 404-974-9406  
FAX: 404-974-9471; TDD: 800-877-8339  
Email: [OCR.Atlanta@ed.gov](mailto:OCR.Atlanta@ed.gov)

The OCR National Headquarters is located at:

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg.  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Reports involving an alleged perpetrator may be filed at any time; prompt reporting can aid an investigation. A student may confidentially report a violation of this policy to those who serve in a professional role in which communication is privileged under Florida law and to those whom the University has designated as confidential reporters consistent with Title IX. Persons who may maintain strict confidentiality include:

- Student Health Center personnel
- Campus Ministries personnel
- Clergy acting in their professional role at STU

Students should be aware that, with the exception of these confidential resources, all employees who become aware of conduct that might fall under this policy are expected to notify the Title IX Coordinator/ Associate Director of Human Resources with the names of the parties involved and the details of the report. Students who serve in an ongoing peer-advising role (such as Resident Assistants) are also expected to share such reports with the Title IX Coordinator/ Associate Director of Human Resources.

Amnesty will be given for various student code of conduct violations, for

example, minor alcohol or drug infractions, for students reporting incidents of sexual assault or other sexual violence. Once a report is received, an investigation and possible remedial actions may occur, including adjudication through the disciplinary process described below, interim measures (e.g., a “no contact” directive, trespass from campus, interim suspension), reasonable academic or housing modifications, or other remedies designed to reasonably minimize the recurrence of such conduct as well as mitigate the effects of the alleged behavior.

**IX. Requests to Maintain Confidentiality**

St. Thomas University recognizes that confidentiality is important. Consistent with this principle, a complainant of Sexual Misconduct may request that the Title IX Coordinator/ Associate Director of Human Resources maintain his/her confidentiality, which may limit the extent to which the Title IX Coordinator/ Associate Director of Human Resources can respond. A request to preserve the confidentiality of any party involved in a report should be made to Lenore Prado, Title IX Coordinator/ Associate Director of Human Resources, [lprado@stu.edu](mailto:lprado@stu.edu). The University will attempt to maintain confidentiality except where, in the University’s judgment, maintaining confidentiality would jeopardize the safety of members of the University community (including the complainant) or where the University is required by law to disclose the information (such as in response to a legal process).

There are two (2) categories of individuals at the University with a complainant or respondent can discuss an incident related to an incident covered under this Policy:

**A. Confidential Resources**

Confidential resources for students includes the staff in the Student Health Center, Associate/ Assistant Dean of Students (main and law campuses), Director of Campus Ministry and the University Chaplain.

Confidential resources are not required to report any instances that violate this Policy to the Title IX Coordinator, Deputy Title IX Coordinators or Public Safety. Unless otherwise required by law or under governing professional standards, Confidential Resources are not required to report the incident if the complainant wants the matter to remain confidential.

**B. Responsible Employees/Reporters**

Reporters are designated individuals within the University where a violation of this Policy can be reported to. Reporters are required to advise the Title IX Coordinator or Deputy Title IX Coordinators of a violation of this Policy and share all details related to the incident. **For this Policy, all University faculty and staff are designated as Reporters unless denoted otherwise in Section IX.A: Confidential Resources.**

All participants (including the complainant and respondent, witnesses, advisors, and members of hearing panels) in any part of the outlined process that follows are required to respect the confidentiality of the proceedings and

circumstances giving rise to the report.

If a violation of this policy is reported to Responsible Employee or a Reporter, and the complainant wishes to maintain confidentiality or requests that no investigation be conducted or disciplinary action be taken, the University will weigh such a request against the University's obligation to provide a safe, non-discriminatory environment. There will be times when the University may not be able to honor a complainant's request in order to comply with this obligation. The ultimate decision as to whether the request for confidentiality will be honored will be made by the Title IX Coordinator. If the University determines that it cannot maintain confidentiality, the University will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with those individuals responsible for the investigatory and disciplinary processes.

## **X. False Reporting**

Anyone who files a report of, or later provides information about, sexual assault, domestic violence, dating violence, or stalking; that she or he knows to be untrue, may be subject to disciplinary action within the University and may also have violated criminal and civil laws against defamation. The good-faith submission of a report or information that turns out to be untrue is entirely distinct from knowingly submitting a false report or false information.

## **XI. Complaint Resolution**

### **A. Time Frames**

The University's overall goal is to resolve complaints under this policy within 60 calendar days from receipt of a report. An investigation typically takes 21 to 45 days to complete. Generally within 14 days after completion of an investigation (during which time staff in the Title IX Coordinator, Deputy Title IX Coordinators or Title IX Investigators may be seeking clarifying information and/or meeting with a complainant, respondent, investigator, or others), a hearing, if applicable, is scheduled.

Circumstances may require extensions of this overall 60-day time frame or any individual time frame discussed in this policy. The university reserves the right to extend these time frames in its sole discretion. Examples of reasons why time frames may need to be extended include the complexity of the case, delays due to fall/spring/summer/holiday breaks, inclement weather, and other extenuating circumstances. Exceptions to these time frames will be communicated to the complainant and respondent.

### **B. Investigation**

The Title IX Coordinator/ Associate Director of Human Resources is charged with investigating reports of violations of the Sexual or Discriminatory Harassment Policy, provided there are no conflicts of interest. During an investigation, a complainant and respondent have an opportunity to present witnesses and other evidence. Because every case is different, the Title IX

Coordinator/ Associate Director of Human Resources will tailor each investigation to the specific facts of the case, which may include some or all of the following steps:

- After receiving a report, the Title IX Coordinator/ Associate Director of Human Resources, or designee may meet with a complainant and respondent separately in order to hear or clarify his/her account of the incident, review the disciplinary process, and discuss other possible remedies.
- A formal investigation may be launched to investigate the complaint, interview witnesses, collect additional information, and submit a written report of findings.
- After the formal investigation, the Title IX Coordinator/ Associate Director of Human Resources, or designee may ask further clarifying questions of the complainant, the respondent, and/or witnesses. The Title IX Coordinator/ Associate Director of Human Resources, or designee will determine whether to proceed with the disciplinary process based on its assessment of whether there is sufficient information to believe that a policy violation may have occurred.
- Should a determination be made not to proceed with the disciplinary process, the complainant may meet with Title IX Coordinator/ Associate Director of Human Resources, or designee to review that decision. Should a determination be made to proceed with the disciplinary process, the procedures outlined below in the section *Hearing Procedures* will apply.
- During an investigation and until resolution of the matter, interim restrictions may be issued as deemed appropriate by the Title IX Coordinator/ Associate Director of Human Resources or designee. This includes restrictions on contact between the complainant and the respondent, exclusion from areas of campus, removal or relocation from residential areas, etc. An interim suspension may be imposed by the dean of the school or college or the Office of Student Affairs, or the Administrative Affair Unit, or designee.

**C. Information for Complainants**

Complainants will be treated with respect before, during, and after the disciplinary process. Complainants will be informed of the University’s disciplinary process and possible outcomes. The University will communicate substantive findings and, when warranted, procedural developments regarding an investigation. The alleged conduct may also be criminal in nature, and complainants have the right to report such conduct to STU’s Public Safety, Miami Gardens Police, or other appropriate law enforcement agency. A criminal report does not preclude University disciplinary action. Regardless of whether a complainant pursues a criminal complaint and/or the university’s grievance process through this Policy, the

University may investigate the incident(s) in question and will take appropriate responsive action to ensure that the educational environment is free of discrimination and to prevent the recurrence of a hostile environment—and, if appropriate, remedy the effects of the alleged harassment on the complainant. Remedies available to a complainant may include, but are not limited to: reasonable academic accommodations, on-campus housing reassignment, a “no contact” order between the respondent and the complainant, and disciplinary action against the respondent as determined through the disciplinary process outlined in this Policy. Note that mediation is not an appropriate remedy for any allegation of violence.

An advisor of the complainant’s choice may accompany the complainant to all meeting with Title IX Coordinator/ Associate Director of Human Resources, the investigator, or to a hearing. The advisor’s role in any meeting or hearing is limited to quietly conferring with the complainant through written correspondence or whisper, and the advisor may not address any other participant or the hearing panel.

#### **D. Information for Respondents**

Respondents will be treated with respect before, during, and after the disciplinary process. Respondents will be informed of the University’s disciplinary process and possible outcomes. The University will communicate substantive findings and, when warranted, procedural developments regarding an investigation. Note that alleged behavior may also be criminal in nature, and a respondent may be subject to a criminal investigation by the appropriate law enforcement agency at the same time as an investigation by the university under this policy. Respondents can expect a presumption of innocence throughout the disciplinary process unless and until they are found responsible for a violation of this policy.

Respondents may request changes to academic and living situations and will be notified as to what changes are reasonably available. An advisor of the respondent’s choice will accompany the respondent to all meeting(s) with the Title IX Coordinator/ Associate Director of Human Resources, the investigator, or to a hearing. The advisor’s role in any meeting or hearing is limited to quietly conferring with the respondent through written correspondence or whisper, and the advisor may not address any other participant or the hearing panel.

### **XII. Hearing Procedures**

When the Title IX Coordinator/ Associate Director of Human Resources, or designee decides that a case should proceed to disciplinary proceedings, the case may be resolved either through an administrative resolution or a hearing panel. Under both types of proceedings, the university will use a “preponderance of the evidence” standard and evaluate available information from the perspective of a reasonable person in the complainant’s position and in consideration of the context of the behavior.

**A. Administrative Hearing**

At the discretion of the Title IX Coordinator/ Associate Director of Human Resources, or designee, and with the agreement of both the complainant and respondent, a report may be resolved through an administrative hearing. The parties will be notified (typically via e-mail) of the specific violations of the Sexual and Discriminatory Harassment Policy under consideration in advance of an administrative hearing. The Title IX Coordinator/ Associate Director of Human Resources, or designee will review the report separately and in private with each party and give each party an opportunity to respond. The Title IX Coordinator/ Associate Director of Human Resources, or designee will determine if the respondent is responsible for the alleged policy violation, and, if so, issue (an) appropriate sanction(s). The parties will be notified of the outcomes concurrently. If the respondent or complainant does not accept the administrative hearing resolution, he/she may request by the stated deadline a hearing before a hearing panel, as described below.

**B. Hearing Panel**

If the Title IX Coordinator/ Associate Director of Human Resources, or designee will select five (5) members from the University to resolve a complaint under this Policy. Each member of the administrative hearing panel is required to complete Title IX investigator training prior to serving in that capacity. With a hearing panel, a finding of responsibility must be based on a unanimous vote; any sanction must be decided by a majority vote with the exception of suspension or expulsion, which must be supported unanimously.

The following procedures apply to a complaint that proceeds to a hearing panel:

- Notice: Both the complainant and the respondent will be notified at least five (5) business days in advance of the date and time of the hearing and the names of the hearing panelists.
- Hearing Packet: In advance of the hearing, the Title IX Coordinator/ Associate Director of Human Resources, or designee prepares a packet with information relevant to the case to be shared with the administrative hearing panel. The Title IX Coordinator/ Associate Director of Human Resources, or designee will share a copy of that packet with both the complainant and the respondent at least five (5) business days in advance of the hearing. If a complainant or respondent wishes to share additional relevant written information to the administrative hearing panel in advance of the hearing, it must be submitted to the Title IX Coordinator/ Associate Director of Human Resources, or designee within three (3) business days of the hearing, which will then share that material with the complainant or respondent no later than two (2) business days before the hearing. The Title IX Coordinator/ Associate Director of Human Resources, or

designee will determine the relevancy of the additionally submitted material.

- Conflict of Interest: A complainant or respondent may challenge the participation of a panelist he/she perceives to have a conflict of interest. Such challenges, including rationale, must be made to the Title IX Coordinator/ Associate Director of Human Resources, or designee at least two (2) business days prior to the commencement of the hearing. At its discretion, the Title IX Coordinator/ Associate Director of Human Resources, or designee will determine whether such a conflict of interest exists and whether a panelist should be replaced.
- Witnesses: A complainant and respondent may offer relevant material witnesses to provide testimony. Absent exceptional circumstances, the complainant and respondent should inform the Title IX Coordinator/ Associate Director of Human Resources, or designee in writing at least two (2) business days in advance of the hearing the names of any witnesses he/she wishes to testify and to what they will attest. Names of witnesses submitted to the Title IX Coordinator/ Associate Director of Human Resources, or designee by the complainant or respondent will be shared with the other party in advance of the hearing. Note that a hearing panel may, in its sole discretion, exclude witnesses or witness testimony deemed irrelevant or duplicative. Participants are reminded that any information shared during a hearing is confidential.
- Character References: A complainant and respondent may submit two written character references to a hearing panel before the hearing begins. Character references may only address the character of the complainant/respondent and may not address the specific issue at hand.
- Hearing Procedure: The general course of procedure for a panel hearing is as follows: introductions; respondent's statement regarding whether he/she accepts or denies responsibility; opening comments from the complainant; opening comments from the respondent; questions; testimony/questions of other material witnesses (if applicable); closing comments from the complainant; and, closing comments from the respondent. A complainant or respondent may not question each other or other witnesses directly, but may raise questions to be asked of that party through the hearing panel, which will determine whether to ask them. As noted, the hearing panel may exclude witnesses or witness testimony that it deems irrelevant or duplicative. A hearing panel has general authority over the conduct of the hearing (e.g., it may set time frames for witness testimony and it may limit opening/closing statements or their length, etc.).

The complainant and respondent will receive written notification of the decision of a hearing panel as required by Title IX, no sooner than two

business days and no later than five business days after the hearing. Notification will be individually given to the respondent and complainant at approximately the same time. (For reports resolved through an administrative hearing, only a written notice of the outcome will be delivered to the complainant and respondent.) A written hearing report outlining the decision and rationale of the hearing panel will be later delivered to the respondent and the complainant.

**C. Appeals**

A respondent who is found responsible for a violation of this policy may appeal to the appellate board based on the following grounds: 1) new information (available after a hearing) of a nature such that the verdict or sanction may have been different; 2) procedural errors within the hearing process which may have substantially affected the fairness of the hearing; and/or 3) the finding was inconsistent with the weight of the information. A complainant may also appeal the outcome on one or more of the above stated grounds. The composition of the appellate board for cases arising under this policy includes members of the university community appointed by the University President in consultation with the Title IX Coordinator/ Associate Director of Human Resources, or designee. A four (4)-person panel of the appellate board, typically including, when possible, at least one faculty, staff member, or student from the complainant and respondent’s school, will review the appeal, the hearing report, any information included in the hearing, and any additional information it deems relevant. A complainant or respondent may request to meet with the panel of the appellate board to amplify his/her ground(s) of appeal. Note: Members who serve on the administrative hearing panel are not allowed to serve on appellate board.

**XIII. Resources to Help Survivors Cope**

**A. Campus Counseling**

The University strongly encourages survivors to consult with, at no cost, the Student Health Center’s full-time counselor, who is trained in assisting survivors of sexual misconduct, assault, domestic violence, dating violence, and stalking, and who can refer them to other helpful programs and resources within the local community. The counselor is located in the Student Health Center in the Student Union Center building and can be reached at (305) 628-6695/6690. The Office of Campus Ministry is another on campus resource for individuals seeking faith-based counseling. The staff in Campus Ministry is located in Mimi Dooner Hall and can be reached at (305) 628-6525.

**B. Off Campus Resources**

Community programs assisting survivors of sexual assault, domestic violence, dating violence, and stalking include:

- The Roxcy Bolton Rape Treatment Center is located at 1611 NW 12th Avenue in Miami. Its phone number is (305) 585-5185 and its website is at [www.jhsmiami.org](http://www.jhsmiami.org). The Center, which has a 24-hour

hotline and whose services are free, provides crisis intervention; information and referrals to medical, counseling, and legal resources; prevention education; and individual and group therapy.

- Jessie Trice Community Health Center is located at 4692 NW 183rd Street in Miami Gardens. Its phone number is (305) 474-6855 and its website is at <http://www.jtchc.org/>. The Center provides counseling and health care services.
- The Lodge is a shelter for victims of domestic violence, rape and sexual assault in Miami-Dade County (exact address not provided for victims' safety). The 40-bed, 10-crib facility provides refuge and crisis intervention to battered women and their children when home is not a safe place. The shelter is open 24 hours a day, 365 days a year. It offers support groups, outreach programs, and court advocacy among other services. Crisis Line: (305) 693-0232; E-mail: [info@thelodgemiami.org](mailto:info@thelodgemiami.org); Website: <http://www.thelodgemiami.org/>
- Women in Distress of Broward County, which can be contacted at (954) 761-1133 or at <http://www.womenindistress.org/>, is a full-service domestic violence center serving Broward County with a 24-hour hotline and emergency shelter, as well as counseling and support for survivors and their children.
- Project Style is located at 169 E. Flagler Street, suite 1300, in Miami. Its phone number is (305) 458-2356 and its website is at <http://www.stylemiami.org/>. Project Style provides, among other resources, HIV testing and free counseling.

#### **XIV. Applicable Legal Requirements**

This policy is designed to comply with applicable legal requirements, including Title IX of the Education Amendments of 1972; relevant provisions of the Violence Against Women Reauthorization Act of 2013; Title VII of the Civil Rights Act of 1964; and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). STU does not discriminate on the basis of sex, sexual orientation, gender, or gender identity or expression in its education or employment programs and activities.

#### **XV. Sunset Review**

This policy shall be reviewed in two (2) years from its effective date to determine its effectiveness and appropriateness. This policy may be reviewed before that time as necessary to reflect substantial organizational, physical, or academic change(s) at STU or any change required by law.

*Responsible Authority: Office of Administrative Affairs/Human Resources*

## STALKING POLICY

St. Thomas University aims to create a safe learning environment for its students, faculty, and employees. Accordingly, the University will not tolerate the stalking of any member of the University community as defined by Florida Law. Violation of the Florida “stalking” law may result in disciplinary action, up to and including expulsion and/or termination.

A person commits stalking when any of the following occur:

- 1) Any person who willfully, maliciously, and repeatedly follows or harasses another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in Florida Statute § 775.082 or § 775.083.
- 2) Any person who willfully, maliciously, and repeatedly follows or harasses another person, and makes a credible threat with intent to place that person in reasonable fear of death or bodily injury, commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in Florida Statute § 775.082 or § 775.083, or § 775.084.
- 3) Any person who, after an injunction for protection against repeat violence pursuant to Florida Statute § 784.046, or an injunction for protection against domestic violence pursuant to Florida Statute § 741.30, or after any other court-imposed prohibition of conduct toward the subject person or that person’s property, knowingly, willfully, maliciously, repeatedly follows or harasses another person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in Florida Statute § 775.082, §775.083, or § 775.084.
- 4) Any person who willfully, maliciously, and repeatedly follows or harasses a minor under 16 years of age commits the offense of aggravated stalking, a felony, of the third degree, punishable, as provided in Florida Statute § 775.082, so. 775.083, or 775.084.
- 5) Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

## DEFINITIONS

- a) “Harass” means to engage in a course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose.
- b) “Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.” Such constitutionally protected activity includes picketing or other organized protests.
- c) “Credible threat” means a threat made with the intent to cause the person who is the target to reasonably fear for his or her safety. The threat must be against the life of, or a threat to cause bodily injury to, a person.

## PROCEDURES FOR REPORTING STALKING

Any student, faculty member, or employee who believes that he or she is a victim of stalking must immediately contact the Miami-Dade Police Department at 9-911. You must also notify Campus Security/Public Safety at extension 6500.





**ST. THOMAS UNIVERSITY SCHOOL OF LAW**

**HONOR CODE**



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## HONOR CODE

### PREAMBLE

The legal profession is responsible for enforcing its own standard of conduct. A lawyer's conduct shall exemplify the highest ethical standards. Accordingly, each student who joins the St. Thomas University School of Law ("Law School") community agrees to adopt a commitment to academic integrity, trust, and respect in adhering to the principles of self-regulation and high ethical behavior reflected in the following Honor Code.

### ARTICLE I. GENERAL MATTERS

#### **Section 1.01. Jurisdiction.**

Any alleged Honor "Code" violation will be heard and determined as provided herein.

#### **Section 1.02. Knowledge of Authorities.**

Students are presumed to know the provisions of the Code, the policies and rules of St. Thomas University and the Law School, and the policies and rules of courses in which the students are enrolled.

#### **Section 1.03. Scope.**

- (A) **Relationship with Criminal and Civil Law.** The Code operates concurrently with processes of criminal and civil law. The Law School may within its discretion postpone Code processes pending the outcome of criminal proceedings. A student must disclose to the Assistant Dean for Student Affairs any accusation of a violation of the law, or any charge, arrest, or conviction of the law that arises after submitting an admissions application. Disclosure must be within thirty days of the earlier of the accusation, charge, arrest, or conviction. A student has a continuing responsibility to ensure the admissions application is complete and correct.
- (B) **Relationship with Administration Powers.** The Code governs only matters within its substantive scope. The Law School Administration may within its discretion respond to any misconduct, such as non-academic misconduct, not within the Code's scope. Some misconduct not involving academic dishonesty may render a student potentially unfit for continuation at the Law School and to enter the legal profession. Those matters may be concurrently or divergently addressed by both the Administration and the Honor Council. The Administration may act to preserve the safety and security of any person or property, even when a matter falls within the Code's substantive scope, regardless of whether Code processes are initiated.
- (C) **Relationship with Faculty Powers.** Academic freedom of the faculty shall not be restricted, even when a matter falls within the Code's substantive scope, regardless of whether Code processes are initiated. The Honor Council may within its discretion defer to a course professor an academic assessment pending a decision.

**Section 1.04. Time Limits.**

An accused may agree to extend or waive any procedural time limit. Extension of time does not relieve the accused of responsibility for Code violations.

**Section 1.05. Notice.**

When the Code calls for notice to a student, it shall be sufficient to deliver notice in person or via electronic mail to the student's St. Thomas University account.

**Section 1.06. Adherence.**

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

**Section 1.07. Confidentiality.**

The confidentiality of all Honor Code processes, including any records or materials obtained, shall be indefinitely maintained by the Office of the Associate Dean, except as required by law, requirements of state bar associations, or other licensing authorities. Confidentiality may be waived by the accused and/or as part of a sanction imposed under section 305.

## ARTICLE II. VIOLATIONS

**Section 2.01. Academic Misconduct Violations.**

Academic misconduct includes the curricular and extracurricular, regardless of whether academic credit is awarded. It shall be a Code violation for a student to commit any of the following acts or omissions. The acts or omissions and examples provided below are offered merely to illustrate the types of obligations imposed and not meant to be exhaustive.

**(A) Cheating.**

- (1) To give or secure any information about an examination or other academic assignment, except as authorized by the course professor.
- (2) To use or possess, if prohibited by the course professor, any book, notes, other person's work, or materials for an examination or academic assignment.
- (3) To fail to follow all instructions concerning examination administration, regardless of whether such behavior is done intentionally, negligently, or otherwise, including but not limited to writing after time expires, taking an examination or other materials from the testing room, engaging in any form of unauthorized collaboration, and possessing or accessing, or attempting to access any devices or materials not expressly authorized by the course professor.
- (4) To take, conceal, withhold, destroy, damage, or abuse property without authorization when the act deprives a student of property for an academic purpose, or to otherwise impede another student's academic work.

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- (5) To copy, consult, or use, for an academic purpose, another person's work or to allow another student to access your work without the authorization of both that student and the course professor.
  - (6) To consult with, or seek guidance or feedback from, any person with regard to any assignment or examination, unless such collaboration is expressly allowed by the professor.
  - (7) To solicit any other student or person to provide unauthorized assistance with regard to any assignment or examination.
- (B) **Plagiarizing.** To take the written work of another and pass it off as one's own for an academic purpose. The following are examples but not an exhaustive list:
- (1) Misappropriation: use of someone else's work, words, thoughts, or ideas without unambiguous acknowledgement.
  - (2) Multiple submissions: A student shall not submit work previously submitted in compliance with requisites for another class or program at this or any academic institution without permission of the course professor. This provision also shall apply to work submitted for law school credit that was completed previously in satisfaction of non-academic work requirements.
  - (3) Unauthorized collaboration: A student shall not submit or allow another student to submit work, including writing samples, produced in collaboration with another person without permission of the course professor. This includes collaboration with respect to substantive content, as well as the writing style, grammar, proofreading, or citation form.
- (C) **Misconduct Involving Library Materials.** A student shall not:
- (1) Tear, deface, destroy, or otherwise dispose of materials or equipment.
  - (2) Disrupt others with respect to use of materials, equipment, or resources.
  - (3) Remove materials without complying with established library procedures.
  - (4) Engage in conduct that unreasonably interferes with others' use of materials, equipment, or resources or that violates a library rule.
- (D) **Misrepresentation.**
- (1) To misrepresent a material fact with respect to any academic requirement.
  - (2) To represent work of another as one's own or one's own work as work of another; to allow another student to represent your work as his or her work; to represent oneself as another; or to procure representation of another as oneself.
  - (3) To misrepresent attendance in class, either of oneself or of another.
  - (4) To misrepresent, including a failure to disclose, any material fact concerning qualification for admission to the Law School or its programs.
- (E) **Other Offenses.**
- (1) To create any material and substantial disruption of the Law School academic environment.
  - (2) To violate any rule of professional conduct when a student is enrolled in a clinical or *pro bono* program conducted by the Law School.

- (3) To, recklessly or intentionally, furnish false or misleading information, or to withhold material information, on any Law School document, or on any document intended to secure employment, admission to an academic program, or similar opportunity.
  - (4) To use network or computer access inappropriately, in a way that affects a class or other student's academic work. Non-exhaustive examples include tampering with another student's account, stealing a student's work through electronic means, or knowingly spreading a computer virus.
  - (5) To appear in a Law School academic environment, any Law School sponsored event, or any event in which the student is acting as a representative of the Law School, while noticeably under influence of alcohol or other intoxicants.
  - (6) To violate any [University or Law School] policy, procedure, rule, or regulation.
- (F) **General Unfitness.** Any act that reflects adversely upon a student's fitness to practice law, or endangers or discredits the Law School community, including but not limited to, acts involving violence, threats of violence, bullying or intimidation, dishonesty, criminal conduct, breach of trust, abuse of process or unprofessional conduct, or acts that interfere with the administration of justice or Law School policy.
- (G) **Serious Risk of Harm.**
- (1) A student who in the Dean of the Law School's discretion poses a risk of serious harm to the Law School community or violates an order designed to protect safety of others shall be immediately expelled.
  - (2) A student who is arrested for a felony or misdemeanor or who failed to disclose in his or her Law School application an arrest for a felony or misdemeanor that in the Dean of the Law School's discretion raises a serious issue of the student's fitness for practice may in the Dean of the Law School's discretion be immediately suspended.
  - (3) A student under (1) or (2) shall be afforded due process under the Code at a later date.

(H) **Academic Requirements.**

No student may sit for the Multistate Professional Responsibility Examination (MPRE) prior to registering for and attending the Law School's course in Professional Responsibility. A student is authorized to sit for the MPRE only if he or she has previously completed or is taking the Law School's Professional Responsibility course at the time of the administration of the MPRE.

**Section 2.02. Code Enforcement Violations.**

- (A) To knowingly fail to report another student's violation.
- (B) To knowingly make a false report of another student's violation, to knowingly make a false or materially incomplete report, or to give false or materially incomplete testimony in an investigation or proceeding.
- (C) To falsify, destroy, or place beyond the reach of an officer acting under the Code any documents, testimony, or other evidence material to an investigation or

other process.

(D) To fail, without reasonable excuse, to appear as a witness or testify when called.

(E) To breach a duty of confidentiality.

### **Section 2.03. Duty to Comply.**

All students shall comply with the Code's provisions.

### **Section 2.04. Duty to Report.**

All students shall report to the Associate Dean for Academic Affairs, Assistant Dean for Student Affairs, or Assistant Dean for Professionalism any incident in which known facts indicate a significant likelihood of a Code violation.

### **Section 2.05. Attempt; Aiding and Abetting; Conspiracy.**

It shall be a violation of the Code to attempt to commit any offense; to aid or abet in the commission of any offense; or to participate in a conspiracy to commit or hide any offense.

### **Section 2.06. Imposition of Sanctions.**

(A) A sanction may be imposed on a probationary or temporary basis.

(B) In selecting a sanction, any relevant information may be considered, and the following factors shall be considered:

- (1) Nature and seriousness of harm posed to academic integrity of the Law School.
- (2) Circumstances of the violation, including aggravating and mitigating factors.
- (3) Need to uphold and promote respect for the Code and to deter future violations.
- (4) Reconciliation of the responsible student with the Law School community.
- (5) Comments of the responsible student relevant to sanction selection.
- (6) State of mind of the responsible student.

## **ARTICLE III. HONOR COUNCIL & PROCEDURES**

### **Section 3.01. Honor Council.**

The Honor Council shall consist of seven members: three Law School students, three full-time faculty members, and the Associate Dean for Academic Affairs as Chair (or his or her designee of a "Hearing Officer" as provided below).

### **Section 3.02. Formation of the Honor Council.**

**Faculty Representatives.** At the conclusion of the spring semester, the Law School Administration shall choose three faculty members to serve on the Council during the subsequent summer and academic year. The Associate Dean for Academic Affairs shall be the Chair. If one or more of the faculty members are unable to participate in disposition of any case, the Dean of the Law School or the Associate Dean for Academic Affairs may appoint a substitute faculty member to act with regard to that case.

**Student Representatives.** During spring semester, the Law School student body shall elect three representatives to serve on the Council during the subsequent

summer and academic year. One representative shall be a second-year student and two shall be third-year students. A student must be in good academic standing during candidacy and election, shall maintain good academic standing, and shall have not been convicted of a Code violation. If one or more of the student members are unable to participate in disposition of any case, the Student Bar Association President or the Associate Dean for Academic Affairs may appoint a substitute student member to act with regard to that case.

**Chair.** The Associate Dean for Academic Affairs shall be the Chair but may, in his or her discretion, appoint any other Associate Dean, Assistant Dean, or Tenured Faculty member to serve as Hearing Officer with regard to the disposition of any individual complaint. In the event a Hearing Officer is appointed, he or she assumes all the duties and responsibilities set out herein with regard to the Chair for purposes of disposition of that complaint.

**Conflict of Interest.** No student, faculty member, or member of the administration shall serve on the Honor Council with regard to the disposition of a complaint, if that student, faculty member, or member of the administration is deemed by the Chair to have a conflict of interest or likely to be a material witness.

### **Section 3.03. Complaint.**

(A) Any member of the Law School community may submit a complaint alleging that a student has violated one or more Code provisions.

- (1) A complaint shall consist of a written statement identifying the name of the accused and nature of the suspected violation.
- (2) Complaints shall be submitted to the Associate Dean for Academic Affairs, Assistant Dean for Student Affairs, or Assistant Dean for Professionalism. All complaints ultimately shall be forwarded to the Associate Dean for Academic Affairs.
- (3) The Honor Council shall not be used to resolve personal conflicts.

(B) Upon receipt of a complaint, the Associate Dean for Academic Affairs shall determine if he or she will sit as Hearing Officer with regard to the disposition of the complaint or appoint an alternative Hearing Officer as provided herein. The Hearing Officer acts in lieu of the Chair with regard to the disposition of the specific complaint. He or she serves as the presiding member of the Honor Council for purpose of disposition of the complaint. Once that determination is made, the Hearing Officer shall within seven days [of receipt] review the complaint and determine if the allegations are acceptable for the Council's disposition.

- (1) If the Hearing Officer determines that the complaint is unacceptable because it does not allege a violation of the Honor Code, or the process is being misused under §3.03(A)(3) or both, then the complaint shall be dismissed, and the complainant so notified. No negative record shall be made with regard to the complaint.
- (2) If the Hearing Officer determines that the complaint is acceptable:
  - a. during the school year then the Hearing Officer shall convene the Council within two weeks from acceptance of the complaint;
  - b. at any time other than during the school year then the Hearing Officer shall convene the Council within a reasonable time.

- c. the Hearing Officer may invite the accused to informally discuss the allegations with a view to summary disposition. If the accused so requests and the Hearing Officer determines that summary disposition is appropriate, the case may proceed, based upon a written acknowledgment by the accused that he or she committed an act in violation of this Code, and the Hearing Officer may issue a warning and may impose any sanction provided in Section 3.05.
- (C) Once convened, the Honor Council shall determine whether it is necessary to appoint one or more Honor Council members to conduct a preliminary investigation. If investigation is necessary then the Honor Council shall determine the method to be employed and the time period for gathering information and reporting to the Honor Council.
- (D) After any investigation and reporting, the Honor Council shall determine whether credible evidence exists to proceed to a hearing. If a majority of the Honor Council finds no credible evidence then the matter shall be deemed concluded and disposition recorded. If a majority of the Honor Council finds credible evidence then the Honor Council may take one or more of the following actions:
- a. continue to investigate the matter if further investigation is warranted;
  - b. issue a warning to the accused, which may include terms and conditions with regard to prospective behavior;
  - c. proceed to a hearing as set out in section 3.04.

#### **Section 3.04. Hearing.**

##### **(A) Notice.**

- (1) The Hearing Officer shall notify the accused of a hearing date [and the identity of the Hearing Panel] within ten business days of the determination to proceed to a hearing.
- (2) The Honor Council may set the hearing at a later date due to the unavailability of witnesses or evidence or in other extenuating circumstances.
- (3) After the determination to proceed but before the hearing, the Honor Council within its discretion may meet to consider any preliminary matters, including the accused's request to sever parties or to have discreet violations heard separately.
- (4) The accused is entitled to postponement of the proceedings if either:
  - a. evidence that may clear him or her is not presently available at the hearing and will be available at a later time, within reason; or
  - b. if an emergency situation arises that will not allow the student to participate in the hearing at that time.

(B) **Hearing Panel.** The Hearing Panel shall consist of the Hearing Officer and the other Honor Council members.

##### **(C) Challenges.**

- (1) The accused may in writing petition for recusal of any Hearing Panel member for good cause.
  - a. The petition must be delivered to the Honor Council within three business days after receipt of the hearing notice.
  - b. If the petition is not delivered within three days then it will be denied.

- (2) Any Honor Council member may withdraw from the hearing for good cause.
- (3) If an Honor Council member is excused under (1) or (2) then the remaining Council members shall hear the case.

**(D) Hearing Procedures.**

- (1) The hearing is an inquisitorial, not adversarial, proceeding in which formal rules of evidence are inapplicable. The Hearing Panel decides what documentary evidence to request, what witnesses to call, and what questions to present. The Hearing Officer has the final authority over all evidentiary and scheduling matters.
- (2) The accused shall have the right to have any one personal representative, including a family member, student, friend, or retained counsel attend but not participate in the hearing. Faculty members shall not serve as a representative. The Honor Council may call witnesses, request evidence, or ask questions.
- (3) The accused shall have only the following rights at the hearing:
  - a. To be present during all testimony and to request further questions at the conclusion of the testimony.
  - b. To request witnesses. The Hearing Officer may require an offer of proof and decide to exclude the testimony, in whole or in part, of a witness if considered to be irrelevant, duplicative, or otherwise unnecessary.
  - c. To make an opening and closing statement.
  - d. To refuse to answer any incriminating question.
  - e. To testify and submit materials believed to be relevant.
- (4) All proceedings and hearings are closed.
- (5) The accused's unreasonable failure to appear at the hearing shall entitle the Hearing Panel to render a decision against the accused.

**(E) Adjudication.**

- (1) At conclusion of the hearing, the Honor Council shall deliberate in secret.
- (2) If a majority of the Honor Council finds by clear and convincing evidence that the accused committed acts violating the Honor Code, the accused shall be found guilty.
- (3) If the Honor Council finds that the accused is guilty, an appropriate sanction shall be determined by a majority vote.
- (4) The Council shall notify the accused of the disposition within a reasonable time.
- (5) All information regarding identity of the accused shall remain confidential, unless disclosure of the incident becomes one of the sanctions imposed under Section 3.05.

**Section 3.05. Sanctions.**

Upon a finding of guilt under the Honor Code, specific sanctions may include but are not limited to one or more of the following:

- (A) Revocation of degree.
- (B) Expulsion.
- (C) Suspension.
- (D) Disciplinary probation.

- (E) Public or private written reprimand.
  - (1) Written reprimand will become a permanent part of the student's academic file.
  - (2) Notice may be publicly posted or disseminated indicating the nature of the violation and any sanctions imposed.
- (F) Notation of the violation on the student's transcript.
- (G) Denial of course credit.
- (H) Involuntary withdrawal from a course.
- (I) Downward disciplinary grade adjustment for an assignment or course.
- (J) Dismissal or suspension from participation in a Law School activity or organization.
- (K) Restriction of library or other Law School privileges.
- (L) Service to the Law School or the community.
- (M) Restitution to the Law School or other appropriate entity.
- (N) A written acknowledgement and apology to persons adversely affected by student's behavior.
- (O) Loss of eligibility for any scholarship, grant, or compensation from the Law School, University, or outside entity.
- (P) Loss of eligibility to receive any award or recognition for *pro bono* services or academic achievement.
- (Q) Stay or suspension of sanction. Any sanction provided herein may be stayed or suspended for a period of time, or conditional upon the student's compliance with other terms and conditions including, but not limited to,
  - (1) No further violations or allegations of violations of the Honor Code; or
  - (2) Compliance with a prescribed course of treatment or adherence to other behavioral requirements as set out by the council; or both.
- (R) Any other reasonable sanction not included in this list.

## ARTICLE IV. APPEALS

### **Section 4.01. Right to Appeal.**

The accused shall have the right to appeal in writing the Honor Council's finding of guilt, the sanctions imposed, or both, to the Dean of the Law School. The appeal shall indicate the reasons for appeal.

### **Section 4.02. Time to Appeal.**

Appeal of the Honor Council's decision or sanctions shall be made to the Dean within ten business days of the Honor Council's disposition notice. Should the accused require additional time, a request for such must be made within the same two-week period. The Dean may within his or her discretion grant additional time.

### **Section 4.03. Review.**

With respect to sanctions, the Dean may within his or her discretion alter the penalty by either ameliorating or making more severe the punishment imposed. The Dean's decision is final.

### ARTICLE V. EFFECTIVE DATE

This Honor Code supersedes all previous codes of student conduct promulgated by the Law School, shall become effective at the commencement of the Fall 2018 semester, and may be amended at any time with notice provided to the student body.

[The Honor Code was approved by the Faculty of St. Thomas University School of Law, on September 18, 2012.] Amended July 2018.

**ST. THOMAS UNIVERSITY SCHOOL OF LAW**

**LIBRARY PROCEDURES AND REGULATIONS**



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## Welcome to the St. Thomas University Legal Information Center

### ENTRY

The Law Library is located in the School of Law, and is entered and exited only through the main entrance leading from the Breezeway. All other doors are fire exit/emergency doors and are limited to emergency use or for staff use only. The alarm sounds when fire exit/emergency doors are opened.

The Law Library is open to all faculty, staff and students of St. Thomas University, and to St. Thomas Law alumni, visiting scholars and researchers and current students and faculty of other law schools or paralegal programs. The Law Library is *not* open to the general public. Any patron who does not observe the rules of the Law Library will be asked to leave.

The following types of identification are required in order to gain access to the Law Library:

- Faculty, students, and staff of St. Thomas School of Law School and University will require a valid ID card to access the Law Library and may be asked to show such ID at anytime.
- Alumni of the School of Law and active members of any U.S. based Bar must present a Bar Association card and photo identification card at the Circulation desk.
- Visiting law and paralegal students will require a student ID card from their institutions.
- During reading and exam hours, when posted, the Law Library will be open ONLY to Law students, faculty and staff.
- The computer lab is ONLY open to Law School and University students, faculty and staff.

**Visitors not currently affiliated with the University are required to sign in at the Circulation Desk.**

Circulation of material for use outside the Library is limited to St. Thomas University faculty, staff and students. All other researchers must use the collection in the Library. A detailed breakdown of the circulation times and privileges for different materials and users may be found below; copies are available at the circulation desk.

Our primary responsibility is to serve our own faculty and students. However, within the limits of our staff resources, we will attempt to provide reference service to members of the bar and other outside researchers. It is the purpose of the Library administration and staff to make the holdings of the Library as freely available to all patrons as is consistent with proper and equitable use. Your cooperation is essential. Please adhere to those regulations and rules that are included in this handbook or are posted in the Library.

The Circulation Desk and the Law Library **will not** hold items for later pickup by students, faculty, or staff. We cannot be responsible for such items. Any items left behind **will be deposited in the lost and found.**

## REGULAR HOURS

Monday through Thursday	7:30 a.m. - Midnight
Friday	7:30 a.m. - 9:00 p.m.
Saturday	10:00 a.m. - 6:00 p.m.
Sunday	11:00 a.m. - Midnight

Note that hours may change during examination periods, holidays and intersession period. Regular, holiday, intersession and examination period library hours are posted at the Library entrance and on the St. Thomas Law Library website at [www.stu.edu/law/library](http://www.stu.edu/law/library).

## EXTENDED HOURS

Access to the law library (first floor) after hours is restricted to the STU law student community. The following is required in order to gain access:

- Only current STU Law Students with active IDs can enter the area via card reader.
- Students may be asked to show such ID at anytime and must comply with any such request.
- To ensure the safety and security of everyone in the library, STU students must not let anyone in except themselves nor allow their STU ID card to be used by others to access the law library after hours.
- Do not prop doors open and be sure that the doors close behind you.
- No food of any kind is permitted in the library.
- Drinks are permitted in covered cups, spill-proof travel mugs or other resealable containers.
- Please be courteous to your fellow students. The Law Library is intended to be a quiet study area for patrons.
- Any patron who does not observe these rules will be asked to leave.

Public Safety Officers are available 24/7. Public Safety number: 305-628-6500.

## CONTACT INFORMATION

Main Library Phone	(305) 623-2330
Circulation Desk	(305) 623-2332
Reference	(305) 623-2331

## FOOD, DRINK AND SMOKING

**NO FOOD of any kind is permitted in the Law Library, NO EXCEPTIONS.** All foods, whether or not they leave crumbs or emit odors, attract insects and rodents. These pests can damage books and other materials, many of which are out of print and irreplaceable. Please leave your foods in the refrigerators and storage areas found in the student lounge.

Non-alcoholic drinks are permitted in the Library **in containers with a lid** (travel mugs, sport bottles, and bottles with caps, etc.).

Smoking and vaping is prohibited on the STU campus and in all areas of the Law Library. Thank you for your cooperation.

## STUDY AREA & GROUP STUDY ROOMS

Carrels and tables are available on a first-come, first-served basis. All books and papers must be removed from the carrel/table when you have completed your study for the day or will be leaving the area for any extended period including attending class, meetings, events, or leaving campus. Materials left unattended for more than thirty minutes are subject to removal by library staff. Please secure your possessions if you have to step away - this might include using a security cable for a laptop. Please be respectful of others, avoid; excessive noise; using a four person table for one person when the library is busy; using library chairs as footrests or backpack holders; leaving trash and clutter behind. Please collect all of your materials when you leave the area. The Library and STU Law are not responsible for your personal effects.

The second floor has reading room/study areas, group study rooms, and the computer lab for computer-assisted research and training. Please maintain quiet in all areas.

**Study rooms are for group study** (2 or more students) and may be reserved for a maximum of two (2) hours at a time for a group. Additional reservations may only be made after the expiration of the reservation. At least two (2) group members must be present to check out a study room. Single individuals may use study rooms Monday-Thursday after 6PM and all day Friday-Sunday.

Room reservation must be made at the Circulation Desk (no phone or online requests will be honored). If the student group has not arrived after 15 minutes into the reserved time, the reservation will be canceled. Reservations can be made for the same day only. Reservations for times beginning after 1:00 PM on a given day cannot be made until Noon (12:00 PM) of that same day.

Study rooms require a key to be accessed. Access keys must be checked out at the Circulation Desk when the reservation time begins and must be returned by the time of the expiration of the reservation period. **Failure to return a key on time may result in the immediate suspension of study room privileges** for a minimum of one week and as much as one semester for repeated or malicious abuse of the rules. Current **photo identification** (either STU ID or government issued photo ID) of at least two group members must be retained at the Circulation Desk in order to check-out a study room key. The retained IDs will be returned upon return of the key. There is a \$25 replacement fee for lost keys.

Study rooms are part of the Law Library and all rules apply equally to group study rooms. Patrons will not talk on cell phones or partake in unprofessional or inappropriately behavior in a study room, and must follow library rules regarding food and drink. Because the study rooms are for group study, it is a given that some talking is expected. However, please keep the door closed and refrain from excessive noise or loud voices as the sound will travel through the doors and disturb the studies of others outside the room.

**Preemption by Law School Registrar:** Please note that at any time, particularly during final exams and mid-term exams, some or all of the study rooms may be blocked out by the Law School Registrar's Office for exams.

The Law Library does not handle room reservations for Classroom 109-A. Reservations for this room, and all classrooms, are made by contacting the Office of the Registrar. The Law Library does not handle reservations for law school or university classrooms. All such reservations must be made through the Office of the Registrar.

## LOST & FOUND

A lost and found is kept for the law school at the Law Library Circulation Desk. Any items found by library staff are placed in the lost and found as are items turned in by others. Students must present photo ID and sign out any items retrieved from the lost and found. The Law Library and staff are not responsible for the security of any lost items.

## RESTROOMS

Law Library restrooms are on each floor in the elevator lobby in the center of the building.

## NOISE

Please be courteous to your fellow students. Talking outside of the study rooms is discouraged, and a request BY ANYONE to stop talking should be honored immediately. Students should practice self-help first by requesting the noise offender desist, before requesting assistance from a member of the Law Library staff. Persistent violations will result in referral of the offending student to the Dean of Student Affairs and the Law School Honor Council.

## CELL PHONES AND TELEPHONES

Cell phones are **not to be used for phone conversations** in the Law Library, other than in the front lobby and the elevator atrium areas. If patrons are expecting a call they should switch the cell phone to vibrate and take any resulting calls outside the Law Library; otherwise, cell phones should be turned off. Patrons involved in cell phone conversations in the library will be asked by library staff or fellow patrons to move to the designated cell phone area or outside. Please cooperate with staff when they ask you to leave an area due to inappropriate cell phone use. At the time of the incident, a St. Thomas Law Library staff member may request the patron's name and ID. Failure to give the name and ID or provision of a fake name will result in security being called and the patron's immediate removal from the library. Patrons who are repeat offenders of this cell phone policy will be investigated by the honor council for violating the Code of Academic Integrity.

**The telephones in the Law Library are for staff use only.** The Law Library does not take messages or calls for patrons and is not able to page patrons.

## COPIERS AND PRINTERS

Copiers are located in the copy room at the rear of the first floor, north reading room.

Copies are 10 cents each. The Library staff cannot provide change; coin operated machines accept \$1 bills and coins.

Printers are located in the Law Library copy room, the computer lab, and the second floor study area. St. Thomas Law students are allotted a printing balance of \$75 (equivalent to 1500 pages) at the beginning of each semester. In addition to using this credit for printing, students may use their allotted print credits to make copies and scan documents at any of the networked printers located in the Law Library. Students wishing to print using STU printers must download the STU Student Printer driver at [www.stu.edu/print](http://www.stu.edu/print). When installed, STU network ID and password is required to send print jobs, and the same, or STU ID card, is required to pick up print jobs from any STU printer.

Please do not change paper or attempt to clear problems with the copiers. Report malfunctions, such as paper jams, to the Access Services Staff at the Circulation Desk.

### RESHELVING BOOKS

Please **do not** reshelve your own materials after using them. Book carts are provided on all floors for the materials no longer in use, and the Law Library staff will reshelve all materials left on the carts. If you are returning materials that have been checked out, and you want to ensure that they are accounted for on your account, please make sure that you return them directly to someone at the Circulation Desk. Any and all library materials left in study areas will be collected and reshelved at the end of each day.

### LAW LIBRARY PUBLIC CATALOG - WORLDCAT LOCAL

WorldCat Discovery is accessible via the Web from virtually anywhere. The Library Internet address (URL) is <https://stu.on.worldcat.org>. If you need assistance, please ask a Librarian at the Reference or Circulation desk.

### UNCLASSIFIED MATERIALS

Materials that are not classified are arranged by form and jurisdiction and are shelved alphabetically. Their exact location may be determined by reference to the Library Guide which is available in the Library lobby by the Circulation Desk.

### REFERENCE SERVICES

A Reference Librarian is available in the lobby of the Library to assist with reference or research questions during daytime peak use and evening hours.

### INTERLIBRARY LOAN

Interlibrary Loan (ILL) is available for materials not available in the Law Library collection. The Interlibrary Loan service is available to St. Thomas Law School faculty, staff and students. ILL requests can be submitted by filling out the ILL request form available at the Reference Desk, or by filling the online form located on the [St. Thomas Law Library website under the "Library Resources" menu link](#). Read this information, click the link to the form, complete and print the form, and bring it to the Circulation desk.

Materials that are made available to you from other libraries are due back on the date designated by the lending library. Any materials that are not returned in a timely manner will result in suspended ILL privileges. [Note: Failure to return items on time may also result in the STU Law Library being suspended from borrowing from other libraries.] Any charges incurred by the law library for materials that are lost or simply not returned by the patron will be charged directly to the patron. ILL is unavailable to STU Alumni, and to students during the two weeks before they graduate.

## CIRCULATION

Primary source materials, loose-leaf services, multivolume sets and books in the Reference Collection do not circulate.

Single-volume texts and treatises, as well as the Course Reserve and the Study Aids do circulate.

All students must present their current St. Thomas IDs to check materials out from the library. If the ID is unavailable another picture ID may be substituted, as long as the student is already in the STU Law Library system. ID cards are not transferable. Materials **will not** be checked out for anyone other than the owner of the ID presented.

Law Library materials have differing periods of circulation depending on the material being circulated. A chart arranged by Patron Type and Type of Material, is available in the section labeled **Circulation Borrowing Privileges** and also on the information kiosk at the circulation desk, notes the periods of time for which materials may be borrowed. While these time periods are fairly stable, *they do change*. It is the patron's duty to make sure of the date and time the material is due back at the library for discharge.

Recalls of properly checked out materials during the period of circulation are issued whenever the material is needed by a professor for the Course Reserve, or when the material is overdue. When items are recalled they are due immediately upon notification. Failure to return the material within a reasonable time will result in an eventual block from charging materials.

## REFERENCE COLLECTION

Materials in the Reference Collection do not circulate. The Reference Collection, including non-legal resources, directories, and almanacs, and study aids (e.g. nutshells and hornbooks), is located in the North Reading Room (through the doors to the left when you enter the library). It also includes the Current Law Index (CLI) and Index to Legal Periodicals (ILP) (see Periodicals section).

## PERMANENT RESERVE COLLECTION

The Permanent Reserve Collection is shelved behind the Circulation Desk. It contains popular treatises and other high-use materials. Materials in the Permanent Reserve Collection may be checked out for four hours. **No renewals are allowed on Reserve material.**

## PERIODICALS

Periodicals do not circulate. Consult WorldCat Discovery to determine holdings and locations of periodicals in the Library. Law reviews are shelved on the 2<sup>nd</sup> floor.

The Index to Legal Periodicals (ILP) and Current Law Index (CLI) are specific subject and author indexes to law journal articles. They are located in the 1<sup>st</sup> floor north reading room, in the Reference Collection. Access to the web-based Current Law Index (LegalTrac) is available on campus or via remote login, or as The Legal Resource Index on LEXIS and WESTLAW. Access to periodicals is available to our library patrons in a variety of formats - online, in print and in Microform. Staff members at the Circulation Desk are available to assist patrons in using the microform readers and printers.

## LOST OR DAMAGED MATERIALS

If a book or AV item is not returned, or is returned damaged, a fine will be assessed equal to the replacement cost of the material PLUS a processing fee of \$50.00. If the item is incapable of being replaced due to being out of print or out of stock, a fee of \$150.00 will be assessed.

## COMPUTER LAB

A Computer Laboratory is located in the second floor of the Law Library. This area is monitored by the staff from Office of Information Technology (OIT) and the Law Library. The Lab is open to all law students on a first-come, first-served basis. At certain times during the year, lab access may be restricted. Signs will be posted notifying users of restrictions. **SMOKING, BEVERAGES, AND FOOD ARE FORBIDDEN IN THE LAB AT ALL TIMES.** If a computer is left unattended for 15 minutes, it will be logged off, books and materials will be removed from the desk, and the computer will be relinquished to any users waiting for a computer to become available.

Users should not install any software (e.g., messengers or games) on the machines or change backgrounds or screen savers. Users should not download any files from the Internet. Users should not save any files to the C drive (save all documents to your own flash drive) as any saved files will be erased when the machine is rebooted.

**Unauthorized use of Computer Lab equipment and materials including, but not limited to, copying copyrighted software, is prohibited.** Users agree to accept full responsibility, thus indemnifying St. Thomas University School of Law from any costs for damages arising from the operators' use of the laboratory or materials, whether due to negligence or pursuant to the user's unauthorized use of equipment and/or materials provided by St. Thomas University School of Law.

Users encountering any difficulties in using equipment or software should ask for help from the OIT staff. If no one is in the staff office (located in the Computer Lab) please call x6610 (305-628-6610) to log a request for assistance. Please do not attempt to solve the problem yourself. Instructions for connecting to the Wireless Network are available by the circulation desk. If you are having problems, please ask for assistance from the OIT Staff.

## LAPTOP POLICY

Computers needed for in-class presentation should be booked through the Law Library Audio-Visual Department at least 24 hours in advance. The Library manages several laptop for student use. They may be checked out for 4-hour period and must not leave the STU campus without written permission from the Library Director.

## SUGGESTIONS

The Law Library welcomes suggestions from you regarding additions to the collection, or improvement of Library services, equipment or hours. Suggestions can be e-mailed directly to the law Library Director ([rballeste@stu.edu](mailto:rballeste@stu.edu)). You may also use the 'Library Suggestions' button at [www.stu.edu/law/library](http://www.stu.edu/law/library). If you have problems, do not hesitate to ask questions. We will always do our best to find solutions.

## CIRCULATION BORROWING PRIVILEGES

Patron Type	Circulating Materials	Non-Circulating Materials
Law Students	General Collection - 3 weeks Permanent Reserve - 4 hours Course Reserve - 4 hours (in library use only) 24 Hour Reserve - 24 hours Audio-Visual - 7 days Study Aids - 4 hours Audio-Visual Study Aids - 3 days Media Equipment - 4 hours (for class purposes only) Keys - 4 hours	Federal Collection Regional Collection State Collection Florida Collection Multi-volume sets loose-leaf volumes Periodicals Microforms Reference Collection
Law Faculty	Media Equipment - 4 hours All other library material - 1 term	Reference Collection
Law Library Staff	General Collection - 1 term Permanent Reserve - 4 hours Course Reserve - 4 hours (in library use only) 24 Hour Reserve - 24 hours Audio-Visual - 7 days Study Aids - 4 hours Media Equipment - 4 hours	All other categories (Unless authorized by the Library Director)
Law School Staff	General Collection - 2 weeks Media Center Equipment - 4 hours	All other categories (Unless authorized by the Library Director)
Alumni	General Collection - 2 weeks Audiovisual Material - 7 days	All other categories (Unless authorized by the Library Director)
Attorneys / Bar Members	Audiovisual Material - 7 days	All other categories (Unless authorized by the Library Director)
University Student	General Collection - 2 weeks	All other categories (Unless authorized by the Library Director)
University Staff	General Collection - 2 weeks	All other categories (Unless authorized by the Library Director)
University Faculty	General Collection - 1 term	All other categories (Unless authorized by the Library Director)
Inter-Library Loan	Materials are due back by date marked on book.	





**ST. THOMAS UNIVERSITY SCHOOL OF LAW**

**HURRICANE PROCEDURE**



## HURRICANE PROCEDURE

In order to assure maximum coordination during a hurricane emergency, all instructions will be given by the President or President's designee.

Upon announcement by the National Weather Service that a HURRICANE WATCH status has been declared, the President will issue appropriate directives, which will be relayed by the Vice Presidents to their areas of responsibility. When a HURRICANE WARNING is posted, the University will be closed.

### HURRICANE WARNING

When a hurricane warning has been declared for the area, as determined by the National Hurricane Center, the University will take the following actions:

- The President will close the University.
- The Office of Human Resources will announce the University closing to the community through the normal voice mail communication network.

Once the campus has been secured and closed, all students should stay tuned to local radio and television stations listed below for information regarding the hurricane and subsequent reopening of the University. The Law School telephone number to call for information is (305) 623-2300.

### RESIDENT STUDENTS

All students will be alerted by the University Student Services staff to make preparations for a hurricane. Students are requested to keep their radios tuned to a local station for storm advisories and general information. The following radio and television stations will carry announcements concerning the status of the University.

#### FM RADIO STATIONS

91.3 - WLRN  
 93.1 - WTMI  
 93.9 - WLVE  
 94.9 - WZTA  
 96.5 - WPOW  
 99.9 - WKISS  
 100.7 - WHYI  
 103.5 - WPLL

#### AM RADIO STATIONS

610 - WIOD  
 790 - WAXY

#### SPANISH RADIO STATIONS

92.3 - WCMQ  
 95.7 - WXDJ  
 98.3 - WRTO  
 1450 AM - WOCN (UNION RADIO)

The following procedures are recommended in order to provide the maximum amount of safety and protection for those students residing in our residence halls. **ALL RESIDENT STUDENTS WHO CAN POSSIBLY LEAVE THE CAMPUS FOR HOME SHOULD DO SO.**

The University is not responsible for damages to, or for loss of personal property as the result of a hurricane.

## PREPARATIONS BEFORE THE HURRICANE STRIKES

1. All furniture, including beds, should be pulled away from the windows. Record players and radios should be placed off the floor, preferably in the closet.
2. All loose objects should be placed in drawers or closets. Papers, books, etc., should not be left on tops of desks or dressers.
3. Valuables should be taken with you.
4. All windows must be closed tightly. At those facilities where window blinds are provided, the blinds should be closed.
5. Any student who owns a car should see that the emergency brake is set and the transmission is in reverse gear or park. All windows should be closed and locked. All cars must remain in assigned parking areas.
6. Each student should provide his/her own flashlight in case of power failure. Do not use candles under any circumstances; fire is uncontrollable during a hurricane.
7. Campus Life will evacuate all remaining students to shelters as specified by Miami-Dade County.

## PROCEDURES DURING THE HURRICANE

1. It is essential that all residents stay indoors throughout the entire hurricane. Residents must not leave the designated evacuation area until directed to do so by the residence hall staff.
2. Students should remain away from danger areas, such as the glass windows and doors in the lobby areas.
3. Do not attempt to open windows or doors to see what is happening outside.
4. Report all accidents, injuries, broken windows, or excessive water to the Resident Assistant.

If everyone remains calm, stays inside and observes all the above-stated instructions and precautions, danger is minimized. For questions, please contact the Resident Assistant or Campus Life personnel.

All students will be alerted by the Residence Hall staff and Public Safety to make preparations for a hurricane. We ask every student to keep his/her radio tuned to a local station for storm advisories and general information.

## UNIVERSITY REOPENING

The decision to reopen the University will be made by the President.

The Office of Human Resources will announce the reopening of the University via the

phone mail communication network. In addition, Public Relations will relay information to local radio and TV stations regarding the reopening of the University.



16401 NW 37<sup>th</sup> Avenue  
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(305) 623-2310  
<http://www.stu.edu/lawschool>