



**Boston University** School of Law

# **J.D. Student Handbook**

Effective October 25, 2021



# J.D. STUDENT HANDBOOK

## Table of Contents

<b>I. STUDENT SERVICES .....</b>	<b>1</b>
1. Academic Records and Forms, Registrar’s Office .....	1
2. Academic Advising Information .....	1
3. Academic Media Services .....	1
4. Additional Advising, Counseling, and Mentoring Services .....	2
5. Banking Services .....	2
6. Career Development and Public Service Office .....	2
7. Communication and Information .....	3
8. Computer Resources and E-Mail .....	4
9. Copying Services .....	5
10. Disability Services .....	5
11. Exams on Laptops .....	5
12. Family Services .....	5
13. Law Financial Aid Office .....	6
14. Food .....	6
15. All-Gender Bathrooms .....	7
16. Good Standing Letters .....	7
17. Health, Counseling and Fitness Services .....	7
18. Housing .....	8
19. Howard Thurman Center .....	8
20. International Students and Scholars Office .....	8
21. Samuel M. Fineman Law Library and Pappas Law Library .....	9
22. Lockers .....	10
23. Mail .....	10
24. Notary Services .....	10
25. Parking Services (BU) .....	11
26. Recreation .....	11
27. BU Student Activities Office .....	12
28. Transcripts .....	12
29. Transportation .....	12
30. Veterans’ Affairs .....	13
<b>II. ACADEMIC PROGRAM INFORMATION .....</b>	<b>14</b>
1. Technical Standards .....	14
2. First-Year Lawyering Program .....	16
3. Legal Writing Fellows Program .....	16
4. Upperclass Writing Requirement .....	16
5. Advanced Litigation and Moot Court Programs .....	18
6. Scholarly Categories for Yearly Academic Performance .....	18
7. Student-Edited Journals and Journal Credit Policy .....	18
8. Centers and Institutes .....	19
9. Clinical and Externship Programs / Experiential Education .....	19
10. Dual-Degree Programs .....	21
11. Concentrations .....	22
12. International Programs .....	22
13. Graduate Programs .....	22
<b>III. BU LAW/BU POLICIES AND PROCEDURES .....</b>	<b>24</b>
1. Auditing BU Law Courses .....	24
2. Class Cancellations or Delayed Openings .....	24
3. Commencement Participation .....	24

4.	University Compliance Requirements.....	24
5.	Course and Teacher Evaluations.....	26
6.	Evacuation Plan.....	26
7.	Exam Drafting/Implementation Problems .....	26
8.	Exam Relief.....	26
9.	BU Information Security Policy and Conditions of Use and Policy on Computing Ethics.....	26
10.	Notice Concerning Recording Law School Classes.....	26
11.	BU Grievance Procedure in Cases of Alleged Discrimination .....	26
12.	Part-Time Employment.....	27
13.	Payment of Tuition and Fees.....	27
14.	Policy Governing Student Complaints About Program of Legal Education and Compliance with ABA Standards .....	27
15.	Resident Assistantships.....	28
16.	Safety.....	28
17.	BU Sexual Harassment and BU Law Equality of Opportunity in Recruiting Policies.....	29
18.	Smoking Policy.....	29
19.	Student Events/Room Reservations .....	29
20.	Student Identification Cards.....	30
21.	Student Practice Certifications.....	30
<b>IV.</b>	<b>ACADEMIC REGULATIONS FOR THE JD PROGRAM .....</b>	<b>31</b>
	Article I.....Requirements for the Degree of Juris Doctor .....	31
	Article II.....Program Requirements for First-Year Students.....	32
	Article III.....Program Requirements for Second- and Third-Year Students.....	32
	Article IV..... Supervised Research and Writing, Tutorials, Distance Education, Summer Courses, and Courses Outside Law School.....	35
	Article V.....Registration, Course Election, and Program Changes.....	38
	Article VI.....Attendance, Preparation, and Classroom Participation .....	39
	Article VII.....Examinations .....	40
	Article VIII.....Papers .....	41
	Article IX.....Grades .....	42
	Article X.....Reinstatement .....	44
	Article XI.....Withdrawal and Leaves of Absence.....	45
	Article XII.....The Academic Standards Committee.....	45
	Article XIII...Assigning Credits to Academic Offerings.....	46
<b>V.</b>	<b>DISCIPLINARY REGULATIONS GOVERNING ALL BU LAW STUDENTS.....</b>	<b>47</b>
	Article I. ....School of Law Disciplinary Action.....	47
	Article II. ....Violations of School of Law Rules and Regulations .....	47
	Article III. ....Unprofessional Conduct.....	49
	Article IV. ....Investigation and Presentation of Charges .....	50
	Article V. ....The Judicial Committee.....	51
	Article VI. ....Judicial Committee Procedure and the Rights of the Student .....	53
	Article VII. ....Judicial Committee Decisions.....	54
	Article VIII....Review of Judicial Committee Decisions.....	55
	<b>APPENDIX 1: Boston University Complaint Procedures in Cases of Alleged Unlawful Discrimination or Harassment.....</b>	<b>57</b>
	<b>APPENDIX 2: Student Grievance Procedure in Cases of Alleged Disability Discrimination .....</b>	<b>64</b>
	<b>APPENDIX 3: Boston University Sexual Harassment Policy.....</b>	<b>66</b>
	<b>APPENDIX 4: BU Law Policy on Equality of Opportunity in Recruiting.....</b>	<b>95</b>
	<b>APPENDIX 5: BU Law Administrative Offices.....</b>	<b>98</b>

# 2021-2022 LAW STUDENT HANDBOOK

## I. STUDENT SERVICES

### 1. Academic Records and Forms/Transcripts

Registrar's Office, Law Room 502; 617-353-3115; [lawreg@bu.edu](mailto:lawreg@bu.edu)

As keeper of student records, the BU Law Registrar's Office organizes and processes matters concerning registration, class and examination schedules, grades and degrees. All requests for transcripts, certification of attendance forms, bar certification forms, and loan deferment forms should be directed to this office. To obtain a law school transcript, a student's account must be paid in full. Requests for unofficial transcripts must be made in writing or in person. Requests for official printed transcripts should be submitted via Parchment (accessible through the Student Link). Official electronic transcripts must be ordered through Parchment and are delivered to any valid email address via secure certified PDF.

For detailed information, see <https://www.bu.edu/law/current-students/transcript-orders/>

### 2. Academic Advising Information

For general academic advising questions, consult the Academic Advising website at <http://www.bu.edu/law/current-students/jd-student-resources/academic-advising/>. This site summarizes academic requirements after first year; identifies BU Law programs in which you may want to participate; and lists full-time faculty, courses and seminars by subject matter. Students have a choice of participating in the Faculty Connections program, where a student is partnered with a faculty member for a year's worth of advising, or to work with a member of the Student Affairs team solely for academic advising in the spring. All students are partnered with a Career Development Office advisor to facilitate students' course selection and professional career preparation. General questions on the academic advising program should be directed to Student Affairs at 617-358-1800 or [studaff@bu.edu](mailto:studaff@bu.edu). Questions about Faculty Connections should be directed to Professor Donweber at 617-353-8854. Questions about career advising or alumni advising should be directed to the Career Development Office at [lawcdo@bu.edu](mailto:lawcdo@bu.edu).

### 3. Academic Media Services

Law Room 504; 617-353-3162; [lawav@bu.edu](mailto:lawav@bu.edu); M-Th 8am- 9pm / F 8am-5pm.  
<https://www.bu.edu/law/faculty-and-staff/technology-services/>

Multimedia services are available for School of Law classes, registered student organizations, guest speakers and more. To receive support, an event must be sponsored by the Law school community, fall within our normal operational hours and occur in the Law Complex or Law Auditorium. Requests that do not meet these requirements may be supported after further consideration by the Law AMS department supervisor. School of Law student organizations should request A/V equipment at least one week in advance, as equipment allocation is based upon availability of resources.

To have a class recorded, please forward permission from the presenter or faculty member who will be recorded to [lawav@bu.edu](mailto:lawav@bu.edu) no later than 8PM on the business day prior to the scheduled event. In case of emergency, please ensure that requests are sent no later than 8AM on the day of recording. Echo360 recording access will usually be granted within two business days of the time of recording. You may need a Kerberos login and password to view the recordings.

#### 4. Additional Advising, Counseling, and Mentoring Services

Associate Dean for Student Affairs Gerry Muir, Director for Student Affairs Jill Collins, Director for Diversity, Equity and Engagement Andrea Garr-Barnes, and Associate Director for Academic Enrichment Nicholas Horan (Law Room 503 and 510; 617-358-1800; [studaff@bu.edu](mailto:studaff@bu.edu)) are available to meet with students to discuss academic or personal issues. They can provide information on counseling or other resources, and Dean Muir can offer advice related to course selection, scheduling and other academic questions. Direct questions about the First-Year Alumni/Student Mentoring Program to the Career Development Office (Law Room 902, [lawcdo@bu.edu](mailto:lawcdo@bu.edu)). Questions about the Faculty Connections program should be directed to Professor Steve Donweber (Law Room 1604, [donweber@bu.edu](mailto:donweber@bu.edu)). For mental health counseling, contact the BU Student Health Services Behavioral Medicine Clinic at (617-353-3569). Additional counseling resources include the BU Law Student Support Services, counselors with expertise in addressing issues related to racism or systemic bias ([BUlawSupport@bu.edu](mailto:BUlawSupport@bu.edu)), the BU Daniels Institute (617-353-3047), the BU Sexual Assault Response & Prevention Center (617-353-7277), and Massachusetts Lawyers Concerned for Lawyers (LCL), a free, confidential service for the Massachusetts legal community (1-800-LCL-0210).

#### 5. Banking Services

George Sherman Union (GSU). ATMs, Bank of America and Citizens Bank branches.

#### 6. Career Development and Public Service, Office of

Law 902; 617-353-3141, [lawcdo@bu.edu](mailto:lawcdo@bu.edu); [www.bu.edu/law/current-students/career-development/](http://www.bu.edu/law/current-students/career-development/)

The Office of Career Development and Public Service (CDO) partners with students and employers to ensure that our students are well-informed about and optimally positioned to pursue summer, part-time, and permanent employment across all employment sectors, whether in private practice, with government and public interest organizations, as judicial clerks, or in business and alternative careers.

**Programs:** Throughout the academic year, the CDO runs targeted programs, designed to educate students about various practice settings and practice areas, develop their job search skills, and provide networking opportunities with practicing attorneys. These include résumé writing and interviewing skills clinics, networking and employer research sessions, panels of practicing attorneys in varied practice areas, one-on-one advising by BU Law alumni with students, and informational sessions on fellowships, government honors programs, and state and federal judicial clerkships.

**Resources:** All of the CDO Advisors are attorneys practiced in the areas in which they specialize, and each is available for individual advising appointments with students, to assist students in crafting an effective career exploration and job search strategy. Appointments can be made by calling the CDO at the number above, or through students' profiles on CareerHub, our online employment portal. The CDO has an extensive collection of career-related materials, many of which are accessible on the Law School's website, as well as in hard copy in the CDO. Specific job postings are also available on CareerHub.

**Recruiting Programs/Job Resources:** The CDO sponsors robust on and off-campus recruiting programs, bringing our students direct access to hundreds of employers both in Boston and in other locations such as New York, Washington, DC, Chicago, San Francisco, Los Angeles, Miami, and Philadelphia, as well as Public Interest and Government job fairs, and specialized intellectual property job fairs. BU Law also participates in several regional diversity interview programs. Numerous employers also conduct resume collections for positions via the CDO.

**1L Specific Considerations:** In order to allow 1Ls to focus on their academic acculturation, individual advising with CDO Advisors will begin after the Career Conference on Friday, October 8<sup>th</sup>. However, 1Ls are welcome to attend CDO and other career-related events from their arrival at the law school. Please

also note that the 1L Career Conference extends through the close of the business day on Friday, October 8<sup>th</sup>, so plan accordingly

**Pro Bono Program:** The CDO also houses the Law School's Pro Bono Program. JD students are encouraged to pledge to contribute a minimum of 50 hours of unpaid, not for academic credit pro bono work prior to graduation. Eligible work should provide meaningful law-related service persons of limited means, or to organizations or government in matters designed to primarily address the needs of persons of limited means or to organizations or government agencies dedicated to underrepresented groups and/or social issues including those groups or organizations seeking to secure or protect civil rights, civil liberties, or public rights. This can include participating in activities providing information about justice, the law or the legal system to those who might not otherwise have such information. The CDO advises students about pro bono opportunities, assists them in identifying possible placements, tracks student pro bono hours, and provides transcript notations verifying completion of the pro bono pledge. The CDO also organizes pro bono service trips for students to work on substantive pro bono projects during spring break. Past trip locations included New Orleans, LA; Harlingen, Texas; Detroit, Michigan; Newark, NJ; Queens, NY; Biloxi, MS; San Francisco and Los Angeles, CA; Miami FL; and Portland, ME. The Pro Bono Program also hosts annual events for students, faculty and alumni. For more information, email [probono@bu.edu](mailto:probono@bu.edu) or see <http://www.bu.edu/law/current-students/career-development/pro-bono/>.

## 7. Communication and Information

All students should regularly check the relevant offices' or groups' websites, lobby boards and outside the Registrar's Office on the 5<sup>th</sup> floor for important information on classes and upcoming events. JD students should check the bulletin boards over the trash/recycling areas for social event information, as well as the SGA Monday Morning email.

Students may use open boards in the McCausland Commons and recycling areas to post notices about BU Law events, social functions and housing information (so long as they use the boards rather than walls, and tacks rather than staples). All flyers are cleared on Friday afternoons. Bar postings will be located on the 2<sup>nd</sup> floor outside the locker area.

**News & Events:** You are encouraged to visit the law school's website regularly for information about upcoming events and general news about the law school. Events at the law school and other events of interest to the BU Law community are accessible at [bu.edu/law/events-calendar](http://bu.edu/law/events-calendar). News and stories about students, faculty, and alumni are published through BU Law's magazine *The Record*, accessible at [bu.edu/law/record](http://bu.edu/law/record). Story ideas may be emailed to [lawcomm@bu.edu](mailto:lawcomm@bu.edu).

**BU Law Briefs:** You will receive BU Law's e-newsletter for current students, faculty and staff once a month. It contains law school news, important announcements, and featured events.

**Social Media:** Information is also available via BU Law's various social media channels, which include:

**Facebook:** Search for Boston University School of Law

**Twitter:** @BU\_Law

**Instagram:** BostonUniversitySchoolofLaw

**YouTube:** BULawVideo

**LinkedIn:** Boston University School of Law

**Logos & Branding for Student Groups:** Boston University is home to more than 450 student groups. These groups are not eligible for an official sub-brand logo with the University's mark. Student groups are prohibited from using the University seal and may not adapt the University or law school logos for use with their graphic identity. They also may not use or adapt historical or outdated logos from the

school or University. Otherwise, student groups are not intended to be governed by BU's brand identity guidelines, so they can use the graphic design of their choice.

If a student group wants to use the BU master logo or the law school's logo on materials to indicate their relationship to the University, the group will need to request permission from the law school's Communications & Marketing office at [lawcomm@bu.edu](mailto:lawcomm@bu.edu), and they will be required to follow the brand guidelines, which can be found at [bu.edu/brand/guidelines-usage](http://bu.edu/brand/guidelines-usage). Questions regarding logo use may also be directed to [lawcomm@bu.edu](mailto:lawcomm@bu.edu).

**Video Screens:** Student groups may submit graphics advertising events to the Office of Student Affairs that adhere to the guidelines below. Graphics must be approved by the Office of Student Affairs before posting to the screens throughout the building. Graphics approved for advertising will display for one week before the event, and must be submitted for approval at least three days before the slide is to be published.

- Graphics can be accepted in JPG, PNG, PDF or PowerPoint in landscape format
- Default screen sizes are 1920x1080. Graphics will be adjusted to accommodate this screen size regardless of their original size.
- Graphics must contain the name of the event, location, date, time, and contact information.

## 8. Computer Resources and E-Mail

For the 2021-2022 School year, the Law School has two computer areas for law student use. They are Room 336 on the third floor, and the Pappas Reading Room on the second floor.

Room 336 is an instructional classroom and may be used for computing when classes are not being held. All computers have Microsoft Office, Adobe Professional, Zotero, and other software supporting law school study.

MyPrint printers are located on the third floor in Rooms 325 and 334. MyPrint assistance is available from BU Information Systems & Technology group, who are trained to answer questions about networked computers and printing options while providing limited support with laptop configuration for printing and connection to the BU wireless network. Their office is located on the fifth floor.

**Printing:** All computer areas and the wireless network are connected to the MyPrint system. MyPrint quotas can be used to print to one of the high capacity printers on the third floor, as well as printers on the first floor of Mugar Library. Law students are given a quota of 1000 sheets per semester. Printing beyond the assigned quota may be purchased with BU Convenience points at <http://www.bu.edu/myprint>.

**Scanning:** There are self-service scanners on all three levels of the law library. The majority are overhead scanners suitable for scanning books; there is one flatbed scanner located on the second floor. The scanners on the Mezzanine and third floor have automatic document feeders suitable for efficiently scanning loose pages.

**E-mail and Internet Services:** Students are granted free access to e-mail and Internet services. Your BU login and password will allow access to computer services on campus, including e-mail, Internet, the BU StudentLink (<http://www.bu.edu/link>), Blackboard Learn (<http://learn.bu.edu/>), and many others. For information on e-mail options, see <http://www.bu.edu/tech/comm/email>. Those who prefer to use a commercial vendor to read their mail must forward their BU email to a non-BU address. You can specify e-mail forwarding preferences as described here, <http://www.bu.edu/tech/comm/email/google/forwarding>. For information on configuring your BU Google mail on a mobile device, go to: <http://www.bu.edu/tech/comm/email/google/clients>. Your BU Gmail account provides a generous amount of storage space through Google Drive that can be used for emails and file storage.

**General Computer Support and Assistance:** BU's Information Services & Technology department provides centralized technical support to the BU community through the IT Help Center at Mugar Library. Limited support is also available at the Law IS&T Help Desk in room 504, Mon. – Fri., 9am – 5pm. Questions can be submitted to the IT Help Center through the Help button at <http://www.bu.edu/tech> (*TechWeb*), by email to [ithelp@bu.edu](mailto:ithelp@bu.edu) or by calling 617-353-HELP (4357). TechWeb provides detailed information about all supported services, including account support, e-mail and Internet access, support for Microsoft Windows, Mac OS, and UNIX, virus and spyware removal, hardware repair, computer and software sales, and software training. Assistance connecting to BU services and advice offered by the IT Help Center are free of charge. Hardware repair and application installation are offered at 179 Amory St. for a nominal fee

## 9. Copying Services

**FedEx Office BU**, 115 Cummington St.; 617-358-COPY(2679); [www.bu.edu/mailservices/special-services/](http://www.bu.edu/mailservices/special-services/); [fedexkinkos@bu.edu](mailto:fedexkinkos@bu.edu). Students should use FedEx Office BU for all major print and copy jobs. You can place your order online and pick it up when it's ready.

## 10. Disability and Access Services

BU Office of Disability & Access Services, 25 Buick Street, Suite 300; 617-353-3658 (Voice/TTY); [www.bu.edu/disability](http://www.bu.edu/disability); [access@bu.edu](mailto:access@bu.edu).

Students seeking accommodations due to a disability must first contact the BU Office of Disability & Access Services. Students must provide documentation regarding their disability. Disability & Access Services can explain the BU guidelines to which this documentation must conform. After reviewing the documentation, Disability & Access Services may recommend accommodations. Such recommendations must be reviewed and approved by the BU Law Dean or Dean's designate.

**Please note that Disability & Access Services requires several weeks to complete its review, and BU Law cannot provide disability accommodations without a recommendation from Disability & Access Services. Accordingly, students seeking accommodations should start the process as soon as possible.** (Do not wait until exam period). For further information, see Associate Dean Muir, Law Room 503 or 617-358-1800.

## 11. Exams on Laptops

The Law School allows students to take in-class exams on their laptops if the laptop meets required specifications and if you download and register the exam software program by the deadline. Laptop requirements and registration deadlines are updated each semester on the BU Law website at <http://www.bu.edu/law/current-students/exam-information/examsoft/>.

Each semester, the Law Registrar's office sends students an email about the procedure for signing up to take that semester's exams on your laptop. If you register to take exams on your laptop in the fall and download and register the software by the deadline, you do not need to re-download the software or register it again in the spring. However, you **must** download and register the software again the next fall even if you used your laptop the prior academic year, as our license runs only from September to August each academic year.

## 12. Family Services

**Parental Supports.** Law students who are parents, as well as law students who are becoming parents, are invited to make an appointment with the Associate Dean for Student Affairs to inquire about the student's

specific situation. Potential parental supports include class or exam schedule modifications, access accommodations as approved by the BU Disability & Access Services Office, or other individual equipment supplements, will be considered on a case by case basis. Modification to one's class or exam schedule may require approval of the Academic Standards Committee.

**Lactation Room.** Students seeking a private space to express breastmilk are invited to check-in with the Student Affairs Office, who will arrange access to the sixth-floor Lactation Room. Upon coordinating with Student Affairs, the lactation room space is available to students, faculty and staff during regular building hours. Students may check-in with Student Affairs in person, (Law Room 510), by calling (617-358-1800) or by emailing (studaff@bu.edu).

**Office of Family Resources,** 10 Lenox St., Brookline, MA 02446; 617-353-3413; [chldcntr@bu.edu](mailto:chldcntr@bu.edu) [www.bu.edu/family](http://www.bu.edu/family). The Office of Family Resources is committed to helping families manage the challenges of work life and family life. The office provides many resources and services to support families of the Boston University community, such as a referral service and resource materials for parents seeking childcare, educational programs, school vacation programs and summer camps for children in Kindergarten through fourth grade, and elder care resource materials.

**Children's Center,** 10 Lenox Street, Brookline; 617-353-3413; <https://www.bu.edu/family/new-childrens-center/>; [chldcntr@bu.edu](mailto:chldcntr@bu.edu). For members of the BU community, the Children's Center provides a full-time childcare program for children ages two through five. The Center is open from 8AM to 6:00PM. For information regarding programs, charges, the application process, and eligibility, contact the Center.

**Law Student Affairs Office,** Law Room 510; 617-358-1800; <http://www.bu.edu/law/current-students/student-affairs-programs-resources/>. Multiple staff members in the Student Affairs Office are raising families in the Boston area, and are available to discuss local resources they have found helpful.

### 13. Law Financial Aid Office

765 Commonwealth, Law Room 1202K; 617-353-3160; [bulawaid@bu.edu](mailto:bulawaid@bu.edu)

The Law Financial Aid Office helps students navigate the complexities of financing their legal education. The office provides information on BU Law scholarships, federal and private loans, Federal Work-Study, outside scholarships, and is a resource to assist students with resolving issues regarding their tuition payments. The office also administers BU Law's Loan Repayment Assistance Program (LRAP) for alumni employed in public interest law positions.

The staff provides one-on-one counseling to help students plan their loan repayment based on their personal career goals.

The Law Financial Aid Office is available to students throughout their time at BU Law and after graduation. Students are welcome to call, email, or stop by; appointments are not necessary.

### 14. Food

**McCausland Commons** (Law, 2<sup>nd</sup> Floor) - Students can purchase sandwiches, salads, soup, fruit, baked goods, snacks, coffee, and other beverages. The McCausland Commons is typically open Monday-Thursday, 8AM-5PM; Friday, 8AM-2:00PM during the school year, but will remain closed during the COVID-19 pandemic. The facility will close during break periods. **Vending Machines:** Vending machines are in the student kitchen off of the McCausland Commons.

**Other BU food services near BU Law** - The BU Club at the Castle (also known as "the Pub") serves sandwiches and beverages. The Union Court at the GSU (775 Commonwealth Ave.) offers a variety of food-court services. Einstein Bros Bagels is located in the basement of the BU College of Arts & Sciences

(685 Commonwealth Ave.). For more information about these locations, including hours of operation, please see [www.bu.edu/dining](http://www.bu.edu/dining).

## 15. All-Gender Bathrooms

Single-stall, handicap-accessible all-gender-inclusive bathrooms are available on floors 1, 4, 5, 12, and 13 of the Law Complex. All members of the BU community are welcome to use the bathrooms with which they identify as applicable to themselves. Questions about the gender-inclusive bathrooms and other gender-inclusive policies at Boston University should be directed to Student Affairs at 617-358-1800 or [studaff@bu.edu](mailto:studaff@bu.edu).

## 16. Good Standing Letters

Students who need letters of good standing should contact Associate Dean Muir's office (Law 503, 617-358-1800). Please note that BU Law cannot send out general letters of good standing. They must be addressed to a specific individual, office/title, and/or school.

## 17. Health, Counseling and Fitness Services

**Student Health Services (SHS)**, 881 Commonwealth Ave.; 617-353-3575; [www.bu.edu/shs](http://www.bu.edu/shs)  
Student Health Services (SHS) is a center designed to help meet your health care needs while at Boston University. SHS departments currently include Primary Care, Behavioral Medicine and the Center for Sexual Assault Response and Prevention. Wellness & Prevention Services, which includes Alcohol and Other Drug evaluation and education, as well as general health education is also included in SHS. They are here to help address your immediate and ongoing health care needs. If you are enrolled as a full-time student (regardless of insurance) or are a part-time student and have the Aetna Student Health plan, you are eligible for care at Student Health Services. All services are confidential.

**Medical Clinic**, 617-353-3575. The Medical Clinic has a staff of expert clinicians to meet your medical needs in a caring and confidential environment. Please call Student Health Services to make an appointment or for information on walk-in hours for urgent care needs.

Appointments can also be made online using Patient Connect:

<http://www.bu.edu/shs/resources/patientconnect/>

**Behavioral Medicine Clinic** (all year), 617-353-3569. Behavioral Medicine's staff, psychiatrists, psychologists, clinical nurse specialists, licensed mental health clinicians, and licensed clinical social workers, are available to address the many psychological and adjustment issues that arise in a university community. When longer-term care is needed, the Behavioral Medicine Clinic will facilitate referrals to expert clinicians in the local community. For mental health emergencies, call 617-353-3569. For immediate safety concerns, contact BUPD at 617-353-2121.

**Sexual Assault Response & Prevention (SARP) Center**, 930 Commonwealth Ave., First Floor: 617-353-SARP (7277). SARP provides rapid, confidential, compassionate, supportive, and free-of-charge advocacy and assistance to BU students who have experienced a traumatic incident. This includes, but is not limited to, sexual assault, physical assault, interpersonal violence, and other crimes. For emergencies related to interpersonal violence, sexual violence or trauma related to other crimes, call 617-353-SARP (7277) to speak with a crisis counselor.

NOTE: Students are financially responsible for services outside SHS and not covered by insurance.

**The Danielsen Institute**, 185 Bay State Rd.; 617-353-3047; [www.bu.edu/danielsen](http://www.bu.edu/danielsen); [daninst@bu.edu](mailto:daninst@bu.edu).  
The Danielsen Institute is a licensed mental health clinic. The Institute provides counseling services for

individuals, partners/couples, families and groups, as well as consultation and neuropsychological, psychological, and learning disability testing. Most types of insurance are accepted, including those offered to BU students. The Institute also offers a sliding-fee scale for clients whose insurance will not pay for treatment.

**BU Law Student Support Services**, (tele-health) [BULawSupport@bu.edu](mailto:BULawSupport@bu.edu)

Boston University School of Law, in collaboration with the Boston Medical Center (BMC), provides well-being support services to students at the law school. Through the BMC's Center for Multicultural Mental Health, BMC clinicians are available to address the psychological impact of social injustices, including racism and its effects on individuals and communities. Clinicians committed to and passionate about creating a culture of inclusivity and promoting diversity are available to provide support at the following times: Mondays 9am – 1am; Fridays: 1pm – 5pm

**Lawyers Concerned for Lawyers (LCL)**, 31 Milk St., Boston; 617-482-9600; [www.lclma.org](http://www.lclma.org) LCL provides free, confidential services to Massachusetts judges, lawyers and law students. Their counselors can help with a wide range of issues affecting law students, including: stress; performance anxiety; depression; career concerns; questions regarding bar application character and fitness disclosures; gambling; drug and alcohol problems; financial distress; family issues. LCL also has a Law Office Management Assistance director, who provides services to those who may start their own law practice.

**Office of Student Affairs**, Law 503; 617-358-1800

<http://www.bu.edu/law/current-students/student-affairs-programs-resources/>

Student Affairs Office staff are always available to meet with students to discuss any personal concerns.

## 18. Housing

**BU Off-Campus Services**, [offcampus.bu.edu](http://offcampus.bu.edu) or [och@bu.edu](mailto:och@bu.edu); This Office maintains a listing of local off-campus housing. Students may access or post listings through [offcampus.bu.edu/](http://offcampus.bu.edu/) or in-person at the office. You will need to enter your BU Login and Kerberos password to search the listings. An off-campus resource list is also available: <https://offcampus.bu.edu/resource>

**BU Office of Rental Property Management**, 846 Commonwealth Avenue; 617-353-4101; [www.bu.edu/realstate/](http://www.bu.edu/realstate/). For apartments owned by BU, contact this office.

**BU Law Roommate List.** To help with a roommate search, BU Law's Admissions Office maintains an online list allowing incoming BU Law students to contact each other and search for housing. To be placed on the list, fill out the Roommate Referral form at <http://www.bu.edu/law/admissions/admitted-students/jd-first-year-students/housing/roommates/>.

## 19. Howard Thurman Center

Fuller Building, 808 Commonwealth Ave.; 617-353-4745 [www.bu.edu/thurman](http://www.bu.edu/thurman); [thurman@bu.edu](mailto:thurman@bu.edu)

The Howard Thurman Center provides a comfortable space and innovative programs where students from diverse social networks can connect. They stitch together the sub-communities of Boston University into a larger, more unified community of purpose. Their weekly programs include a Book Club, Tea Time and Coffee & Conversation with BU Dean of Students Kenn Elmore.

## 20. International Students and Scholars Office (ISSO)

888 Commonwealth Ave., 2<sup>nd</sup> Floor; 617-353-3565; [www.bu.edu/isso](http://www.bu.edu/isso); [isso@bu.edu](mailto:isso@bu.edu)

The International Students and Scholars Office (ISSO) assists with visa and immigration documents to facilitate BU study or employment. In addition, the ISSO provides advising and support services to help

international students and scholars adjust to life on campus and in the community. **All international students must check-in with the ISSO before beginning law study.**

## **21. Samuel M. Fineman Law Library and Pappas Law Library**

617-353-3151; <http://www.bu.edu/lawlibrary/>

The Fineman and Pappas Law Libraries and staff provide law students with in-depth research services, access to library resources, and a multitude of individual and collaborative study spaces. The law library spans three floors of the law complex with the main entrance located on the second floor adjacent to the circulation desk, course reserves and the reference desk. The Pappas Reading Room, which is reserved for the exclusive use of the BU Law Community and is only accessible with your Terrier card, is also located on the second floor. The third floor of the library houses student printing (MyPrint), two additional reading rooms (including a Quiet Reading Room which is reserved for law students and accessible only with your Terrier card), a Mac lab, and a PC lab. The Mezzanine level has individual, group, and collaborative study spaces. Scanners and self-check machines are available on all three levels of the library.

At the request of law students, the library prohibits cell phone use and videoconferencing. Should a phone call need to be made while inside the library, there is a cell phone lounge on the second floor directly after the security gates. Otherwise, we ask that you please take all calls outside the library. Thank you for helping us maintain an atmosphere conducive to studying for all students.

Covered beverages are allowed. Consumption of food is not allowed anywhere in the library.

A complete listing of our hours and access policies are available on the law library website at <http://www.bu.edu/lawlibrary/using-the-library/access-policy/>.

### **Course Reserves & Study Aids**

The library has copies (print and/or electronic) of all required texts for law school courses on reserve. The library does not purchase statutory or regulatory supplements. All major study aids (Hornbooks, Nutshells, Examples & Explanations, Law-in-a-flash flashcards, etc.) are also available on reserve. Most study aids published by West Academic, LexisNexis, and Wolters Kluwer are also available online. In order to ensure equal access for all students, print reserve materials have a three-hour checkout period. You may renew these items so long as no one else is waiting for them. Borrowing privileges will be suspended when items become overdue and will not be reinstated until the account is returned to good standing. During the reading and exam periods, any item with a three-hour checkout period that has not been returned 24 hours after being checked out will be immediately declared lost and we will bill you for replacement. Any student with three or more late instances, or who does not return a book promptly when contacted by the library will be referred for investigation by the Dean for unprofessional conduct.

### **Group Study Rooms**

Group study rooms are available on the Mezzanine, Second, and Third floors of the library (as well as outside the library on the Mezzanine, Second, and Fourth floor of the law complex). These rooms can be reserved for up to two hours per day, via the law library website. They are otherwise available on a first-come, first-served, basis. Please remember: use of these rooms is reserved for the exclusive use of the law community, and they are only accessible with your Terrier card. Please make sure to take your card with you when entering or exiting these spaces. When you complete your reservation, please remember to close the door behind you.

Research rooms: 330A-F in the Fineman Law Library can be reserved for up to two hours per day via the law library website. These rooms may also be assigned for law students with disability accommodations as a reserved space. They are otherwise available on a first-come, first-served basis. Students who need a medical or disability accommodation should contact Associate Dean Gerry Muir (gmmuir@bu.edu) in Student Affairs to apply for an assigned room.

### **Research**

There are six Legal Information Librarians who regularly staff the reference desk located near the second floor entrance to the library. These librarians are available for assistance with research papers, research questions, bluebook assistance and general information needs. They can be reached at the reference desk, by phone, online via email or chat, or by appointment. As research experts, each librarian is also assigned faculty with whom they liaise by subject area, and work closely with the faculty members' student RAs.

All of the legal information librarians teach the research portion of the 1L Lawyering Skills course. Students can also increase their research expertise by taking an upper-level for-credit advanced legal research course offered by these librarians. Students can also complete the popular [Certificate in Legal Research Skills for Practice](#) program offered each spring. This program provides students with advanced research skills and offers a University-approved certificate.

### **Website**

The law library's website, <http://www.bu.edu/lawlibrary> includes information on how to access library services, research training, collections, and subject-specific research guides. The collections include over a million volumes in print and online and an extensive collection of electronic resources for legal and interdisciplinary research making the Fineman and Pappas Law Libraries among the largest academic law libraries in the nation. Our electronic resources include Lexis Advance, Westlaw, Bloomberg Law, BNA Premier, Wolters Kluwer, Justis, electronic study aids, and interactive materials from the Center for Computer-Aided Legal Instruction (CALI). For titles not available in the Boston University libraries, the library provides interlibrary loan service for through partnerships with other schools.

## **22. Lockers**

Student lockers are located throughout the Law Complex. Generally, the first number of your locker indicates the floor on which your locker is located. 1L JD students receive locker assignments at Orientation. All JD students keep their lockers for the academic year but must clear them out over the summer term unless granted an extension by the Student Affairs Office. For concerns or questions about lockers, please go to the Student Affairs Office, Law Room 510 or email [studaff@bu.edu](mailto:studaff@bu.edu). (LL.M. students should see the directors of their programs about locker assignments.)

Note: BU Law cannot be responsible for lost or stolen items. Students are expected to keep their lockers secured at all times. Some renter's insurance may cover stolen items. Also, students should not put valuable items or food in their lockers. Problems should be directed to the Student Affairs Office, 617-358-1800 or [studaff@bu.edu](mailto:studaff@bu.edu).

**23. Mail:** Stamped mail or internal mail may be left in the Registrar's Office, Law Room 502.

## **24. Notary Services**

Notary services are available in the Registrar's Office (Law Room 502), the Graduate and International Programs Office (Law Room 804), and the Law School Dean's Office (Law Room 1102).

## 25. Parking Services (BU)

1019 Commonwealth Avenue, 1<sup>st</sup> Floor; 617-353-2160, [www.bu.edu/parking](http://www.bu.edu/parking)

Students who choose to drive must display valid University parking permits or daily parking tickets in their vehicles whenever they are parked on Boston University property. Eligible students may purchase, exchange, or return University parking permits at the Parking & Transportation Services office. Evening Commuter parking permits are available for online purchase by full-time students via the Student Link's "Personal" tab. Students may purchase only one parking permit and that permit will authorize one specific vehicle to be parked on University property—student permits are not transferable. Payments for parking permits cannot be charged to student accounts; however, they can be purchased with cash, check, or MasterCard/Visa/Discover credit cards. Please bring your Terrier Card when you come to purchase your parking permit.

On-campus parking is very limited and students are encouraged not to bring vehicles to campus unless it is absolutely necessary; fewer than 2% of our resident students do so. Parking & Transportation Services provides many additional transportation options, including online ride-matching and ride-sharing programs to students interested in carpooling. On-campus shared vehicles are also available through the University's partnership with Zipcar ([www.zipcar.com/bu](http://www.zipcar.com/bu)). Please see the Transportation section for additional details.

## 26. Recreation

**George Sherman Union (GSU);** [www.bu.edu/dos](http://www.bu.edu/dos). GSU facilities include:

**Activities Information Desk,** 2<sup>nd</sup> Floor, 617-353-5498. The Activities Info Desk provides information about Boston University, offices, services, locations and events. Campus maps are available, and there is also a fax service. The Activities Info Desk is open Monday-Saturday 9AM to 12AM.

**BU Central,** Monday-Wednesday: 12PM-8PM, Thursday-Friday: 12PM-11PM, Saturday: 9PM-11PM, Sunday: Closed. <http://www.bu.edu/bucentral/>. BU Central is located in the lower level of the GSU. There are pool tables, a large screen TV, and board games. The GSU also hosts late night programming on Thursday, Friday and Saturday during the academic year. These events can include local bands, professional sports, and theme and cultural nights.

The GSU is open during the academic year Monday through Wednesday 7AM to 12AM, Thursday through Saturday 7AM – 2AM and Sunday 9AM to 12AM.

**Agganis Arena,** 925 Commonwealth Ave, [www.agganisarena.com](http://www.agganisarena.com); 617-353-GOBU.

Part of the John Hancock Student Village, Agganis Arena is Boston University's state-of-the-art, multi-purpose sports and entertainment center. It is home to the nationally recognized BU men's ice hockey program, and also hosts men's and women's basketball and women's ice hockey games each season. BU students with a sports pass have access to free tickets for all Terrier athletic events and students without a sports pass receive discounted rates for Terrier athletics events. For more information about student tickets go to [agganisarena.com/events/terriers](http://agganisarena.com/events/terriers). The arena also hosts concerts, family shows, and other sporting events throughout the year. Tickets for all events are available at the Agganis Arena ticket office and at all Ticketmaster locations. The BU community often receives exclusive presales or discounts for events by email. To receive email offers, join the Agganis Arena's Advantage Club—it's easy and free. You can sign up at [agganisarena.com](http://agganisarena.com).

**Fitness and Recreation Center,** [www.bu.edu/fitrec](http://www.bu.edu/fitrec); 617-353-2748

The 270,000 square foot, state-of-the-art Fitness and Recreation Center at 915 Commonwealth Ave. features: the 18,000 square foot Tsai Fitness Center, with over 185 pieces of cardio equipment and select motorized strength machines; an Aquatic Center with two pools, a 10-lane by 16-lane Competition Pool and a Recreation Pool with three 20-yard lanes, a zero depth ramp, a 15-person whirlpool and a lazy river; the Barreca Climbing Wall, a 30-foot high by 45-foot wide climbing wall and bouldering area; a Dance Studio that converts into a 230-seat professional theater for special events; a 1/7 mile Elevated Jogging Track; seven courts of gymnasias; four racquetball courts and two international squash courts; several multi-purpose activity and classrooms for dance and group exercise classes; and The Ryan Center for Sports Medicine and Rehabilitation. The facility also features a cafe, locker/towel service, wireless Internet, personal training, ProShop and more.

Full time, enrolled BU students have automatic access to the facility with their Terrier Cards. Memberships are available for part-time students, faculty/staff, alumni and spouses/dependents of all these groups. For membership information, visit [www.bu.edu/fitrec](http://www.bu.edu/fitrec).

**Department of Physical, Education, Recreation and Dance**, [www.bu.edu/fitrec](http://www.bu.edu/fitrec); 617-353-2748

**PDP:** The department offers over 80 physical education classes for credit. Register for these ½ -2 credit courses through the Student Link.

**Noncredit Instructional Classes:** The department offers hundreds of classes in the spring, summer and fall in the areas of aquatics, court sports, climbing, sailing, rowing, fitness, cycling, emergency medical response, dance, mind/body, individual sports, children's programs and more! Learn a new skill, get a work out and have fun! For more information and registration, see [www.bu.edu/fitrec](http://www.bu.edu/fitrec).

**Intramural Sports:** BU Law students are active participants in BU's program of intramural sports. Roster forms are available from [www.bu.edu/fitrec](http://www.bu.edu/fitrec).

## **27. BU Student Activities Office (SAO)**

1 University Rd, 617-353-3635; [www.bu.edu/sao](http://www.bu.edu/sao)

The SAO assists registered student organizations in planning events and helps students organize new groups. Student organizations must register (or re-register) with the SAO each year through Engage. The Student Activities Business Office (SABO) holds the financial accounts of all student organizations and helps organizations access any funds allocated to them by the BU Law Student Government Association (SGA). The policies and procedures of SAO and SABO are independent of the School of Law.

## **28. Transcripts** (see "Academic Records and Forms," section 1 above)

## **29. Transportation**

**MBTA:** The Massachusetts Bay Transportation Authority (MBTA aka The "T") provides transportation via subway, trolley, bus, commuter rail and boat. For more information on all MBTA services and fares, visit [www.mbta.com](http://www.mbta.com) or call 617-222-3200.

The MBTA offers discounted monthly passes via their Student Semester Pass Program. The Semester Passes are available for on-campus pickup during both the Fall and Spring semesters. Full-time registered students can sign up for the Student Semester Pass Program through <http://www.bu.edu/studentlink/>. Students who are unable to register for classes before the Program's enrollment deadline may purchase their Fall semester passes in person at the Parking & Transportation

Services office. Complete information about the MBTA's Semester Pass Program is available on the Parking & Transportation Services website at <http://www.bu.edu/parking/>.

**The BUS:** Parking & Transportation Services also administers the Boston University Shuttle (The BUS), a free intra-campus bus serving both the Charles River and Medical campus. The BUS stops at various locations around both campuses including Marsh Plaza, which is a short walk from the Law Complex. Simply flash your Terrier ID and let the BUS transport you to your destination. For schedule and service information, visit the BUS website at [www.bu.edu/thebus](http://www.bu.edu/thebus).

**Biking:** In addition to the MBTA and BUS services, Parking & Transportation has increased amenities and support for cyclists. The number of bike racks around campus continues to increase. Along with increased bicycle parking, registration is now available online through our Bicycle Safety website, [www.bu.edu/bikesafety](http://www.bu.edu/bikesafety).

**Zipcar:** Boston University students can join Zipcar for only \$15 per year (\$25 for faculty, staff, and alumni). Join Zipcar and get access to all of their cars 24/7. Drive by the hour or the day. Your hourly rate includes gas, insurance and reserved parking. Simply reserve online, let yourself in with your Zipcard and drive away. Students, faculty and staff pay no application fee, no monthly minimum, and no membership deposit. You only need to be 21+ to join. For more information on Zipcar at BU, visit [www.zipcar.com/bu](http://www.zipcar.com/bu).

### Long Distance Trains and Buses, Taxi and Airport Services

**Trains.** AMTRAK ([www.amtrak.com](http://www.amtrak.com)) operates out of South and Back Bay Stations. The former is on the T's Red Line; the latter is two blocks south of the Green Line Copley station.

**Buses.** Buses depart from the transportation center at South Station (Red Line).

**Taxis.** Several taxi companies operate in the Boston area. Among them are:

Bay State Taxi	617-566-5000
Independent Taxi Operators	617-426-8700
Boston Cab Dispatch Incorporated	617-536-5010
Red Cab	617-796-7770
Town Taxi	617-536-5000

**Airport.** Boston's Logan International serves most major airlines. For a list of airlines, with phone and webpage information, see [www.massport.com/logan/airli.html](http://www.massport.com/logan/airli.html). For general airport information, see <http://www.massport.com/logan-airport/Pages/Default.aspx>. Transportation to Logan is best by taxi or the T.

### 30. Veterans' Affairs, BU Office of Veterans Affairs

881 Commonwealth Ave., Second Floor; 617-353-3678; [veterans@bu.edu](mailto:veterans@bu.edu)  
<http://www.bu.edu/finaid/types-of-aid/veterans-services/>

In cooperation with the Veterans Administration (VA), the University participates in a number of veterans' benefits programs, including educational assistance and vocational rehabilitation. Any student who is eligible for veterans' benefits or who would like more information about VA rules and veterans' programs should contact:

Boston University Financial Assistance, Veterans Service Manager  
881 Commonwealth Avenue, Fifth floor  
Boston MA 02215  
617-353-3678  
[veterans@bu.edu](mailto:veterans@bu.edu)

## II. ACADEMIC PROGRAM INFORMATION

Students should consult the current BU Law Academic and Disciplinary Regulations, which appear in subsequent sections of this handbook and on the BU Law website. Below is additional information about BU Law academic programs.

### 1. Technical Standards

J.D. graduates of Boston University School of Law must have a predictable level of competence across the range of knowledge and skills generally expected of lawyers. This allows clients, licensing and credentialing authorities, and other interested parties to rely on these competencies. The American Bar Association and state bar associations require some of these competencies; others come from widespread industry practice and expectations. In order to achieve these competencies, students must *enter* the Boston University School of Law able to do various functions, either with or without reasonable accommodation, and must maintain these abilities throughout law school in order to graduate. These functions, known as *technical standards*, are listed and described below.

Boston University is committed to providing reasonable accommodation for students with disabilities who cannot satisfy these technical standards without accommodation. However, students should be aware that:

1. Technical Standards are not waivable. If a student cannot meet these requirements with or without reasonable accommodation, then a student will not be able to enroll or complete the J.D. program and graduate.
2. Boston University adheres to a formal reasonable accommodation process through the Office of Disability & Access Services (DAS). Reasonable accommodations are reviewed on a case-by-case basis through an interactive process between the student and DAS, in accordance with these technical standards. Accommodations are deemed unreasonable if they fundamentally alter an essential academic requirement that is necessary to the J.D. curriculum. This includes competence, knowledge and general lawyering skills both inside the classroom as well as in the practical environment. In those cases, the request for accommodations may be denied.
3. Because of the specialized skills involved in the practice of law, accommodations that were available and adequate in high school, undergraduate study, and/or in standardized testing may not be appropriate, adequate, or reasonable when applied to law study at Boston University.
4. The J.D. program at Boston University is a full-time program. This typically requires a credit load of approximately 15 credit hours, which translates to forty or more hours of work per week in class and outside of class.
5. After reviewing the Technical Standards, prospective students who anticipate the need for reasonable accommodation or who are unsure as to whether they can satisfy the requirements of the program even with reasonable accommodation must contact the Office of DAS. This contact must take place prior to matriculating to determine whether reasonable accommodations can be provided. If, at any point, a current student experiences or anticipates a need for reasonable accommodation, that student must contact the Office of DAS in a timely manner to determine whether reasonable accommodations can be provided.

## **Description of Technical Standards**

Technical Standards are not waivable. If a student cannot meet these requirements with or without reasonable accommodation, then a student will not be able to enroll or to complete the J.D. program and graduate.

### **Intellectual and Conceptual Skills**

Students must independently be able to learn to research, solve problems, apply concepts, and think critically, such that they can engage with materials and satisfy course requirements.

### **Time Management Skills**

Students must be able to meet deadlines, complete all classroom, exam, and clinical assignments and administrative tasks within the assigned timeframe, and keep scheduled appointments.

### **Attendance and Exam Policy**

Students must comply with the School of Law's policies on attendance and on exams and other assessments. Students must also satisfy the attendance, exam, and other assessment policies in all required and elective courses, clinics, and other offerings in which the student is enrolled.

### **Participation and Public Speaking**

During class in many required and elective courses, clinics, and programs, students will be called on without advance warning. Students must be able to make public oral responses to questions from the instructor, from guest speakers, or from other students. In other required and elective courses, clinics, and programs, students must be able to make public oral presentations and publicly to answer questions.

### **Communication Skills**

Students must be able to communicate orally and in writing in an effective, efficient, mature, respectful, and professional manner. Students must be able to understand oral and written communications, including directions, corrections, and feedback and be able to respond effectively both orally and in writing. Students must be able to read and understand large amounts of written material as well as lectures and audio and video presentations.

### **Organizational Skills**

Students must have the ability to set goals, to formulate a plan to accomplish those goals, and to implement such a plan. Students must be able to follow directions, to make reasonable inferences, and to organize and synthesize large amounts of information. Students must be able to organize ideas in order to communicate those ideas in writing and orally. Students must be able to understand deadlines and to meet them. Students must be able to manage competing demands and heavy workloads.

### **Behavioral Skills**

Students must exercise good judgment, honesty, and integrity. Students must have appropriate professional interpersonal skills and be able to work successfully under stressful conditions with or without others. Students must be able to work alone, with other students, and with faculty and staff. Students must be able to work in teams, and in all cases to observe appropriate boundaries. Students must be able to handle courseloads and clinic demands that may be mentally and emotionally taxing. Students must be able to

adapt to changing circumstances. Each student must be able to monitor his or her own behavior, act civilly, and adhere to all norms of ethical and professional conduct.

(Note: Some of the language above was taken from (sometimes verbatim), or modeled after, the requirements of other schools, departments, and universities. Please contact Boston University School of Law for attribution.)

## 2. Lawyering Program

The Lawyering Program consists of two components: The Lawyering Skills class and Lawyering Lab. The Lawyering Skills class is a two semester, simulation-based class that covers legal writing, legal research, oral advocacy and other professional skills. The class has no more than twenty students and is taught by full-time lecturers. The Lawyering Lab is an intensive, three and one-half day program that focuses on transactional skills. For further information, contact Prof. Robert Volk, Director of the Legal Writing and Appellate Advocacy Program, Law Room 1005G, 617-353-3156, [rvoik@bu.edu](mailto:rvoik@bu.edu).

## 3. Lawyering Fellows Program

In each Lawyering Skills class, two upper-class students serve as a Lawyering Fellow. The Lawyering Fellows attend class meetings, works closely with the instructor, and meets with seminar students to discuss assignments. Lawyering Fellows attend a biweekly class and receive two credits per semester.

## 4. Upper-class Writing Requirement

In addition to the first-year writing experience through the Lawyering Program, students must satisfy the Upper-class Writing Requirement during their second or third years. This requirement is set out in Article III, sec. 6 of the Academic Regulations, which includes ways to satisfy the requirement. **Note that a student may not take written work done for one professor and use it as the basis for satisfying the Upper-class Writing Requirement with another professor without the advance permission of the Associate Dean for Academic Affairs.**

Work which will **not** satisfy the Requirement:

- (a) Preparation of a brief, unless prepared for a course or seminar with substantial rewriting under a faculty member's supervision;
- (b) Memoranda prepared for outside employment, whether paid or volunteer;
- (c) Work which is not the student's original work; or
- (d) Work which has been offered previously for any purpose at this or any other academic institution, except as provided in "Difference between submission for a grade and submission for certification" below.

### **Registration and certification procedure.**

- (1) **Registration.** Students must complete and file the "Intention to Complete the Upper-class Writing Requirement," form with the Registrar's Office no later than the last day of the add/drop period of the semester in which the student intends to satisfy the Requirement. The form is available under the "JD Student Resources" section of the BU Law website, and can be attained in hard-copy in the Registrar's Office. Students must file the form ***no later than the last day of the add/drop period in the student's fifth semester*** – even if the student intends to satisfy the Requirement during the student's sixth semester. Otherwise, the student's attempted registration will not be effective. Failure to effectively register will require a meeting with the Dean's Designate.

For any seminar, course or writing project to serve as the basis for fulfilling the upper-class writing requirement, the instructor's signature is required. For an Esdaile, Stone, or Albers Moot

Court problem and bench memo to serve as the basis for fulfilling the upper-class writing requirement, the Director of the Lawyering Program must sign the form. For journal note-based non-credit Independent Study projects, the supervising faculty member's signature is required. Students working with part-time adjunct faculty must obtain additional approval from the Associate Dean for Academic Affairs. Please note that BU Law cannot guarantee in advance that students will be admitted into a particular course or seminar. Students considering sixth-semester completion of the Requirement should keep this fact in mind.

If a rising third-year student has not yet been able to satisfy the Requirement by one of the methods described in Article III, sec. 6 of the Academic Regulations, then he or she should complete the online "Find an Advisor" form and submit it to the Registrar's Office or the Associate Dean for Academic Affairs. The standard intent and "Find an Advisor" forms are both located under Upper-class Writing Requirement materials on the BU Law website.

The "Find an Advisor" form must indicate whether the student wishes to pursue independent study for credit, and the student must describe his/her proposed topic/area of interest. The Associate Dean for Academic Affairs will assist the student in selecting a course or seminar or, if necessary, finding a faculty member to supervise a project that the student has identified. Students should realize that the preferred and ordinary methods for satisfying the Requirement are those identified in Article III, sec. 6 of the Academic Regulations.

Failure to file the form or to obtain the supervising faculty member's signature approving work under that person's supervision will result in the Writing Requirement credit being denied.

- (2) **First-Draft Deadline.** All students in their final semester who have not been certified as having completed the Requirement must provide a first-draft of the Upper-class Writing Requirement to their faculty advisor no later than the last class-day of the fourth week of the student's final semester.
- (3) **Certification.** Upon satisfactory completion of an approved project, the supervising faculty member will certify to the Registrar that the student has fulfilled the Requirement.

### **Timing and deadlines.**

- (1) **Timing.** Only projects undertaken during a student's second or third year may satisfy the Upper-class Writing Requirement. However, with a faculty supervisor's approval, students may begin research and writing projects during the prior summer or semester. As explained in paragraph (2) below, and subject to the caveat of paragraph (3), revisions for purposes of satisfying the Writing Requirement may be submitted after the deadline relevant for grading purposes.
- (2) **Difference between submission for a grade or journal credit, and submission for certification.** Papers submitted for a course, seminar, or Supervised Research and Writing project must meet deadlines stated in Article VIII of the Academic Regulations ("Papers"). All grades will be determined on the basis of work submitted by the Article VIII deadline. However, with the instructor's permission, and subject to paragraph (3) below, a student may continue to work on the paper past grading deadlines for purposes of satisfying the Writing Requirement. Papers developed from a journal note must first meet the journal's requirements to be awarded the journal credit, and then be further developed with a faculty advisor, including possible additional draft(s), reformatting, and revision(s) to meet the Upper-class Writing Requirement. Papers developed from a seminar paper must first meet the course requirements' to be awarded a grade for the course, and then be further developed with a faculty advisor, including possible additional draft(s), reformatting, and/or revision(s).

- (3) **Caveat for sixth-semester students.** A sixth-semester student's failure to satisfy the Writing Requirement by the examination period's last day may prevent the student's participation in commencement and be deemed a failure to meet degree requirements. Students who do not submit the Upper-class Writing Requirement by the last day of the examination period of their sixth semester must petition the Academic Standards Committee and the full-faculty for an extension of the requirement and to participate in commencement ceremonies. At a minimum, students who have not completed this Requirement will have a notation in the commencement program that the student's JD requirements have not yet been completed.

## 5. Advanced Litigation and Moot Court Programs

BU Law offers programs for 2Ls and 3Ls who want a more direct experience in trial and appellate litigation. These include: Upper-class Moot Court Competitions, Trial Advocacy, Appellate Advocacy, Mock Trial Competitions, Negotiation Competition, and Client Counseling Competition. For information on Moot Court Programs, Mock Trial, or the Negotiation and Client Counseling Competitions, contact Jennifer Taylor McCloskey, Law Room 1005B; 617-353-3199. For information on Trial Advocacy, contact Karen Pita Loor, Law Room 1303A; 617-353-3131; [loork@bu.edu](mailto:loork@bu.edu); Kevin Schwartz; 617-353-3148; [schwarke@bu.edu](mailto:schwarke@bu.edu).

## 6. Scholarly Categories for Yearly Academic Performance

**First Year.** The top five students in each section will be named G. Joseph Tauro Distinguished Scholars. Those in the top 10% of their section will be named G. Joseph Tauro Scholars.

**Second Year.** The top fifteen students in the second year class based on second-year grades will be named Paul J. Liacos Distinguished Scholars. Students in the top 10% of the second-year class based on second-year grades will be named Paul J. Liacos Scholars.

**Third Year.** The top fifteen students in the third-year class based on third-year grades will be named Edward F. Hennessey Distinguished Scholars. Students in the top 10% of the third-year class based on third-year grades will be named Edward F. Hennessey Scholars.

## 7. Student-Edited Journals and Journal Credit Policy

### BU Law Journals

In the spring semester, the Law Journals have an informational meeting for first-year students about journal membership and the writing competition. For more information on a particular journal and the journal writing competition, contact the specific journal.

<b>Journal</b>	<b>Phone</b>	<b>Law Room</b>
<i>Law Review</i>	617-353-3166	1701
<i>Journal of Science &amp; Technology Law</i>	617-353-8368	406
<i>American Journal of Law and Medicine</i>	617-353-2953	1702
<i>International Law Journal</i>	617-353-3157	405
<i>Review of Banking and Financial Law</i>	617-353-8935	1005
<i>The Public Interest Law Journal</i>	617-353-7255	402

Inquiries regarding disability accommodations for the 1L journal writing competition must be addressed to the BU Office of Disability and Access Services, and must conform to the usual procedure for requesting disability accommodations outlined in section 10 in the Student Services section above.

## **Journal Credit Policy**

A second-year student can earn two ungraded (non-GPA) academic credits by (1) satisfactorily performing the duties that her or his journal, in consultation with the journal's faculty advisor, requires of second-year members and (2) writing a paper (usually a second-year Note) that the journal requires for membership and that the journal's faculty advisor ultimately approves as sufficient to justify the awarding of two credits (one credit each semester). To justify the awarding of academic credit, the paper will normally be expected to reach the level of a polished, high quality seminar paper.

The paper must be written in compliance with the journal's note-writing process, with the deadline set by the journal and approved by the faculty advisor. The journal and faculty advisor have authority to set the deadline beyond the end of the second year, but no later than the end of the student's third year. The completion of the journal requirements and paper will result in one ungraded credit for the fall semester of second year and one ungraded credit for the spring semester of second year, irrespective of when the work is completed. Students need not petition the Academic Standards Committee for permission to complete the paper later than the second-year spring paper deadline. Students are cautioned, however, that the quality standard for the paper is a high one, and leaving its completion until the third year, especially the second semester of the third year, raises the risk that the credits will not be earned on time and that the student will find herself or himself short of the credits necessary for graduation. Students who wish to receive these credits must register for law journal credit by the end of the fall add/drop period in their second year.

Third-year students on *Law Review* who satisfactorily-serve in the following roles, as determined by the faculty advisor, will earn the relevant credits indicated in parentheses: Editor-in-Chief (4); Managing Editor (4); Executive Editor (3); Senior Articles Editor (4); Articles Editor (4); Senior Notes Editor (3); Notes Editor (3); and Online Editor (3). Third-year students on the *Law Review* who serve as 3L editors are eligible for two ungraded academic credits, if they complete (i) at least 100 hours of editorial tasks in their 3L year; (ii) the introductory editing workshop (online or in-person); and, (iii) library training, and their completion is certified by the Editor-in-Chief and the faculty advisor. Third-year students who serve on the editorial board of one of the other journals can earn two ungraded academic credits **if** the journal Editor-in-Chief and the faculty advisor determine that the position qualifies for academic credit, and if the board member performs his or her duties to the satisfaction of the Editor-in-Chief of the journal and the faculty advisor. Credits may be split and assigned to each semester, or may be assigned to a single semester. Students who wish to receive these credits must register for law journal editorial board credit by the end of the fall add/drop period in their third year. In special circumstances, the journal may seek the faculty advisor's **advance** approval to split a 3L editorial board position between two people, one serving the first semester of an academic year and earning one credit for the fall semester, and the second serving the second semester and earning one credit for the spring semester. The faculty advisor will approve such an arrangement only when convinced that it is the best way both to serve the functions of the journal and to advance the students' education.

## **8. Centers and Institutes**

**American Society of Law, Medicine & Ethics**, Law Room 1704; 617-262-4990. The Society is an independent association, housed at BU Law, which provides scholarship on issues related to the nexus of law, health care, and ethics. The Society publishes the *American Journal of Law and Medicine*, one of the six student-run scholarly journals at BU Law.

## **9. Clinical and Externship Programs / Experiential Education**

The Clinical and Externship Programs provide opportunities to apply classroom learning to real-life lawyering. Depending on the program, second- and third-year students may represent real clients in (a) civil cases in housing, employment, family, and disability cases; (b) immigration and asylum cases; (c) the prosecution or defense of criminal cases; (d) intellectual property and entrepreneurship cases; (e)

human trafficking cases; (f) consumer debt cases; or (g) small internal compliance investigations. Students can also work on clinic projects that include (a) drafting legislation for the U.S. legislature; (b) overturning wrongful convictions; (c) advocating for medical parole for an incarcerated person; (d) working on international human rights projects; (e) producing a report for an environmental law non-profit; (f) advocating and researching issues on behalf of people subject to sex offender registration laws; (g) strategizing how to use US anti-corruption law to address human rights abuses; (h) advocating and researching legal and policy solutions on behalf of health care providers and marginalized patient populations. In our externship program, students can (a) serve as externs for judges or legislators; (b) gain experience as externs for attorney mentors in government, public-sector, and public-interest agencies, at small to large-size firms; or at in-house counsel placements. Students may also participate in a full-time externship, through our Semester-in-Practice Program, at any of the previously mentioned placements. For those students interested in taking the bar exam the February before graduation, Boston University School of Law participates in the New York Pro Bono Scholars Program.

Applications for externships, including the Semester-in-Practice and the New York Pro Bono Scholars Program, are available online and are due the semester prior to the semester of participation. All other programs have one online application. Applications for clinics are available in early March and due in early April. Information on these programs is available through the BU Law website, or by contacting the relevant director for each program as listed below. In addition, you may contact Associate Director Katherine Law, 617-353-3131, Room 1304F, [kyunker@bu.edu](mailto:kyunker@bu.edu), who will direct you to the correct individual.

Contact information for the individual clinics:

**Civil Litigation Program and Access to Justice Clinic:** Executive Director & Prof. Naomi Mann, Room 1302B; 617-358-0375; [nmann@bu.edu](mailto:nmann@bu.edu)

**Individual Rights Litigation Clinic:** Director & Prof. Constance Browne, Room 1302G; 617-353-5819; [cbrowne@bu.edu](mailto:cbrowne@bu.edu); [Prof. Jade Brown](#)

**Employment Rights Clinic:** Director & Prof. Mary Connaughton; Room 1302C; 617-358-3061; [mconnau@bu.edu](mailto:mconnau@bu.edu); [Prof. Jade Brown](#)

**Compassionate Release Practicum:** Prof. Jeffrey Harris, [jgharris@bu.edu](mailto:jgharris@bu.edu)

**Compliance Policy Clinic:** Director & Prof. Danielle Pelfrey Duryea; Room 1401; 617-358-7326; [dpelfrey@bu.edu](mailto:dpelfrey@bu.edu)

**Consumer Debt Practicum:** Prof. Colin Harnsgate, [colinmh@bu.edu](mailto:colinmh@bu.edu)

**Criminal Law Clinical Program:** Director & Prof. David Rossman, Room 1402D; 617-353-5011; [drossman@bu.edu](mailto:drossman@bu.edu); and Prof. Wendy Kaplan; Prof. Brian Wilson; Prof. Tracy Walts

**Environmental Law Practicum:** Prof. Pamela Hill; [pahill@bu.edu](mailto:pahill@bu.edu)

**Health Justice Practicum:** Prof. Danielle Pelfrey Duryea; Room 1401; 617-358-7326; [dpelfrey@bu.edu](mailto:dpelfrey@bu.edu)

**Immigrants' Rights & Human Trafficking Program:** Director & Prof. Julie Dahlstrom, Room 1302A; 617-353-2807; [jadahl@bu.edu](mailto:jadahl@bu.edu); and Prof. Sarah Sherman-Stokes

**International Human Rights Clinic:** Prof. Yoana Kuzmova, Room 1301; 617-358-3060; [ykuzmova@bu.edu](mailto:ykuzmova@bu.edu); and Mr. Angel Cabrera Silva

**Legislative Policy and Drafting Clinic:** Director & Prof. Sean Kealy, Room 1303D; 617-353-8373; [skealy@bu.edu](mailto:skealy@bu.edu)

**Start-Up Clinic:** Director & Prof. Jim Wheaton, Room 1302H; 617-353-1296; [jwheaton@bu.edu](mailto:jwheaton@bu.edu); and Prof. Sam Taylor; and Prof. Darryl Walton

**Sex Crimes Practicum:** Prof. Eric Tennen; 617-227-9443; [etennen@bu.edu](mailto:etennen@bu.edu); [etennen@swomleyandtennen.com](mailto:etennen@swomleyandtennen.com)

**Technology Law Clinic:** Director & Prof. Andy Sellars, Room 1303B; 617-358-7377; [sellars@bu.edu](mailto:sellars@bu.edu); and Assistant Director & Prof. Chris Conley; and Prof. Jordi Goodman

**Wrongful Convictions Practicum:** Prof. Ira Gant, [iragant@bu.edu](mailto:iragant@bu.edu)

Contact information for externships:

**Externship Program:** Director & Prof. Kate Devlin Joyce, Room 1304F; 617-358-6895; kdevlin@bu.edu

**Corporate Externship Program:** Director & Prof. Cecily Banks, Room 1604E; 617-353-8960; cbanks@bu.edu

**Semester-in-Practice and New York Pro Bono Scholars Program:** Director & Prof. Kate Devlin Joyce, Room 1304F; 617-358-6895; kdevlin@bu.edu

**Legislative Policy and Drafting Externship:** Prof. Sean Kealy, Room 1303D; 617-353-8373; skealy@bu.edu

## 10. Dual-Degree Programs

BU Law has ten dual-degree programs with other BU graduate schools and seven with BU Law LL.M. programs. Each program allows enrolled students to earn two degrees on an accelerated basis.

JD/MA in Law and English

JD/MA in Law and History

JD/MBA in Law and Management (3-year and 7-semester programs)

JD/MD in Law and Medicine

JD/MA in Law and Philosophy

JD/MA in Law and Preservation Studies

JD/MPH in Law and Public Health (3-year and 7-semester programs)

JD/MA in Law and International Relations

JD/LL.M. in Taxation (6 and 7 semester programs)

JD/LL.M. in Banking and Financial Law (6 and 7 semester programs)

Each program draws on a BU Law policy that allows students, after the first year, to apply up to 12 non-law graduate-level credits toward the JD. BU Law tuition for dual-degree students covers course work in both programs, up to 18 total credits per semester. (But note that students may register for a total of 17 J.D.-degree applicable credits each semester after the first year of law school).

BU Law also offers third-year students five international dual degree (JD/LLM) programs. Students receive the host school's LLM degree during their final year of JD studies. They receive 24 JD credits for the full year abroad; and are required to add two-credits of *Supervised Research & Writing* to meet the 26-credit minimum annual enrollment requirement. The LLM programs, all taught in English, are available at:

- National University of Singapore (LLM in Asian Legal Studies)
- The Institute for Law and Finance, Frankfurt, Germany (LLM in Finance)
- Tsinghua University, Beijing, China (LLM in Chinese Law)
- Université Panthéon-Assas, Paris, France (LLM in European Law)
- Universidad Pontificia Comillas, Madrid, Spain (LLM in International and European Business Law)

Because participating students spend their entire third-year abroad, it is important that they plan their 2L course selections accordingly in order to meet the JD program's requirements. Interested students should review the information packages at <http://www.bu.edu/law/current-students/jd-student-resources/study-abroad/> and make an appointment at the Graduate and International Programs Office (room 802, 617-353-5323, gradint@bu.edu) to discuss their options with Maureen Leo, the Director for Graduate and International Programs.

For more information on international dual degree opportunities, please contact Maureen Leo (mleo@bu.edu). (For JD/LL.M. or international programs, please contact the Graduate Tax Office at 617-353-3105 or the Graduate Program in Banking and Financial Law at 617-353-3023).

## **11. Concentrations,** <http://www.bu.edu/law/academics/jd-degree/concentrations/>

BU Law offers students the opportunity to graduate with a certificate of completion that demonstrates their concentrated study in Intellectual Property & Information Law, Health Law, Transactional Practice, Risk Management & Compliance, International Law, Public Interest or Litigation and Dispute Resolution. Students in each concentration must do a substantial paper. Completion of concentration requirements is documented, along with any honors earned, on a separate certificate rather than on the official transcript.

Students who have substantive questions about the concentrations should contact the faculty advisor to the concentration.

## **12. International Programs,** Law Room 802; 617-353-5323 or [bullm@bu.edu](mailto:bullm@bu.edu)

BU Law's Office of Graduate and International Programs (OGIP) allows 2Ls and 3Ls to study international and comparative law at acclaimed foreign law schools: Harris Manchester College, Oxford University (England); University College London (England); Université Jean Moulin, Lyon 3 (France); Université Panthéon-Assas, Paris (France); Leiden University (The Netherlands); University of Buenos Aires (Argentina); The Buchmann Faculty of Law, Tel Aviv University (Israel); University of Florence (Italy); University of Hong Kong (China); Tsinghua University, Beijing (China); Bucerius Law School, Hamburg (Germany) Universidad Pontificia Comillas, Madrid (Spain); National University of Singapore (Singapore); the Graduate Institute of International and Development Studies in Geneva (Switzerland); and the Institute for Law and Finance in Frankfurt, Germany.

Spanish-language fluency is required for the Buenos Aires semester programs, Italian-language fluency is required for Florence, and French-language fluency is required for the Lyon and Université Panthéon-Assas semester programs. The Bucerius, Tsinghua, and University College London programs are offered in the fall semester, while the Oxford, Frankfurt and Paris (single semester; French-language instruction) programs take place in the spring semester. The programs offered in both the fall and spring semesters include Buenos Aires, Hong Kong, Geneva, Florence, Leiden, Lyon, Madrid, Tel Aviv and Singapore. Students also have the option of pursuing a full year dual degree (J.D./LL.M.) program at the National University of Singapore (LL.M. in Asian Legal Studies Program), at Université Panthéon-Assas (LL.M. in European Law Program), at Universidad Pontificia Comillas (LL.M. in International and European Business Law Program) and at the Institute for Law and Finance (LL.M. in Finance) in Frankfurt. All full-year programs are conducted in English and begin in the fall semester. The full year programs are open to 3Ls only.

Each year the OGIP holds an information session in the fall and a student panel in the spring. The application and interview period occurs in mid-February and early March. Detailed program descriptions are available online at <https://www.bu.edu/law/current-students/jd-student-resources/study-abroad/>. Interested students may contact the Graduate and International Programs Office ([gradint@bu.edu](mailto:gradint@bu.edu)), Director Maureen Leo ([mtleo@bu.edu](mailto:mtleo@bu.edu)).

## **13. Graduate Programs**

**The LL.M. in American Law Program,** Law Room 802; 617-353-5323;  
<https://www.bu.edu/law/academics/llm-masters-degrees/american-law/>

The LL.M. in American Law Program offers foreign-trained lawyers a Master of Laws degree focusing on American law topics and the US legal system. During a year of full-time study, students complete 24 credits, including classes taken through the JD curriculum.

**The Graduate Program in Banking and Financial Law**, Law Room 801; 617-353-3023. The Graduate Program in Banking and Financial Law awards the LL.M. degree in Banking and Financial Law, with concentrations in the business of banking, compliance management, financial services transactions, lending and credit transactions and securities transactions. The Program also offers JD students an accelerated six-semester or seven-semester JD/LL.M. degree. JD students who have an interest in financial services are encouraged to take courses from the Program's curriculum, which concentrates on topics in banking, securities and insurance as well as economics and accounting. The Program offers roughly twenty-five courses, most of which are open to JD students. The Program's list of courses may be seen at <https://www.bu.edu/law/academics/llm-masters-degrees/banking-financial-law/courses-of-study/>. For more information, please contact the Graduate Program in Banking and Financial Law at [banklaw@bu.edu](mailto:banklaw@bu.edu).

**Graduate Tax Program**, Law Room 801; 617- 353-3105. The Graduate Tax Program (GTP) offers training in tax law leading to the degree of Master of Laws (LL.M.) in Taxation. To accommodate the different needs of our students, the GTP offers three paths to completing the 24 credits required for the BU Law LL.M. in Taxation: full-time residential, part-time residential, and online. Instruction is provided by full-time BU Law faculty and adjunct faculty who are experienced practicing attorneys. Additional information can be found at <https://www.bu.edu/law/academics/llm-masters-degrees/taxation/>. The Graduate Tax Program also offers qualified Boston University J.D. candidates the opportunity to earn an LL.M. in Taxation in six or seven semesters. In addition, all Graduate Tax Program courses are open to JD students. You may email the program at [gradtax@bu.edu](mailto:gradtax@bu.edu) for additional information.

### III. BU LAW/BU POLICIES AND PROCEDURES

#### 1. Auditing BU Law Courses

A second- or third-year student may audit a BU Law course, with appropriate notation on the BU Law transcript, provided that:

- a. The course is not closed;
- b. The student obtains the instructor's *written* permission to audit; and
- c. The instructor provides the Registrar, at the semester's end, written verification that the student attended throughout the semester.

Without Academic Standards Committee permission, a student may not change his/her registration status after the add/drop period. Audit forms are available in the Registrar's Office (Law Room 502).

#### 2. Class Cancellations or Delayed Openings

If an instructor cancels a class, the Registrar will notify students through one or more of the following methods: the weekly schedules posted on the 1st floor board (outside of Room 101) or the 5<sup>th</sup> floor board outside of the Registrar's suite (Law Room 502), a sign on the classroom door, a message on the electronic board in the lobby and (if time permits) e-mail.

During inclement weather, BU will decide whether to cancel classes campus-wide by 6 AM. Information is broadcast on the following stations: WBZ (1030 AM), WRKO (680 AM), WBUR (90.9 FM), WBZ-TV Channel 4, WHDH-TV Channel 7, and WCVB-TV Channel 5. These are the only stations authorized to announce University closings and delayed openings. This information is available also by calling 617-353-SNOW (353-7669).

If the University announces a delayed opening, BU Law classes scheduled to start earlier will be canceled. Official announcements will be made between 6 and 9 AM on the above stations.

#### 3. Commencement Participation

All students who have fulfilled requirements for the Degree of Juris Doctor set forth in Article I of the Academic Regulations shall be entitled to participate in the BU Law Commencement. In addition, at the recommendation of the Dean or the Dean's designate, and with the Faculty's approval, students who have not yet completed all the requirements, but are expected to do so by the following January, may participate with an appropriate designation in the program.

#### 4. University Compliance Requirements

In order to register for courses at BU Law and the University, both full-time and part-time students must be in compliance with BU emergency alert system, immunization, settlement of financial obligations, local address, and the Massachusetts Motor Vehicle Law requirements.

**Emergency alert requirement:** Boston University uses an on-demand alert and response system called BU Alert. In the event of a campus emergency, BU Alert's technology allows BU to contact the entire campus community immediately through a variety of electronic means, including text messaging, e-mail, and voice mail. To ensure the effectiveness of this system, ALL BU students MUST provide an emergency alert phone number on the BU Student Link ([www.bu.edu/studentlink](http://www.bu.edu/studentlink)). **You also need to confirm each semester that the number you provided is still effective.** This is for your protection, and

the University will only use this in a bona fide emergency situation. If you have questions about the BU Alert system, please visit <http://www.bu.edu/emergency/faqs/bu-alert>

**Immunization requirement:** The Commonwealth of Massachusetts requires that all full-time students and many part-time students enrolled in colleges and universities complete a series of immunizations. The necessary immunizations are outlined on the Student Health Services website ([www.bu.edu/shs](http://www.bu.edu/shs)); you are informed of this requirement when you enroll at Boston University, and University officials remind you of this each year. Please check <http://bu.edu/studentlink> to learn whether this state regulation applies to you and, if so, whether Student Health Services has received the appropriate documentation.

**Settlement of financial obligations:** Boston University policy requires the withholding of all credits, educational services, issuance of transcripts, and certifications of academic records from any person whose financial obligations to the University (any delinquent obligation including Student Accounts, Loans, deferred payments and/or liability for damages) are due and/or unpaid.

**Local address requirement:** If the University has only a home address in New England, New Jersey, or New York, it is considered the local address. Changes can be made at any time using the Student Link, or at the Registrar's Office. Students who have restricted their data will not appear in the University Directory published in the fall semester.

**Massachusetts Motor Vehicle Law requirements:** The Massachusetts Motor Vehicle Law requires that all out-of-state students, including those who do not bring cars to Massachusetts, sign an acknowledgement that they have been informed of the law.

The Massachusetts Motor Vehicle Law requires out-of-state students bringing vehicles into the Commonwealth of Massachusetts to file a nonresident driver statement with the local police department in the city in which their university is located: "It is unlawful for a resident student to fail to file a nonresident driver statement with the police department located in the same city or town as the school or college attended, in accordance with Section 3 of Chapter 90 of the Massachusetts General Laws. Failure to file such statement is punishable by a fine not to exceed \$200."

Boston University is required by the Commonwealth to keep a record and provide proof to the state that students have been apprised of the law. Eligible students must formally acknowledge they have been notified of the law by clicking on the acknowledge button at [www.bu.edu/link/shortcut/massmotorlaw](http://www.bu.edu/link/shortcut/massmotorlaw). Students who fail to do so will not be in compliance and cannot register for upcoming semesters:

Instructions for complying with the law:

- All out-state-students, including those who do not bring cars to Massachusetts, are required to read the statement on [www.bu.edu/link/shortcut/massmotorlaw](http://www.bu.edu/link/shortcut/massmotorlaw) and click on "I acknowledge."
- In addition, STUDENTS BRINGING VEHICLES into the Commonwealth of Massachusetts are required to download and complete the Nonresident Driver Statement from the Massachusetts Registry of Motor Vehicles website at [www.mass.gov/rmv/forms/20098.pdf](http://www.mass.gov/rmv/forms/20098.pdf).

Mail form to: Office of the University Registrar  
881 Commonwealth Avenue  
Boston, MA 02215

- The University Registrar's Office will mail a copy of the student's form to the Boston Police Department. The Registrar's Office will then mail a state-approved decal to the student's local address. This decal must be prominently displayed in the uppermost center portion of the windshield of the student's vehicle.

## 5. Course and Teacher Evaluations

During the last two weeks of class, instructors will distribute evaluation forms. Summaries of the numerical ratings are available in the reserve section of the Law Library and on the BU Law website.

## 6. Evacuation Plan

BU Law has developed a comprehensive evacuation plan for cases of emergency. You can access the plan at <http://www.bu.edu/law/files/2017/10/evacuation-plan-2017.pdf>. Please be sure to read the plan.

## 7. Exam Drafting/Implementation Problems

Despite the best efforts of the faculty to avoid such occurrences, it sometimes happens that it would be unfair to grade an exam as given. In those circumstances, the Dean's designate will consult with the Academic Standards Committee to decide on the appropriate action to take. Remedial actions may include, but are not limited to, instructing the professor to consider the problem in grading the exam; excluding an exam question or questions; or giving less weight to a question or questions. That decision will be final and non-appealable.

## 8. Exam Relief

Any student who is unable to take an examination as scheduled (*e.g.*, because of serious illness or family emergency) must contact the Registrar promptly (617-353-3115, [lawreg@bu.edu](mailto:lawreg@bu.edu)). ***To protect BU Law's policy of blind grading, such students must NOT contact the instructor.*** Students should consult Article VII of the Academic Regulations for rules governing exam relief. Additional questions or problems should be directed to Associate Dean Muir at [gmmuir@bu.edu](mailto:gmmuir@bu.edu) or 617-358-1800.

## 9. Boston University Information Security Policy and Conditions of Use and Policy on Computing Ethics

Users of the University's computing facilities, including University-supported electronic mail, are on notice that the University has reserved the rights set forth in the Boston University Information Security Policy and Policy on Computing Ethics. Students should familiarize themselves as well as comply with these policies, which can be found at [www.bu.edu/computing/policies/index.html](http://www.bu.edu/computing/policies/index.html).

## 10. Notice Concerning the Recording of Law School Classes

Please note that law school classroom proceedings might be recorded by the School's Academic Media Services department for purposes including, but not limited to, student illness, religious observances, disability accommodations, or student course review.

Under our School of Law Disciplinary Regulations, recording devices are prohibited in the classroom except with the instructor's permission.

## 11. Boston University Grievance Procedure in Cases of Alleged Discrimination

The University grievance procedure in cases of alleged discrimination is in Appendix 1 of this Handbook.

## 12. Part-Time Employment

BU Law discourages outside employment for 1L students, because it detracts from class preparation and understanding of course material, but has no formal limitations on students' personal choice to seek employment while enrolled in the J.D. program.

## 13. Payment of Tuition and Fees

**a. Student Accounting Services**, 25 Buick St, Suite 130, 617-353-2264 or [studenta@bu.edu](mailto:studenta@bu.edu).

Student Accounting Services handles billing for and questions related to tuition, residence charges, and other applicable fees.

**b. Settlement of Student Accounts.** University policy requires settlement by the payment deadline each semester. If payment is received after the deadline, a late fee is assessed. Settlement of your student account can be completed in many ways, including direct payment, University-offered payment plans, University aid, federal and private loans, outside awards, and agency sponsorship. Please contact Student Accounting Services with specific questions regarding your account and payment options. Please note that BU does not accept credit card payment for tuition and fees for full-time students. Any student experiencing difficulty in settling their account should initially contact the Law Financial Aid Office to review their options. If further information or assistance is needed, the student may meet with the BU Law Registrar and/or the Associate Dean for Student Affairs Gerry Muir. Dean Muir is available at [gmmuir@bu.edu](mailto:gmmuir@bu.edu) or 617-358-1800.

**c. Consequences of failure to settle an account.** For 1L and 2L students, the consequences are: (1) grades will not be recorded or given to the student in any course taken that semester; (2) the student may not select courses for the following semester; (3) the student's financial aid will not be processed for the following semester if the account balance is greater than \$199; (4) the student will not be issued transcripts or verification of enrollment; and, (5) access to University facilities will be denied. For 3L students, the consequences are: (1) – (5) above; and (6) the student will not receive their diploma; and (7) the student will not be certified for the Bar.

**d. Deferments for Undergraduate Loans.** Boston University participates in the National Student Clearinghouse student loan verification service. The University Registrar automatically submits enrollment verification updates to the Clearinghouse. The Clearinghouse then electronically distributes updates to participating lenders and servicers. BU Law Registrar's Office will also complete paper loan deferment forms, if necessary.

## 14. Policy Governing Student Complaints Regarding the Law School's Program of Legal Education and Compliance with ABA Standards and Rules of Procedure for Approval of Law Schools

Boston University School of Law ("BU Law") is accredited by the American Bar Association ("ABA"). The ABA Standards and Rules of Procedure for Approval of Law Schools are online at [http://www.americanbar.org/groups/legal\\_education/resources/standards1.html](http://www.americanbar.org/groups/legal_education/resources/standards1.html)

A student who has a significant complaint that directly implicates BU Law's program of legal education and its compliance with the ABA Standards may submit it, in writing, to the Associate Dean for Academic Affairs Anna di Robilant ([robilant@bu.edu](mailto:robilant@bu.edu)) or the Associate Dean for Student Affairs Gerry Muir ([gmmuir@bu.edu](mailto:gmmuir@bu.edu)). The written complaint must identify the issue in sufficient detail to permit the Associate Dean to investigate the matter, including the specific ABA Accreditation Standard(s) at issue, and must be signed and dated by the student. The signed, written statement must also include the student's contact information, including name, home and email addresses, and phone number.

Within three weeks after the Associate Dean receives a written, signed complaint, the Associate Dean shall advise the student of the law school's resolution of the complaint or of any further investigation into the matter if needed. If additional investigation is needed, the school shall advise the student of the resolution of the complaint as soon as is reasonably possible.

If the student wishes to appeal the school's decision resolving the complaint, he/she must submit a written, signed appeal to the School of Law Dean within ten days of being notified of the decision. The Dean will communicate his/her decision to the student within three weeks after receiving the written appeal. The Dean's decision is final.

## **15. Resident Assistantships, Office of Residence Life**

25 Buick Street (1<sup>st</sup> fl.), 617-353-4380. <http://www.bu.edu/reslife/>

Students interested in becoming a Resident Assistant in BU housing should contact this office.

## **16. Safety**

**The BU Police Department**, 32 Harry Agganis Way; 617-353-2110 (emergencies only 617-353-2121), [www.bu.edu/police](http://www.bu.edu/police). All officers are academy-trained and armed and enforce state law. Police patrol 24 hours a day. The Department operates with a community policing philosophy that emphasizes both prevention and enforcement in cooperation with the community.

**Scarlet Safe Walk**, 775 Commonwealth Avenue; 617-353-4877 <http://www.bu.edu/dos/late-night-transportation/>. The BU Escort Security Service provides an escort (either van transportation or a pair of escorts) for BU students, faculty and staff to all destinations on campus. All University Escorts carry identification cards and communication radios. Academic year hours are 10PM to 2AM.

**Reporting Emergencies and Crimes.** BU encourages prompt reporting of all criminal incidents, safety-related emergencies, and suspicious circumstances on or near BU property to BU Police.

**Police Services.** Call the BU Police at 617-353-2121 and tell the dispatcher the location and nature of the emergency. You also may use the BU Police anonymous tip line at 617-353-6516. If off-campus, dial the local police (911).

**Emergency Telephone System.** Five emergency telephones (the "Blue Light" phones) are located inside or near BU Law: (1) the BU Law basement (locker room); (2) between BU Law and the Library Annex; (3) in the courtyard between BU Law and the School of Theology, at the base of the stairs to Marsh Plaza and Commonwealth Ave.; (4) Bay State Rd., outside the School of Social Work and across from BU Beach; (5) Bay State Rd, and Granby St., near the Castle and Hillel House. Pressing the red button establishes a connection to the BU Police.

**Medical Emergencies.** Call the BU Police at 617-353-2121. If off-campus, dial 911. Tell the dispatcher the location and nature of the emergency and to call an ambulance.

**Fire Safety.** Sound the nearest fire alarm. Call the BU Police at 617-353-2121. If off-campus, call 911. Describe the location and extent of the fire. Leave the building, calmly, by following the EXIT signs to fire exits. Do not use elevators.

**Bomb Threats in a University Building.** Do not touch or move suspicious packages or objects. Call the BU Police at 617-353-2121. State information as accurately as possible, particularly the reported location of the suspicious object or the threatened area. If you are told to leave the building, do so calmly.

**RAD (Rape Aggression Defense) Classes.** The Boston University Police Department offers the "Rape Aggression Defense" program (RAD) specifically for women who wish to physically protect themselves against rape and other forms of violence. Courses are taught by certified BUPD RAD instructors. For information, see <http://www.bu.edu/police/services/RAD/>.

## **17. Boston University Sexual Harassment Policy and BU Law Policy on Equality of Opportunity in Recruiting**

- a. **The BU Code of Student Responsibilities and University Policy on Sexual Misconduct.** These policies are reprinted in full in the Appendices to this Handbook. They are also available online at <http://www.bu.edu/dos/policies/student-responsibilities/> and <http://www.bu.edu/safety/sexual-misconduct/>, respectively.
- b. **The BU Law Policy on Equality of Opportunity in Recruiting.** This policy reprinted in full in the Appendices to this Handbook, and addresses BU Law's procedures in cases of alleged discrimination or sexual harassment by employers. It is also available online at <http://www.bu.edu/eoo/policies-procedures/equal-opportunity/>.

## **18. Smoking Policy**

Smoking is prohibited in all Boston University facilities and enclosed workplace areas. The Boston University Smoking Policy in full is available at <http://www.bu.edu/hr/documents/bu-smoking-policy.pdf>. Violators are subject to disciplinary action.

## **19. Student Events/Room Reservations**

**Student Events.** To obtain information on student events, the following should be checked regularly: the electronic lobby board, <http://www.bu.edu/law/news-events/events-calendar/>, SGA Monday morning emails, email from Student Affairs, and community bulletin boards.

### **Room and Space Reservation Procedures**

**Classrooms.** Registered student groups must submit the online room reservation request form to receive an approval for their events. The form is available through the Student Affairs Office. . Room requests must be received within 72 business hours. Note that the open block periods (Mondays and Thursdays) fill quickly, so please plan well in advance. **Student groups who have reserved a classroom may not have snacks or food (such as pizza, chips, etc.) and open beverages in the classroom.** The only classrooms that allow food are rooms 203, 204, and 410. The student group is responsible for cleaning the space before the next class or event.

**Law Auditorium.** The Law Auditorium is scheduled by the University Registrar. Information on reserving the Law Auditorium is available through the University Student Activities Office and online at <http://www.bu.edu/reg/faculty-staff/scheduling/information/>.

**Library Group Discussion Rooms.** Sign-ups take place at the Circulation Desk or online through the Pappas & Fineman Libraries website. Reservations are available for the current week and for the following week during the academic year. Reservations for groups are available on a first-come, first-served basis. Reservations can be made through <http://www.bu.edu/lawlibrary/using-the-library/discussion-rooms/>.

**Group Discussion Rooms (outside the library).** Group Discussion Rooms throughout the Law Complex are managed by the Library. Students may go to the Circulation Desk or reserve a space through the Pappas & Fineman Libraries website, <http://www.bu.edu/lawlibrary/using-the-library/discussion-rooms/>.

**Moot Courtrooms.** Student groups should contact the Registrar's Office, Law Room 502, or 617-353-3115. Reservations are first-come, first-served.

**Tables in the Lobby.** Contact the Reservations Manager at [lawres@bu.edu](mailto:lawres@bu.edu) to reserve a table. Include the number of chairs you will need and the time and location of the table reservation. Each group is limited to five signups per week, and signups can be made only one week in advance.

**20. Student Identification Cards,** Terrier Card Office, 25 Buick St., 617-353-9966 or [tco@bu.edu](mailto:tco@bu.edu)

All BU students are issued student ID cards ("Terrier Cards"). First-year students receive ID cards at Orientation. The cards are issued at the Terrier Card Office (617-353-9966). Students who lose their cards should go to the Terrier Card Office for a replacement. A fee of \$50 is charged to replace lost, damaged or stolen cards.

## **21. Student Practice Certifications**

Students who wish to be certified under state rules to practice in court as part of a summer or part-time job (*e.g.* under Massachusetts Supreme Judicial Court Rule 3:03) should see Associate Dean Karen Pita Loor (Law Room 1302E) or Kevin Schwartz (617-353-3148; [schwarkw@bu.edu](mailto:schwarkw@bu.edu)).

## IV. ACADEMIC REGULATIONS FOR THE JURIS DOCTOR PROGRAM

**NOTE:** Students in LL.M. programs – American Law, Taxation, and Banking Studies – are governed by separate sets of academic regulations specific to each program. Those regulations can be found on the BU Law website.

### Article I. Requirements for the Degree of Juris Doctor

1. **Juris Doctor degree.** Boston University confers the degree of Juris Doctor (hereinafter, “JD”) upon candidates recommended by the Faculty of the School of Law and approved by the President and Trustees of the University.
2. **Requirements.** All candidates for the JD degree must:
  - a. Pursue legal study through an ABA/AALS-approved law school for at least three academic years or the equivalent. Unless the Dean or the Dean’s designate has permitted otherwise, at least two years of this study must have been completed in residence at Boston University School of Law (hereinafter “BU Law” or “the School”).
  - b. Pass all first-year doctrinal courses, and the first-year Lawyering Program’s course requirements.
  - c. Take at least 26 credits in each year and 12 credits in each semester, except as otherwise permitted by the Dean or the Dean’s designate.
  - d. Satisfy the upper-class writing requirement, the professional responsibility requirement, and a minimum of 6-credits of experiential courses. No single course can be used to fulfill more than one of the degree requirements listed in 2(d).
  - e. Complete Business Fundamentals (LAWJD 605).
  - f. Complete the 1L Lawyering Lab.
  - g. Earn at least 85 passing credits.
  - h. Fail no more than five credits in courses and seminars taken during the second and third years.
  - i. Earn a final average of at least 2.3.
  - j. (1) Complete the JD program in no more than five years from its commencement (including any leaves of absence) and (2) take at least 10 credits in each of at least four semesters. Requirements (1) and (2) of this paragraph are fundamental requirements of the JD program. This paragraph does not affect the requirement, stated in paragraph (c) above, that a student who seeks to take fewer than 12 credits in any semester, or fewer than 26 credits in any year, must obtain permission from the Dean or the Dean’s designate.

**Note:** Satisfying the BU LAW graduation requirements does not necessarily insure that a student has satisfied the requirements for the bar examination for any given state. Students should check the bar examination requirements of the states where the student may wish to sit for the bar examination to make certain that the student is satisfying those state’s requirements. In addition to a bar examination, there are character, fitness, and other qualifications for admission to the bar in every U.S. jurisdiction. Applicants are encouraged to determine the requirements for any jurisdiction in which they intend to seek admission by contacting the jurisdiction. Addresses for all relevant agencies are available through the National Conference of Bar Examiners.

3. **Honors.** The JD degree with honors, including *cum laude*, *magna cum laude*, and *summa cum laude*, will be awarded on the basis of cumulative average. Any student graduating with an average in the top one-third of the class shall receive a degree *cum laude*, and any student graduating with an average in the top 10% of the class shall receive a degree *magna cum laude*. The Registrar shall present to the Faculty the names and averages of any students graduating with an average in the top 1% of the class, so that the Faculty may consider whether to award any such students degrees *summa cum laude*. All policies concerning honors may be changed by vote of the Faculty, and such changes are binding on all who have not yet received their degrees.

## **Article II. Program Requirements for First-Year Students**

1. **First-year program.** The first-year program includes (1) required first-year doctrinal courses, (2) the first-year Lawyering Skills course, with moot court, and (3) the intersession Lawyering Lab. As provided in Article I, paragraph 2(b), no student may earn a JD degree without passing each part of the first-year program.
2. **Continuation.** Students will be administratively dismissed from the School if (1) they earn an average below 2.0 in a completed first-year program, or (2) they fail more than six first-year credits. Such students may petition for reinstatement under Article X. Other students may continue, subject to the provisions of section 3 below and, for students whose average is not above 2.7, subject to any conditions or academic support program that the Academic Standards Committee may prescribe.
3. **Retaking failed parts of the first-year program.** A student eligible for continuation under section 2 above, but who has failed any part of the first-year program, must retake any failed part of that program during the next year. If practicable, the student will be assigned to a section taught by a different instructor. Both the original grade and the grade earned on retaking will appear on the student's transcript, and both will be counted in the student's average. Students who fail a retaken part of the first-year program will be administratively dismissed from the School and must petition for reinstatement under Article X.

## **Article III. Program Requirements for Second- and Third-Year Students**

1. **Minimum credits in a year or semester.** No student may register for fewer than 26 credits in an academic year, and no fewer than 12 credits in the fall or spring semester, without advance permission from the Dean or the Dean's designate. Such permission will be granted only in extraordinary circumstances, unless the Academic Standards Committee has approved summer credits under Article IV, Sec. 6. Any student who fails to meet the minimum credits registration requirements without attaining advance permission from the Dean or the Dean's designate by the end of the add/drop period of the final semester in the student's academic year, will not be in good standing with the School of Law. Students not in good standing may be subject to sanctions and/or loss of institutional aid for failing to maintain full-time enrollment/good standing. Any student who without permission, fails to take at least 12 credits during the fall or spring semester will be administratively dismissed from the School and required to petition for reinstatement under Article X.
2. **Maximum credits in a semester.** No student may register for more than 17 J.D-degree applicable credits a semester.
3. **Maximum Credits from Non-Grade Point Average Sources, Independent Studies, Moot Court, and Externship Fieldwork.** Some sources of credit do not produce grades that are included in a student's grade point average, even if grades appear on the transcript. These sources include: study abroad programs; fieldwork components of externships (including fieldwork in the semester-in-practice program); non-law courses taken elsewhere in the university or at other universities or law schools; coursework taken on a Credit/No Credit basis; and non-graded credit for work on law

journals. A student may not apply more than 17 credits from such sources, independent studies, and moot court, toward the total number of credits required for graduation. This limit may be waived by the Academic Standards Committee on a showing of good cause, but the Committee shall not allow more than 21 credits from all such sources to be applied towards the graduation requirement in any case other than those involving students who have been in a full year study abroad program. Non-grade point average credits earned at another law school which Boston University School of Law accepts for an incoming transfer student do not count toward the 17-credit maximum.

**4. Continuation for second- and third-year students.** Second- or third-year students will be administratively dismissed from the School if (1) they fail to earn an average of at least 2.0 in second-year courses and seminars; (2) they fail to earn a cumulative average, at the end of the second year, of at least 2.3; (3) they fail a retaken required course; or (4) they fail more than five credits after the first year. Such students must petition for reinstatement under Article X. Other students may continue, except that continuation for students whose cumulative average at the end of the second year is not above 2.7 is subject to any conditions or academic support programs that the Academic Standards Committee may prescribe.

**5. Professional responsibility requirement.** In the second or third year, all students must pass one of the following: (1) a course in professional responsibility offered to JD students generally, (2) a course in professional responsibility offered in conjunction with the School's civil or criminal clinics, or (3) the School's Legal and Judicial Externship programs. Unless the Faculty directs otherwise under Article IV, paragraph 4(b), a student who fails a course or program listed above, but who is nonetheless in good standing, must take or retake a professional responsibility course offered to JD students generally at BU Law. Both the failing grade and the grade in the second professional responsibility course will appear on the student's transcript, and both will be counted in the student's average. Students who fail a second course in professional responsibility will be administratively dismissed from the School and must petition for reinstatement under Article X. No course used to fulfill the professional responsibility requirement can be applied to the experiential education or upper-class writing requirement.

**6. Upper-class Writing Requirement.** In addition to the First-Year Lawyering Program, students must satisfy the Upper-class Writing Requirement during their second or third years. The central goal of the Upper-class Writing Requirement is to provide each student with a rigorous writing experience that will assist the student in developing superior writing skills in a legal context. While the content and format of the writing experience may vary, to meet the requirement, the student must write a paper or series of papers involving substantial legal analysis and research, multiple drafts, and review by a member of the full-time faculty, or, with the approval of the Dean's designate, a part-time faculty member. The final product must demonstrate analytical and writing ability of a high professional caliber.

As a condition for registration for the final two semesters, a student who has not yet satisfied the Upper-class Writing Requirement must specify how she or he intends to satisfy the requirement and must obtain the approval of the supervising faculty member. Upon the student's satisfactory completion of the work, the faculty member shall certify to the Registrar that the student has satisfied the Upper-class Writing Requirement.

Students, who do not complete the Upper-class Writing Requirement prior to their final semester, must produce a first-draft, compliant with all requirements, to their faculty advisor no later than the last class-day of the fourth week of the student's final semester.

A student may satisfy the Upper-class Writing Requirement in a number of different ways, as long as the option chosen satisfies the requirements and expectations specified above. The available options for satisfying the requirement are as follows:

1. A paper at least 7500 words in length, not counting footnotes, written in conjunction with an upper-class law school course, seminar, or independent study.
2. A combination of shorter papers written in conjunction with an upper-class law school course, seminar, or independent study that in the aggregate satisfies the length requirement of 7500 words, not counting footnotes.
3. A paper based on a draft written for one of the law school's journals, including a completed note draft; subject to the following requirements: in order to satisfy the requirement using a journal draft, the student must obtain the approval of a faculty member to register for a no-credit independent study, in which the faculty member will review the student's draft and require at least one revision based on the faculty member's comments. The final paper must be at least 7500 words in length, not counting footnotes. If the faculty member has already worked with the student in development of the journal draft, such that the faculty member is satisfied that the student has already done at least one revision under her or his direction and thereby produced a paper of sufficient quality to satisfy the Upper-class Writing Requirement, then the faculty member may certify the completion of the independent study as if the earlier work had been done for the independent study.
4. A moot court problem and bench memo at least 7500 words in length, not counting footnotes, written by the moot court directors for one of the law school's intramural moot court competitions. Competition briefs are not eligible for certification.
5. A paper written in conjunction with a clinical program that: 1) is at least 7500 words in length, not counting footnotes, or a combination of shorter papers that, in the aggregate, satisfies the 7500 words length requirement; and 2) in the judgment of the clinical professor, involves substantial legal analysis and research, multiple drafts, and review by the clinical professor.
7. **Experiential Education.** Every student is required to take one or more experiential courses, earning a minimum of six credits of experiential education, prior to graduation. No course used to fulfill the experiential education requirement can be applied to the professional responsibility or upper-class writing requirement.
8. **Business Fundamentals Requirement.** All J.D. students must complete and pass the non-credit online *Business Fundamentals* (JD 605) course. This requirement may be fulfilled during the summer after the first year or thereafter. Students are encouraged to complete this requirement as early as possible and strongly encouraged to do so prior to their final semester.
9. **Credit/No Credit/Honors Option.** Second- and third-year students may elect to register for up to eight credits of non-required coursework on a Credit/No Credit/Honors basis after first year if the coursework qualifies. Any graded course or seminar is eligible for registration on a Credit/No Credit/Honors basis unless the instructor has listed the course as unavailable for such enrollment. Students wishing to take a graded course or seminar on a Credit/No Credit/Honors basis must exercise that option by the end of the add/drop period for the semester in question. A student, however, can elect to reverse this decision and take the course on a graded basis for an additional two-week period after the end of the add/drop period.
10. **Failure to satisfy degree requirements.** Any student who, at the end of the third year, has failed to satisfy the requirements for the JD degree must petition the Academic Standards Committee with a specific proposal for completing outstanding requirements. The Committee will report the matter to the Faculty with a recommendation. Upon receipt of the Committee's report and recommendation, the Faculty may direct either that the students be administratively dismissed from

the School or, where appropriate, that the student complete specified work to satisfy degree requirements.

#### **Article IV. Supervised Research and Writing, Tutorials, Distance Education, Summer Courses and Courses Outside the School of Law**

1. **Credit for supervised research and writing.** Subject to the requirements of paragraphs (a) and (b) below and the limitation in section 2 below, students may earn up to three credits in total during the second and third years for supervised research and writing.

a. *Research and writing supervised by a BU Law faculty member.* A student who has prepared a detailed statement of proposed study, and who has obtained a full-time BU Law faculty member's written agreement to supervise the work, may register for up to two credits for a supervised research and writing project. The Academic Standards Committee may, in its discretion, grant a waiver that allows a third credit for a supervised research and writing project supervised by a BU Law or outside faculty member. The project must involve a substantial investment of time and effort and must result in written work that meets a high standard of academic performance. The student's final grade will be based solely on the written work submitted and will be included in the student's average. With the approval of the Dean or the Dean's designate, a part-time faculty member may supervise work conducted under this paragraph.

b. *Research and writing supervised by an outside faculty member.* A student who has prepared a detailed proposal for law-related research and writing to be supervised by a person holding professorial rank outside BU Law may petition the Academic Standards Committee in advance for permission to register for up to two credits for such work. The petition must include the proposed supervisor's written agreement to supervise the work. Such a petition may be granted if the Committee finds that (1) the work to be done is the equivalent in time and quality of a course carrying such credit, and (2) the supervisor is an expert in the area of study who will set high standards of academic performance. The grade received for such work will be recorded on the student's transcript but not included in the student's average. The Academic Standards Committee may, in its discretion, allow a third credit.

2. **Specialized Tutorial Courses.** Students may register for up to three credits of tutorials. However, no student may apply toward the JD degree more than three credits in total for tutorials and supervised research and writing.

3. **Credit for graduate-level non-law courses taken during the regular academic year.** A maximum of 12 credits for graduate-level non-law courses, with no more than four credits for any one course, may apply toward the JD degree as provided in this section. If the course is open to both graduate and undergraduate students, the student must secure the instructor's assurance that the student will be held to graduate-level standards. Permission to apply credits from courses open to both graduate and undergraduate students, or courses not offered at Boston University, must be obtained in advance from the Dean or the Dean's designate.

a. *Dual-degree students.* Students enrolled in a dual-degree program may apply credits from a maximum of two non-law courses in their dual-degree program in any one semester.

b. *Other students.* Second- or third-year students not enrolled in a dual-degree program may apply, in any one semester, credits from one non-law graduate-level course taken at Boston University or elsewhere (or, with the advance approval of the Academic Standards Committee, two such courses).

c. *Tuition, fees, and permission from other schools.* For courses taken at Boston University, no additional tuition or fees will be charged. For courses taken outside Boston University, the

student must show that both the outside school and the instructor have given permission for the student to take the course. Any tuition and fees must be borne by the student.

d. *Completion and grades.* The grade received will be recorded on the student's transcript but not included in the student's average. Otherwise, the course will be treated the same as BU Law courses for purposes of Articles I and III. The student is responsible for ensuring that BU Law's Registrar receives the grade in time to meet BU Law deadlines.

4. **Distance Education Courses.** Only credits earned from distance education courses that have been approved by the School of Law faculty, through the School's regular curriculum approval process, are applicable to the JD-degree requirements. Non-BU Law provided distance education courses are subject to the 12-credit limitation noted in paragraph 3(d). Students taking Boston University distance education courses not applicable to the JD-degree requirements must notify the Registrar, in compliance with paragraph 11, below.

5. **Credit for courses taken at other Boston-area law schools during the regular academic year.** Students may earn credits for courses taken at other Boston-area law schools during the regular academic year as provided in this section. The grade received will be recorded on the student's transcript but not included in the student's average. Otherwise, the course will be treated the same as BU Law courses for purposes of Articles I and III. The student is responsible for ensuring that BU Law's Registrar receives the other school's grade(s) in time to meet any relevant BU Law deadlines.

a. *Courses at Boston College Law School.* Students may take selected courses at Boston College Law School with advanced approval. Notice of intent to enroll in such courses must be filed with the Registrar within five days after commencement of the semester's classes at BU Law. No tuition or fees will be charged by the Boston College Law School.

b. *Courses at other Boston-area law schools.* Courses substantially different from those presently offered at BU Law may be taken at other Boston-area law schools with the approval in advance of the Dean or the Dean's designate. Petitions for permission to take such courses must be submitted within five days after the commencement of classes at BU Law, and they must show that both the outside school and the instructor have given permission for the student to take the course. All tuition and fees must be borne by the student.

6. **Credit for summer courses taken at BU Law.** Students may apply up to 6 credits to their JD degree requirements and grade point average for BU Law summer courses. Courses eligible for summer approval includes BU Law study abroad programs, simulation courses, externships, and direct instruction. Courses taken in the summer are not applicable to the 1L class rankings but are applicable to the rankings completed at mid-year and at the end of 2L or 3L year.

7. **Credit for summer courses taken at another law school.** Students may receive credit for summer courses as provided in this section. Grades for such courses will be recorded on the student's transcript but not included in the student's average. All tuition and fees must be borne by the student. The student is responsible for ensuring that BU Law's Registrar receives the grade in time to meet any relevant BU Law deadlines.

a. *Students who have been permitted to take a reduced schedule.* With advance approval by the Academic Standards Committee, students who have been permitted to take a reduced schedule may receive credits for summer courses taken at another ABA/AALS-approved law school. The Committee will consider the strength of the student's academic record, as well as the strength of the outside school and the nature of the course. The Committee also will consider whether such credits are reasonably necessary for the student to avoid a semester beyond the usual six required for the JD. If authorized and earned, these summer credits, up to

a maximum of six, will count toward the 85 credits required for the JD degree. The professional responsibility requirement may not be satisfied through a summer course.

b. *Students who have failed to satisfy degree requirements by the end of the third year.* Under Article III, section 10, students who have failed to complete degree requirements by the end of the third year must propose a specific plan for completing these requirements. In its discretion, the Faculty may permit outstanding requirements to be completed through a summer course or courses. The Faculty may consider the overall strength of the student's academic record in deciding whether to permit completion of requirements through a summer course or courses.

c. *Other students.* With advance approval by the Academic Standards Committee, students other than those described in paragraphs (a) and (b) above may receive credits for summer courses taken at another ABA/AALS-approved law school or through another school's ABA-approved foreign-study program. Such credits, however, shall neither count toward the 85 credits required for the JD degree nor reduce the minimum credits required for a semester, but they may reduce the credits required for the next academic year to 24. The professional responsibility requirement may not be satisfied through a summer course.

**8. Permission to take a semester or year at another ABA/AALS-approved law school.**

a. A student who has compelling personal reasons to take a semester or year at another ABA/AALS-approved law school may petition the Academic Standards Committee for permission to apply residence and course credits toward the BU Law degree. The petition must be submitted prior to commencement of the work, and it must set forth the name of any school to which the student intends to apply and the reasons for the request. If the number of credits that the student would earn at another law school results in the student exceeding the allowed maximum of 17 non-grade point average (GPA) credits, then the student must include in the petition a request to exceed that maximum. The Academic Standards Committee will consider the totality of circumstances in determining whether to grant requests to visit another school and to exceed the maximum non-gpa credits.

b. For personal reasons to be "compelling" within the meaning of the prior paragraph, they must be both exceptional (*i.e.*, shared by only a very small number of other students) and extremely serious (*i.e.*, impose a burden on the student that cannot be accommodated to any significant degree by the student remaining at BU Law). The Academic Standards Committee will consider also, among other factors, whether the student's reasons were reasonably foreseeable when the student entered BU Law. Engagement or marriage to a person living or planning to live elsewhere will not necessarily be deemed "compelling."

c. If permission is granted, the student must secure, as soon as possible, approval for the proposed course of study. The student must satisfy academic requirements at both the other school and BU Law. Grades received will be recorded on the student's transcript but not included in the student's average. The student is responsible for ensuring that BU Law's Registrar receives the other school's grades in time to meet any relevant BU Law deadlines. The student is responsible for any fee imposed to cover administrative and other costs incurred by BU Law.

**9. Credit for courses taken at foreign universities during the regular academic year.** Credits earned in fall- or spring-semester courses at foreign universities may apply toward the JD degree only as provided in this section. The requirements of paragraph 7(c), above, apply.

a. *Programs offered through BU Law.* Credits earned through foreign programs sponsored by BU Law may apply toward the JD degree, subject to the rules developed for the particular program.

b. *Other schools' ABA-approved "semester abroad" programs.* Students may petition the Academic Standards Committee for permission to participate in, and receive credit for, fall- or spring-semester courses in another school's ABA-approved "semester abroad" program. The petition must specify the particular program and must be presented before the semester of proposed study. The Committee may allow the student to apply toward the JD degree a maximum of 12 credits earned in the other school's program, if either (1) that program is located in a country different from those in which BU Law conducts its own foreign-study programs, or (2) in a previous semester the student unsuccessfully applied to a foreign-study program sponsored by BU Law. Students who establish either of these two circumstances are eligible for, but not necessarily entitled to, Committee approval. Other factors the Committee may consider include the strength of the student's academic record, the extent to which that record demonstrates an interest in international study, the reasons given in the petition for pursuing foreign study, and the number of students pursuing foreign study under this paragraph.

c. *Other programs.* Students seeking fall- or spring-semester credit for foreign study outside the programs covered in paragraphs (a) and (b) must obtain advance approval from the Academic Standards Committee. This approval will be forthcoming only in exceptional cases. Students should obtain information from the Office of Graduate and International Programs before petitioning the Academic Standards Committee.

10. **Credit for summer internships supervised by Student Affairs.** With advance approval from the Dean or the Dean's designate, students may receive up to two credits per summer for an internship involving legal work in a private or governmental position, provided that the student does not receive monetary compensation beyond reimbursement for out-of-pocket expenditures. Credits earned will neither reduce the minimum credits required for a semester or year, nor count toward the credits required for the JD degree. Students must provide written proof of the internship's completion. No letter grade will be assigned. The completion of the internship will be noted on the student's transcript.

11. **Outside courses for which credit is not sought.** Students taking outside graduate courses for which JD credit is not sought must notify the Registrar. The course will not appear on the student's transcript.

## **Article V. Registration, Course Election, and Program Changes**

1. **Registration.** Students must register by the end of the semester's official registration period. The University reserves the right to require earlier completion of registration by pre-registration and prepayment of tuition and fees.

2. **Late registration.** A fee will be charged for late registration. No student may register more than one week late without written approval from the Dean or the Dean's designate.

3. **Course election.** Each spring, first- and second-year students receive course election materials for the following academic year. Courses must be elected according to the time periods stated in the materials and in compliance with the academic advising requirements as published for the relevant term(s).

4. **Program changes after registration.** Subject to maximum and minimum credit requirements stated in Article III, students may change their programs after registration within the relevant "add/drop" period. Because clinical programs prescribe their own add/drop periods and procedures, questions about deadlines and procedures in such programs should be addressed to the office of the relevant program. For procedures governing journal credit, see section 5 below. For other courses and seminars, the Registrar's Office will prescribe and announce the beginning of the add/drop period, together with necessary add/drop procedures and waitlist procedures for closed courses and

seminars. The end of the add/drop period for courses and seminars, other than clinical courses and mini-courses, is 5:00 p.m. on the tenth day of classes. The end of the add/drop period for mini-courses will be prescribed by the Registrar. Any student who misses the first meeting of a seminar without the instructor's advance permission may be administratively dropped from the seminar.

**5. Program changes involving journal credit.** Students who wish to add journal credit within the add/drop period set by the Registrar's Office for courses and seminars must follow procedures set by the journal and must meet the School's minimum semester and yearly credit requirements. Students who are registered for journal credit and who wish to withdraw from the journal within the add/drop period must notify the journal and follow its procedures. Students who wish to add journal credit or who are registered for journal credit and wish to withdraw from the journal after the add/drop period must petition the Academic Standards Committee for permission, and must notify the journal. If applicable, the petition must include a request to be below the minimum semester or yearly credit requirement. Such petitions will be governed by section 6 of the Academic Regulations.

**6. Late adds or drops.** Adds or drops not permitted by sections 4 and 5 above may be authorized only by the Academic Standards Committee. Unless the student demonstrates that, under the circumstances, the delay should be excused. A course or seminar for credit that the Committee permits to be dropped after the relevant deadline will appear with a notation of "W/D" on the student's transcript.

**7. BU Law program, calendar, and schedule changes.** BU Law reserves the right to make changes of any kind to its program, calendar, or academic schedule, with reasonable notice.

## **Article VI. Attendance, Preparation, and Classroom Participation**

1. **Attendance.** Regular attendance is expected in all courses and seminars for which a student is registered. Students must notify the Registrar's Office, in advance if possible, of extended absences. A student who misses a seminar's first meeting without the instructor's permission may be administratively dropped from that seminar. A student who, without permission from the Dean or the Dean's designate, has not attended any of his or her classes in a four-week period will be administratively dismissed from the School.

2. **Preparation and classroom participation.** Preparation of class assignments and informed participation in class discussion are expected of every student.

3. **Effect on final grades.**

a. *Exclusion from further participation.* A student who has been warned by an instructor of excessive absences, and whose absences continue, may be excluded from the final examination or any other further participation in the course, seminar, or clinical program. Such a student will receive a failing grade. A warning under this paragraph may be communicated orally or in writing. A written warning will be deemed adequate if either (1) mailed to the student's street address on file in the Registrar's Office or (2) e-mailed to the student's Boston University e-mail account. Any petition to the Academic Standards Committee for readmission to the course, seminar, or clinical program will face a heavy presumption against readmission.

b. *Lowering final grades.* An instructor shall announce any policy, apart from the provisions of paragraph (a) of this section, of lowering a student's grade on account of classroom attendance, preparation or participation. Such a policy does not preclude enforcement of paragraph (a).

c. *Raising final grades.* An instructor, without advance notice, may raise final grades by one increment (*e.g.*, from B to B+) to reflect a student's preparation or classroom participation.

d. *Special case of courses without a final examination.* With advance notice, an instructor who requires a paper or papers in lieu of an examination may adopt and apply a policy of assigning a specified weight to classroom preparation or participation. The weight given to preparation or participation may be specified either as a percentage of the final grade or in terms of grade increments.

## Article VII. Examinations

1. **Examination schedule.** Students must take examinations according to the Registrar's announced schedule unless they have obtained permission otherwise under section 2 or section 3 of this Article.

2. **Advance rescheduling of an examination in special circumstances.** With advance request, in the first instance to the Registrar, a student may reschedule an examination under the following circumstances.

a. *Religious observance / holiday.* A student may reschedule an examination held on a religious holiday, or during a period of religious observance, that the student honors. The rescheduled date will be as close as possible to the original date, and ordinarily it will be neither more than one day earlier nor more than five days later.

b. *Examination schedule.* A student may reschedule an examination that is one of (1) three examinations on three consecutive days of the examination period's first calendar week; (2) three examinations on three consecutive days of the examination period's second calendar week, if the third examination concludes no later than 48 hours after commencement of the first; (3) two examinations on one day; or (4) four examinations on four consecutive calendar days. In circumstance (1) or (2) above, the middle examination will be rescheduled. In circumstance (3), either examination may be rescheduled. In circumstance (4), either the second or the third examination may be rescheduled. The date of the rescheduled examination will be as close as possible to the originally scheduled date, and ordinarily it will be neither more than one day earlier nor more than five days later.

c. *Illness or other compelling circumstance.* A student may reschedule an examination if the Academic Standards Committee determines that serious illness, or other compelling circumstance beyond the student's control, justifies relief. If illness is the asserted basis for relief, the student's request must be supported by a statement from an examining physician. The physician's statement must show the date, nature, and severity of the illness, and it should give the physician's judgment as to the student's ability to take the examination as scheduled. The statement should be as contemporaneous with the request as possible. If relief is granted, the rescheduled date will be as close to the original date as the reason for giving relief will permit, and ordinarily it will be neither more than one day earlier nor more than five days later. If the proposed date for rescheduling is beyond the end of the examination period, and if the student is in his or her final semester, then the student must obtain Faculty approval under Article III, section 7.

3. **Excused failure to take or submit an examination on time.** Failure to take an in-class examination at the scheduled or rescheduled time, or failure to submit a take-home examination on time, may be excused only if the Academic Standards Committee determines that serious illness, or other compelling cause beyond the student's control, caused the student's failure. If illness is the asserted cause, the student must produce the documentation described in paragraph 2(c) above. If the Committee decides that the student's failure is excused, it will prescribe an appropriate remedy, which ordinarily will be to reschedule the examination for the earliest date consistent with the reason for recognizing the excuse. If that date is beyond the end of the examination period, and if the student is in his or her final semester, then the student must obtain Faculty approval under Article

III, section 7. If the Committee decides that the student's failure is not excused, it will dispose of the petition according to section 4 below.

4. **Unexcused failure to take or submit an examination on time.** If the Academic Standards Committee determines that a student, without compelling cause, has failed to take an in-class examination on time, or has failed to submit a take-home examination on time, the Committee may allow the student to take and submit the examination, provided that the student does so immediately. If the Committee so allows, it will impose a penalty that reflects both the student's fault and any benefit the student might have obtained from delay. Ordinarily this penalty will be a substantial reduction of the student's examination grade.

5. **Examination rules.** The following rules apply to the conduct of examinations. Additional rules may be prescribed either by the School or by an instructor.

- a. All in-class examinations must be of at least two hours duration, with questions and answers in writing.
- b. All final examinations, including take-home examinations, will be evaluated on an anonymous basis, with students' papers identified to the instructor only by a number that the Registrar has assigned.
- c. Take-home examinations will be issued by, and must be returned to, the Registrar. During take-home examinations, students may not consult other persons unless expressly authorized by the instructor.
- d. During an in-class examination, students may not possess materials or devices forbidden by the instructor. Students may not consult with other persons. They may consult books, notes, or similar material, only as authorized by the instructor. Use of laptop computers is subject to announced School policy and procedure. Possession of cell phones, or other communication and/or recording devices, is forbidden unless authorized specifically by the School in advance.
- e. Except in case of emergency, students taking an in-class examination may leave the examination room only as necessary to use the restrooms.
- f. Students must stop writing and turn in in-class examination papers when time is called.
- g. No student may retake an examination for any purpose.
- h. Students may review essay portions of their examinations after final grades are released.

6. **Failure in courses requiring an examination.** No credits for a failed course or seminar may count toward the credits required for the JD degree. Such credits, however, will count toward the minimum credits required to be taken during a semester or year. The failing grade will appear on the student's transcript and will be included in the student's average.

## Article VIII. Papers

1. **Deadline for submitting papers.** For students in their final semester, the deadline for submitting papers is 5:00 p.m. on the last day of the examination period, unless the instructor has prescribed an earlier deadline. For other students, the deadline is 5:00 p.m., on the 14<sup>th</sup> calendar day after the end of the examination period or on the 14<sup>th</sup> calendar day after the last day of class for a summer session, unless the instructor has prescribed an earlier or later deadline. Deadlines for students not in their last semester may be no later than the next February 1 for fall semester papers and no later than the 21<sup>st</sup> day after the examination period for spring semester papers and no later than the 21<sup>st</sup> day after the last day for summer session papers.

2. **Reporting an inability or failure to submit a timely paper.** Any student unable to submit a paper by a deadline established consistent with section 1 above must report the facts promptly. Students whose papers will be graded anonymously should file a petition with the Academic Standards Committee. Students whose papers will not be graded anonymously should report to the

supervising faculty member. (See sections 3 and 4 below, respectively.) Students unsure whether their papers will be graded anonymously should ask the Registrar. Students in their final semester are subject to the requirements of Article III, section 10, "Failure to Satisfy Degree Requirements."

**3. Late submission of papers that will be graded anonymously.** If a paper is to be graded anonymously, the Academic Standards Committee will excuse late submission only if the student demonstrates that serious illness, or other compelling cause beyond the student's control, prevents or has prevented the paper's timely submission. If illness is the cause, the student's request must be supported by a statement from an examining physician that shows the date, nature, and severity of the illness, as relevant to the student's submission of the paper. If the Committee excuses a paper's late submission, the Committee may set a new deadline. If the Committee denies a student's request for excuse, and if the paper is not submitted by a deadline established consistent with section 1 above, the Committee will inform the instructor of the relevant facts. The instructor then will have discretion to determine any penalty for the late submission.

**4. Late submission of papers that will not be graded anonymously.** If a student reports inability or failure to submit on time a paper that is not to be graded anonymously, the instructor may either extend the deadline for the paper, subject to the limits stated in section 1 above, or impose a penalty for the student's lateness. Instructors may require the student to submit supporting documentation to the Academic Standards Committee or to the Associate Dean for Student Affairs. For students in their final semester, extensions beyond the limits stated in section 1 above are subject to the provisions of Article III, section 10 ("Failure to Satisfy Degree Requirements"), and such extensions for other students may be authorized only by the Academic Standards Committee. The Committee may authorize such extensions only after consulting with the instructor and only if serious illness, or other compelling cause beyond the student's control, prevents or has prevented the paper's earlier submission. If illness is the asserted cause, the student must produce the documentation described in section 3 above.

**5. Failure in courses requiring papers.** No credits for a failed course, seminar, or supervised research project may count toward the credits required for the JD degree. Such credits, however, will count toward the minimum credits required to be taken during a semester or year. The failing grade will appear on the student's transcript and will be included in the student's average.

## Article IX. Grades

### 1. Grading scale and procedures.

a. **Letter Grades with Numerical Equivalents.** The Faculty has established the following scale of numerical equivalents for letter grades:

A+ =	4.3	B+ =	3.3	C+ =	2.3	D =	1.0
A =	4.0	B =	3.0	C =	2.0	F =	0
A- =	3.7	B- =	2.7	C- =	1.7		

For all first-year doctrinal courses, the following grade distribution is mandatory:

A+	2-5%
A+, A	15-25% (A+ subject to 5% limitation above)
A+, A, A-	30-40% (A+, A subject to limitations above)
B+ and above	50-70% (subject to limitations on A range above)
B	15-50% (subject to limitations above and below)
B- and below	0-15% (subject to limitations below on ranges C+ and below)
C+ and below	0-10%
D, F	0-5%

For second- and third-year courses and seminars with enrollment of 25 or fewer students, a B+ median is recommended. For second- and third-year courses and seminars with enrollment of 26 or more students receiving grades, a mandatory B+ median applies, subject to the following additional requirements:

A+: Maximum 5%

A+, A, A-: Minimum 30%

B and below: Minimum 10%

B- and below: Maximum 15%

C+ and below: Maximum 10%

D, F: Maximum 5%

In coursework for which a letter grade is assigned, the minimum passing grade is D.

b. **Grades without a Numerical Equivalent** – The Faculty has authorized the award of the following grades for courses satisfying J.D. degree requirements but not incorporated into the grade point average:

AUD = Audit

P = Pass

F = Fail

CR = Credit

NC = No Credit

H = Honors

W/D = Withdrawal from Course

\* = Indicates Currently Enrolled

c. **Credit/No Credit/Honors.** Second- and third-year students may elect to register for up to eight credits of non-required coursework on a Credit/No Credit/Honors basis after first year, if the coursework qualifies. If a graded seminar or course is taken by a student on a Credit/No Credit/Honors basis, the student must earn a “C” or better on the graded work in the course or seminar to pass. A student who does not satisfy that standard will not receive credit for the course, and the course will not appear on the student’s transcript except as provided under (c(ii)).

(i) The result of any course or seminar taken on a Credit/No Credit/Honors basis is not reflected in a student’s grade point average except as provided under (e).

(ii) If a student receives a grade of C- or D in a course taken on a Credit/No Credit/Honors basis in the final semester before the student’s anticipated graduation and the student requires credit in the course to be eligible for graduation, the grade shall be included in the student’s grade point average and on the student’s transcript and the student shall receive credit for the course.

(iii) A student must make any election to take a course on a Credit/No Credit/Honors basis by the end of the add/drop period. A student, however, can elect to reverse this decision and take the course on a graded basis for an additional two-week period after the end of the add/drop period.

(iv) Faculty may prohibit students from taking a course for a C/NC/H grade. Should a faculty member elect to restrict the grading for a course, the course description will note the grading structure.

(v). Students may have no more than 8 credits of “Credit/No Credit/Honors” graded courses applied to their J.D. degree requirements.

d. **Pass/Fail** – The required 1L Lawyering Lab, moot court and certain clinical courses are graded solely as pass (“P”) or fail (“F”). A “P” grade signifies successful completion of the course requirement(s); an “F” grade signifies failure to complete the course requirements. P and F grades earned in these courses do not have a numerical value that affects the calculation of a student’s grade point average

e. The Registrar will release final grades to students as soon as possible after the examination period. Instructors may not release final grades directly to students.

f. Instructors may change final grades to correct clerical or mathematical error. Final grades may not otherwise be changed except by vote of the Faculty.

2. **Transcripts and other student records.** A student’s transcript and record will be made available to the student, the Dean, the Dean’s representative, Faculty members, and others to the extent permitted by law. No other person may have access to a student’s transcript and record without the student’s written consent.

3. **Class ranks.** The Registrar will provide only the following information concerning class ranks.

a. Students who have completed the first year: The Registrar will inform the top five students in each section of their section ranks and provide cutoffs for the top 5%, 10%, 15%, 20%, 25% and 33.3% of each section.

b. Students who have completed the third semester (or the fourth semester, in the case of transfers) and beyond: For each class, at the end of each semester, based on cumulative averages, the Registrar will inform the top fifteen students of their ranks and provide cutoffs for the top 5%, 10%, 15%, 20%, 25% and 33.3% of the class. In addition, at the end of each academic year, based on the average earned during the most recent academic year, the Registrar will inform the top fifteen students of their ranks and provide cutoffs for the top 5%, 10%, 15%, 20%, 25% and 33.3% of the class.

## Article X. Reinstatement

1. **Petitions for reinstatement.** A student administratively dismissed from the School may petition the Academic Standards Committee for reinstatement. The petition must address all circumstances related to the student’s failure to meet the School’s standards. Relevant supporting documents should accompany the petition. If the Academic Standards Committee or faculty grant reinstatement to a student, a statement of the considerations that lead to the decision to reinstate will be added to the student’s file.

2. **Reinstatement of first- or second-year students administratively dismissed for academic deficiency.** First- or second-year students administratively dismissed for academic deficiency will not be reinstated unless the Academic Standards Committee is satisfied that: 1) the deficiency resulted from serious illness or other compelling cause, and 2) that the circumstances that led to academic deficiency have been sufficiently addressed. If the compelling cause relates to medical or mental health issues, the student’s petition for reinstatement should be accompanied by supporting documentation from a medical or mental health professional.

3. **Conditions of reinstatement for first- or second-year students.** First- or second-year students who are reinstated must retake any required courses they have failed. The Academic Standards Committee may place any other conditions on reinstatement that it deems appropriate, such as (a) for a first-year student, requiring the student to retake the entire first year or specific first-year courses; (b) for a second-year student, requiring a semester additional to the usual six; or (c) for any student, requiring that the student pass all courses and seminars, maintain a specified average in

future work, take specified courses, forego participation in extracurricular activities, or refrain from taking courses outside the School.

4. **Reinstatement of third-year students.** Students administratively dismissed from the School during the third year may be reinstated only by the Faculty. As required by section 1 above, petitions and supporting materials should be directed to the Academic Standards Committee. The Committee will report the matter to the Faculty. Students administratively dismissed for academic deficiency will not be reinstated unless the Faculty is satisfied that the deficiency resulted from serious illness or other compelling cause, and that the circumstances that led to academic deficiency have been sufficiently addressed. If the compelling cause relates to medical or mental health issues, the student's petition for reinstatement should be accompanied by supporting documentation from a medical or mental health professional. The Faculty may attach any conditions to reinstatement that it deems appropriate.

## **Article XI. Withdrawal and Leaves of Absence**

1. **Withdrawal in good standing.** Withdrawal in good standing becomes effective only upon submission of an official withdrawal form to the Registrar, whatever the reason for withdrawal, and whether or not the student seeks leave to return. No student may withdraw in good standing until all obligations to the University have been paid. Tuition refunds may be sought in accordance with University regulations.

2. **Leaves of absence.** A student seeking a temporary interruption of study may request a leave of absence. The request must be a written statement of the reasons for the leave, the activities in which the student expects to be engaged during the leave, and the semester in which the student intends to return. In addition to any special conditions imposed, the following rules apply to all leaves.

a. *Length.* Leaves ordinarily will not be granted for periods longer than one academic year.

b. *Extension.* A student seeking to extend a leave must petition the Academic Standards Committee before the leave has expired. Students ordinarily may not extend a leave for more than one additional year, and the total length of a leave may not exceed two years except in exceptional circumstances.

c. *Return.* A student returning from a leave must inform the Registrar by the date specified in the letter approving the leave. A student failing to give such notice may not return for that semester without the Academic Standards Committee's permission. If a leave was granted for medical reasons, the student may not return unless he or she has complied with Boston University's policies and procedures for obtaining medical clearance to return. A student may return before a leave's expiration only with advance permission.

3. **Students who withdrew without leave to return or whose leave has expired.** Such students must petition the Academic Standards Committee for readmission to the School. The petition must explain the circumstances of the withdrawal, the reasons for either not requesting leave to return or failing to return by a leave's expiration, and the events leading to the request for readmission. After considering the petition and the student's record, the Committee may grant readmission, with any conditions the Committee deems appropriate, or it may require the student to reapply through the ordinary admissions process.

## **Article XII. The Academic Standards Committee**

1. **Composition.** The Dean or the Dean's designate will serve as Chair, and two other members of the Faculty will serve as Committee members. Ordinarily, the terms of members who are not Chair will be fixed at three years.

2. **Authority of the Academic Standards Committee.** The Academic Standards Committee exercises the authority delegated to it by the Faculty in all matters addressed by these Regulations.
3. **Petitions to the Academic Standards Committee.** Matters are brought to the Academic Standards Committee by written petition conveyed to the Registrar's Office. Petitions should state all material facts and specify the relief sought. Appropriate supporting statements should accompany the petition.
4. **Academic Standards Committee procedure.** Petitions submitted to the Academic Standards Committee will be considered at an announced meeting unless circumstances require more expeditious action. If the petition requests reinstatement under Article X, or permission to complete degree requirements under Article III, section 10, the Committee will not deny or recommend denial of reinstatement, nor will it recommend that the student be administratively dismissed from the School, without offering the student an opportunity, reasonable under the circumstances, to appear personally before the Committee. With respect to other petitions, a student's request for personal appearance will be granted only in extraordinary circumstances. The Committee will notify the student of its decision in writing. Committee decisions are final and not subject to reconsideration absent compelling circumstances.

## **Article XIII. Assigning Credits to Academic Offerings**

### **A. Minimum Requirements for Assigning Credits to Academic Offerings**

1. All academic offerings that confer credits must meet or exceed 42.5 hours total work on the part of the typical student per credit awarded. As per ABA guidelines, in satisfying this requirement, each 50 minutes spent in class or in an exam counts as one hour toward the 42.5 hour requirement. (For time spent in an in-class exam, a maximum of one 50-minute hour for each course credit can be counted towards the 42.5 hour requirement.) Each 60 minutes of out-of-class work counts as one hour towards this requirement. Examples of out-of-class work include, but are not limited to, preparation for class or for an exam, outside writing, meetings with the instructor, take-home exams, simulations, and fieldwork.
2. Except for courses covered in Part B, all courses must meet at least 55 minutes per week for 13 weeks (or at least 715 minutes per semester) per credit and must have an exam of at least 35 minutes (or require equivalent work) per credit. (Note: Courses are defined as requiring regular meetings with the instructor and other students in a classroom or similar setting. Thus this provision does not cover non-course academic offerings, such as moot court, journals, practicums, and Supervised Research and Writing. However, non-course offerings still must conform to Part A, Section 1.)
3. The fieldwork components of externships and clinical courses require at least 42.5 hours of fieldwork per semester for each credit of fieldwork.

### **B. Exceptions to Part A, Section 2:**

1. 3-credit seminars with a writing requirement must meet at least once weekly for 110 minutes per week for 13 weeks (or at least 1430 minutes per semester.)
2. 3-credit simulation courses must meet at least once weekly for 110 minutes per week for 13 weeks (or at least 1430 minutes per semester.)  
(Note: Offerings covered by Part B still must conform to Part A, Section 1.)

Work requirements for approved academic offerings may exceed these minimum requirements and are determined in the usual approval process. The instructor is expected to assign sufficient work to satisfy these requirements.

# V. Disciplinary Regulations Governing All Students in the School of Law

**NOTE:** School of Law students also are subject to the Boston University Code of Student Responsibilities, available at [www.bu.edu/lifebook/university-policies/policies-code.html](http://www.bu.edu/lifebook/university-policies/policies-code.html).

## Article I. School of Law Disciplinary Action

1. **Jurisdiction over disciplinary cases.** Students at the School of Law are subject both to these Disciplinary Regulations and to the Code of Student Responsibilities of Boston University. The School of Law and the University may agree under which rules and regulations any disciplinary case is to be brought. The School of Law ordinarily will not bring any separate action with respect to a charge that is the subject of disciplinary proceedings initiated by the University.
2. **Scope of disciplinary action by the School of Law.** Disciplinary action by the School of Law is governed by these Regulations. Such action extends to the following conduct:
  - a. Conduct in violation of School of Law rules or regulations. Such conduct is defined in Article II, below.
  - b. Other conduct, including but not limited to conduct in violation of Boston University rules or public law, when such conduct is not commensurate with professional standards of conduct required of lawyers. Such conduct is defined in Article III, below. An individual shall assume student status, for purposes of these Regulations, on his/her/their official enrollment in the School, and such status shall continue until his or her permanent separation from the School by graduation, expulsion, completed withdrawal, or other like event. Misconduct in connection with an application for admission, however, shall be deemed to continue in effect through enrollment. An individual whose student status has terminated for any reason other than graduation shall remain subject to discipline under these Regulations with respect to his or her conduct while in student status. In any case, the disciplinary sanctions of expulsion and suspension shall be deemed respectively to effect permanent or temporary disqualification for readmission to the School. The Faculty retains its inherent power to take appropriate action, after such reasonable process as it may prescribe, with respect to a graduate's conduct while in student status.

## Article II. Violations of School of Law Rules and Regulations

1. **General rule.** Any student who violates the School's rules may be subject to disciplinary action. The examples contained in section 2 below are not intended to be exhaustive.
2. **Specific examples.** The following are examples of School rules, the violation of which may be subject to disciplinary action.
  - a. *School of Law Academic Regulations and rules and procedures of the Law Library.* Students are expected to comply with the School of Law Academic Regulations, with any academic regulations adopted by an applicable School of Law program, and with the rules and procedures established for the use of the Law Library. Willful or repeated failure to comply with such regulations, rules or procedures may subject a student to disciplinary action.
  - b. *Classroom rules.* Students are required to comply with the rules established by members of the Faculty and other instructors at the School of Law for the conduct of their classes. An example of a rule that has been adopted and promulgated by some Faculty members for the conduct of their classes is the exclusion from class of students who arrive late or are

unprepared. Should an instructor announce such a rule to students in the instructor's classes, willful or repeated failure by a student in such a class to comply with the instructor's rule may subject a student to disciplinary action.

c. *Disruption of School of Law activities or operations.* Conduct that disrupts or impairs School of Law activities or operations may be subject to disciplinary action. The kind of conduct referred to is conduct that by itself or in conjunction with the conduct of others disrupts or impairs the effective carrying on of the activity, a result that the student knew or reasonably should have known would occur.

d. *Damage to or abuse of School of Law property, facilities or services.* Students are expected to make responsible and appropriate use of School of Law property and facilities, and of the services provided by the School of Law. Conduct that damages or abuses School of Law property, facilities, or services, including, for example willful damage to Law Library materials, or to furniture, classrooms, or offices, and unauthorized use of photo-copying or secretarial services, may subject a student to disciplinary action.

e. *Plagiarism.* Plagiarism is the use, without adequate attribution, of the ideas, expressions, or work, of another. All written work, whether in preliminary or final form, submitted by a student in the course of law study, in the course of employment, or in the course of other activities, including but not limited to moot court and law journal work, whether or not related to the study or profession of law, is assumed to be the student's own work. Anything copied or paraphrased from another author or source must be appropriately identified, acknowledged, and attributed. The use of the exact language of another without identification as a direct quotation by quotation marks or otherwise is plagiarism even though the source is cited in the student's work. Violation of the rules stated in this paragraph may subject a student to disciplinary action, including suspension or expulsion. Use of the work of another without proper attribution constitutes plagiarism whether or not the writer acts with an intent to mislead or deceive. However, such intent, or the lack of it, may be considered in determining the proper sanction if a violation is established.

f. *Multiple submission of written work without prior permission.* Students may not submit the same paper, or a substantial part of any paper, to more than one BU Law course without prior written permission from each instructor and the Associate Dean for Academic Affairs. Further, students must obtain the instructor's permission, after full disclosure, to submit written work if a substantial part of that work was produced either at another academic unit or in the course of employment.

g. *Examinations.* Students must comply with all rules established for examinations, whether established by the School of Law or by the instructor giving the examination. School of Law rules for the conduct of JD students' examinations are set out in Article VII, section 5, of the Academic Regulations. Violation of the rules set for any examination, including "take-home" examinations, may subject a student to disciplinary action.

h. *Sales or purchase of class notes.* The sale, offering for sale, or purchase, directly or indirectly, of lecture notes, class notes, case abstracts, or similar material, acquired through attendance at the School of Law, by any student or group of students or their agents, is prohibited and may subject a student to disciplinary action.

i. *Recording devices.* Recording devices are prohibited in the classroom except with the permission of the Dean and of the instructor. The use of such devices in the classroom without such permission may subject a student to disciplinary action.

j. *Rules of the Career Development Office.* Students who use the services of the School of Law Career Development Office are required to comply with all rules established by that

office. In particular, no student who has accepted an offer of employment shall use the facilities of the office to secure interviews for employment to a conflicting position, and no student who has accepted an offer of employment in a law-related position shall rescind that acceptance or accept an offer for employment to a conflicting position without first notifying the Office and discussing the matter with a representative of that Office. "Employment" refers to any position for which a student is hired, whether paid or unpaid, full-time or part-time, summer, permanent or during the school year. Generally, only extraordinary or unforeseen circumstances will merit renegeing on a previously accepted offer. Willful or repeated violation of the requirements of this paragraph may subject a student to disciplinary action.

### **Article III. Unprofessional Conduct**

1. **General rule.** Any student who engages in unprofessional conduct with regard to any matter, whether or not related to the School of Law or to Boston University, whether on or off campus, may be subject to disciplinary action pursuant to these Regulations.
2. **Definition.** Unprofessional conduct consists of:
  - a. illegal conduct involving moral turpitude;
  - b. conduct that involves dishonesty, fraud, or deceit; or
  - c. conduct that violates the standards of professional ethics established for lawyers or otherwise adversely reflects on the fitness of the student for admission to the bar.
3. **Specific examples.** Subject to the standard defined in section 2 above, the following are examples of conduct that may be determined to be unprofessional conduct subject to disciplinary action pursuant to these Regulations:
  - a. *Failure to comply with University rules relating to student conduct and discipline.* Students are required to comply with the rules established by Boston University relating to student conduct and discipline. For example, students are expected to comply with the University Sexual Misconduct/Title IX Policy. Willful or repeated failure to comply with such rules may be determined to be unprofessional conduct and subject a student to disciplinary action pursuant to these Regulations whether or not such conduct is also subject to disciplinary action pursuant to University rules.
  - b. *Violations of public law.* Conduct in violation of public law may be determined to be unprofessional conduct subject to disciplinary action pursuant to these Regulations whether or not such conduct is also subject to criminal or other sanctions.
  - c. *False statement.* Making a false statement in any document or record related to the study or practice of law may be the basis for disciplinary action, whether the statement is made on a document submitted to the School of Law, Boston University, or to a third party. Included within this category would be any false statement on an application for admission to the School of Law or other academic institution, on an application or other document submitted for financial aid, or on a resume submitted to a potential employer or agent for a potential employer.
  - d. *Prefatory comment on harassment and discriminatory conduct.* The law school's core mission is to educate lawyers. As part of that core mission, the law school strives to instill professionalism and civility among students, faculty, and alumni. This enables students and faculty to interact and communicate respectfully, even in the face of divergent and deeply held points of view. Freedom of expression deserves no less deference. Moreover, understanding the strengths and nuances of opposing views is part of the lawyer's stock in trade. Harassment

and discrimination, by contrast, undermine confidence in the legal profession and the legal system.

*Harassment or discriminatory conduct.* To engage in severe or pervasive conduct the student knows or should know constitutes discrimination on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, gender identity, marital status or socioeconomic status, or harassment, on any basis. Discrimination includes harmful verbal or physical conduct that manifests bias or prejudice toward others. Harassment includes sexual harassment and derogatory or demeaning verbal or physical conduct. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal or physical conduct of a sexual nature.

e. *Other conduct.* Conduct defined as unprofessional conduct under section 2, above, may be subject to disciplinary action pursuant to these Regulations whether or not such conduct is related to the academic program at Boston University, and whether or not such conduct is also subject to other sanctions. These examples of unprofessional conduct are not intended to be exhaustive.

*Off-Campus Conduct.* While a range of acts occurring off campus are not subject to the law school's supervision, that conduct can nevertheless reflect on a student's fitness to practice law. Indeed, the law school already gathers and reports such information to bar examiners, including, for example, criminal conduct that could reflect on a bar applicant's fitness to practice. Off-campus conduct reflecting on a student's fitness to practice can be subject to discipline, whether or not directed at a member of the law school community.

Complaints about unprofessional conduct in violation of Article III should be submitted to the Dean's Office. The process is described in Article IV (Investigation and Presentation of Charges), Article V (The Judicial Committee), Article VI (Judicial Committee Procedure and the Rights of the Student), and Article VII (Judicial Committee Decisions).

## **Article IV. Investigation and Presentation of Charges**

- 1. Preliminary investigation of reported student misconduct.** All complaints of student misconduct, including complaints involving LL.M. or other non-JD students, shall be referred to the Office of the Dean, which shall promptly conduct an investigation of the matter. At the direction of the Dean, an Associate Dean or other delegate of the Dean (hereinafter, "the Dean's Designate") shall conduct the investigation. If, after a preliminary investigation, the Dean decides that there is no current basis to proceed with the matter, no action shall be taken and no record shall be made of the matter in the student's permanent record or upon the student's transcript. Ordinarily, in such a case, the student will not be notified of the existence of a complaint.
- 2. Further investigation.** If the Dean wishes to proceed with the matter, the Dean shall notify the student of the complaint, including a brief description of the nature of the complaint, the possible charges, and the applicable Disciplinary Rules, and shall request that the student schedule a meeting with the Dean's Designate within a specified time period to review the matter. This notification shall also provide that the student may bring any person as an advisor to attend and provide support during the meeting, that the advisor may consult with the student during the meeting but is not permitted to directly address the Dean's Designate during the meeting itself, and that the student must inform the Dean's Designate at the earliest possible opportunity that the student will be accompanied by an advisor, including the identity of the advisor. The notice shall also include the following information: (1) the student may consult with the Associate Dean for Student Affairs or the Director of an appropriate LL.M. or other non-JD program director for information concerning the Disciplinary Regulations and the disciplinary process prior to meeting with the Dean's Designate and that such Dean or Director can refer the student to persons with whom they may speak on a confidential basis;

(2) if the student fails to respond or to attend such a meeting, the Dean's Designate shall proceed with the investigation; and (3) at the discretion of the Dean's Designate, this meeting may be recorded.

**3. Informal disposition.** If, in the judgment of the Dean, the report or complaint is unfounded or warrants no formal action, no action shall be taken and no record shall be made of the matter in the student's permanent record or upon the student's transcript. The student shall be informed promptly of the Dean's determination and the matter shall be considered closed.

**4. Disposition by Stipulation.** If in the judgment of the Dean, the complaint appears to warrant disciplinary action, the Dean's Designate may, with approval of the Dean, enter into an agreement with the student to resolve the matter by a Stipulation. Any such Stipulation shall be approved by the Dean and shall clearly indicate the specific charge or charges and the sanction that the student agrees to accept. If the student proposes a Stipulation or otherwise indicates an intention to agree to a Stipulation, but the Stipulation is not signed by either the Dean's Designate or the student, evidence of such offer or initial agreement is not admissible in any Judicial Committee hearing that follows.

**5. Disposition by presentation of charges.** If, in the judgment of the Dean, the complaint appears to warrant disciplinary action, and the matter has not been resolved by Stipulation, the Dean shall direct that charges against the student be drawn and the entire matter be referred to a Judicial Committee. The Dean's Designate shall promptly prepare charges against the student and transmit such charges in writing both to the student and to the Chair of the Faculty Judicial Panel. The Dean's Designate may request the Judicial Committee, convened pursuant to Article V, for permission to amend the charges at any time prior to completion of the hearing by the Judicial Committee, but any such amendment must be made in writing within a reasonable time after the discovery of evidence supporting the amendment. The Judicial Committee shall allow such amendment if it refers to the same or a similar transaction that was the subject of the initial charge. The student shall have a reasonable time to prepare to respond to any amendment.

**6. Interim Sanction.** The Dean may withhold credit for a course or seminar, withhold the award of any honors or other academic privileges, delay the award of a degree, or suspend the student involved pending completion of an investigation and hearing of alleged student misconduct. In determining whether to withhold, delay, or suspend, the Dean shall consider the gravity of the charge and the apparent strength of the case against the student, and the feasibility of avoiding interim sanctions by expediting the disciplinary proceedings, and any special circumstances or considerations related to the student's enrollment status at the School.

## **Article V. The Judicial Committee**

**1. Convening the Judicial Committee.** When the Dean determines that charges against any student shall be referred to a Judicial Committee, the Dean shall convene the Committee in accordance with the provisions of this Article. Except in the case of joint hearings as provided in section 2, below, a separate Judicial Committee shall be convened to hear the case of each student against whom charges are brought.

**2. Joint hearings.** Where two or more students are charged with participating in the same act or transaction, or in the same series of acts or transactions, constituting a rule violation or unprofessional conduct under these Regulations, the charges shall be referred to a single Judicial Committee for a joint hearing. If, in the judgment of the Committee, a separate hearing should be held for any reason in the case of any such student, the Committee convened to hear the charges shall hold such separate hearings as are required. If one or more, but fewer than all, students charged in a joint hearing elect to have the Committee consist solely of Faculty members as provided in section 4, below, the Faculty members of the single Committee constituted pursuant to this section shall constitute the Judicial Committee in the case of such student or students and shall hold a separate hearing or hearings as required.

3. **Composition of the Judicial Committee.** Except as provided in section 4, below, each Judicial Committee convened to hear charges brought against a student or students pursuant to these Regulations shall consist of one student and two members of the Faculty of the School of Law selected as provided in this Article. If the Chair of the Faculty Judicial Panel does not serve on a Judicial Committee, [t]he Faculty members selected for the Committee shall elect one of their numbers to serve as Chair of the Committee.

4. **Election of a Judicial Committee consisting solely of Faculty members.** Any student against whom charges are brought pursuant to these Regulations may elect to have the Judicial Committee convened to hear the student's case consist solely of three members of the Faculty of the School of Law. Such election shall be made promptly in writing upon receipt by the student of the charges.

5. **Selection of Faculty members of a Judicial Committee.** Except as provided in section 6 below, the Faculty members of each Judicial Committee shall be two members of the Faculty Judicial Panel selected by lot or, should a student elect a Judicial Committee consisting solely of faculty members pursuant to section 4 above, the three members of the Faculty Judicial Panel.

6. **Composition of the Faculty Judicial Panel.** The Faculty Judicial Panel consists of three members of the Faculty of the School of Law appointed by the Dean to serve for staggered terms of three years. At the beginning of each academic year, the Dean shall appoint one member of the Faculty Judicial Panel to serve as Chair and shall appoint ten alternate members of the Faculty Judicial Panel. Should it be necessary to convene more than one Judicial Committee at any given time, the Chair of the Faculty Judicial Panel may request the Dean to select one or more alternate members to serve on a Judicial Committee. If the Dean determines that the selection of alternate members is warranted, alternates shall be selected by lot from the full list of alternates. Every Judicial Committee, however, shall have at least one member who is a full member of the Faculty Judicial Panel. Faculty members then serving as Associate Dean or Assistant Dean shall not be eligible for appointment to the Faculty Judicial Panel as full members or alternates. Vacancies shall be filled as they occur by the Dean from among the eligible members of the Faculty.

7. **Selection of the student member of a Judicial Committee.** The student member of each Judicial Committee shall be selected by lot from among the eligible members of the Student Judicial Panel established pursuant to section 8, below. A student who is then serving or has served on a Judicial Committee shall not be selected for service on a second Judicial Committee in the same academic year unless there is no other eligible student who has not also served on a Judicial Committee in that academic year.

8. **Composition of the Student Judicial Panel.** The Student Judicial Panel shall consist of twenty-five students selected by lot from among the eligible members of the second-year class during the spring semester of each year to serve for one year beginning on Commencement Day immediately following their selection and ending on Commencement Day the following year. Students who have been in good academic standing throughout their course of study at the School of Law shall be eligible to serve on the Student Judicial Panel, except that students who have been found to have violated a rule of the School of Law or to have engaged in unprofessional conduct, and students who have been in residence at the School of Law for less than one full academic year, shall not be eligible to serve on the Panel. Students selected to serve on the Panel shall have a period of one week within which to accept appointment to the Student Judicial Panel in writing. Vacancies occurring as a result of failures to accept appointments, or otherwise, shall be filled as they occur by selection by lot from among the eligible members of the third-year class in the same manner as provided for the initial establishment of the Panel.

9. **Resignation and replacement of Judicial Committee members.** The student whose case is to be heard by a Judicial Committee may bring to the attention of the Committee any facts or circumstances that would compromise or would appear to compromise the impartiality of a member

of the Committee. Any member of a Judicial Committee, who knows of any such facts or circumstances, whether or not presented by the student, shall resign from the Committee. Vacancies on a Judicial Committee resulting from resignations, or from failure to serve, or otherwise, shall be filled as they occur in the same manner as provided for the initial establishment of the Committee, if such vacancies occur prior to the day set for the hearing in accordance with Article VI, section 2, below. Vacancies occurring after such date may be filled in said manner at the discretion of the Dean, provided, however, that the failure to fill such vacancies shall not prevent the Committee from taking action as provided for in these Regulations.

## **Article VI. Judicial Committee Procedure and the Rights of the Student**

1. **Hearing date.** Upon presentation of charges against a student as provided in Article IV, above, the Judicial Committee convened to hear the charges shall promptly set the earliest possible date for a hearing by the Committee consistent with the preparation by the student of the student's defense to the charges brought before the Committee. The student is expected to appear in person for the hearing before the Committee. At the request of the student and in compelling circumstances, the Dean may permit the student to appear by electronic means.
2. **Notice to the student.** The Judicial Committee convened to hear charges against a student shall promptly inform the student of the hearing date in writing, and shall promptly transmit the following to the student:
  - a. a copy of the charges made and referred to the Committee,
  - b. copies of all supporting documents submitted to the Committee, and
  - c. a copy of these Regulations.
3. **Presentation of the case.** The Dean's Designate shall prepare the case and present the facts in the hearing before the Judicial Committee. The Dean's Designate shall have the right to be assisted by counsel.
4. **Student's right to counsel.** The student has the right to choose and to be represented by, or to be accompanied by, an advisor or counsel at all stages of the proceeding before the Judicial Committee. Members of the Faculty or Staff of the School of Law may agree in their discretion to serve as such advisors at the request of the student. The student, however, shall sign all papers and pleadings that are introduced on his or her behalf and that assert facts within the student's knowledge.
5. **Witnesses and evidence at the hearing.** Both the student and the Dean's Designate have the right to call witnesses and to introduce evidence at the hearing. Each party has the right to cross-examine any witness who testifies against that party at the hearing. Members of the Committee may also question any witnesses.
6. **The right to remain silent.** The student has the right to remain silent at the hearing. No inferences shall be drawn from a decision by the student to remain silent at the hearing.
7. **Rules of evidence and procedure.** The rules of evidence and procedure applicable to criminal and civil trials do not govern hearings before a Judicial Committee. Except as otherwise provided in this Article, the Judicial Committee may adopt such procedural rules as in the judgment of the Committee will expedite the hearing and ensure due process. The Chair of the Judicial Committee, except as otherwise provided in this Article and subject to disapproval by vote of the Committee, may make such rulings as to procedure and the admissibility of evidence as in the judgment of the Chair will expedite the hearing and ensure due process.

8. **Judicial Committee hearings.** The place of the hearing before a Judicial Committee shall be determined by the Committee. Hearings are normally closed to all except the parties and their advisors and counsel. At the request of the student, the Dean, in consultation with the Committee, may make such exceptions to this rule as the Dean, in the Dean's discretion, concludes are warranted.

9. **Recordings.** Judicial Committee hearings shall be recorded in full and a transcript of such recording shall be made available to the student, or the student's authorized representatives, for review.

10. **Dean's recommendation.** The Dean or the Dean's Designate may recommend a sanction in the event the Judicial Committee finds that disciplinary action is warranted. The Judicial Committee may consider such recommendation in deciding which sanction, if any, to impose. No recommendation from the Dean or the Dean's Designate, however, shall bind the Judicial Committee.

11. **Effect of procedural error.** If, in the judgment of the Judicial Committee, any representative of the Dean's Office, including the Dean's Designate, has failed to comply with the obligations of the Dean's Office under this Code or has otherwise acted in a manner that unduly prejudices the student, appropriate corrective measures may be directed at any stage of the proceedings. Corrective measures shall be within the discretion of the Committee, but procedural error need not require exclusion of evidence or otherwise invalidate the proceeding or disposition of the case. The proceedings of the Judicial Committee shall not ordinarily be invalid by reason of a defective mechanical recording of the proceeding.

12. **Petition for reconsideration.** A student who has been found to have violated a disciplinary regulation may, on the discovery of new evidence, petition the Dean's Office for a rehearing based on such evidence. The petition shall set forth the nature of the new evidence and the circumstances under which it was discovered. On receipt of a petition for reconsideration, the Dean may either order a new Judicial Committee to hear the case or may deny the petition. The decision of the Dean on a petition for reconsideration shall be final.

## VII. Judicial Committee Decisions

1. **Judicial Committee deliberations private.** After the hearing's conclusion, the Judicial Committee will deliberate in private.

2. **Majority vote required.** The Judicial Committee's decisions shall be reached by majority vote of the Committee members present and voting.

3. **Acquittal.** If a majority of the Judicial Committee determines that a rule violation or unprofessional conduct has not been established (see section 5 below), then the student shall be deemed acquitted and so notified. The charges shall be dismissed, and no record shall be made of the matter in the student's permanent record.

4. **Rule violation or unprofessional conduct established.** If a majority of the Judicial Committee decides that by clear and convincing evidence that a rule violation or unprofessional conduct has been established as charged, then the Committee shall prescribe the specific disciplinary consequences, setting forth its decision promptly in a written confidential report to the Dean. The report shall include the Committee's findings of fact as well as its conclusions with regard to the disciplinary violation and the appropriate sanction, briefly describing the factors the Committee relied on in making its conclusions. If the vote is not unanimous, the report shall note that fact and indicate whether the disagreement concerned the finding of a violation and/or the appropriate sanction; however, the student shall not be informed of the votes of the individual members of the

Committee. The Dean shall promptly provide the student with a copy of the Judicial Committee's report, with notice of the right to review by a Disciplinary Review Panel.

5. **Forms of disciplinary action.** Subject to review by a Disciplinary Review Panel convened under Article VIII, the following disciplinary sanctions may be imposed pursuant to a Judicial Committee's decision:

- a. *Reprimand.* The student may receive a reprimand. The reprimand will be part of the student's permanent record but will not be noted on the student's transcript.
- b. *Censure.* The student may receive a censure. The censure will be part of the student's permanent record and will be recorded noted on the student's transcript.
- c. *Suspension.* The student may be suspended from the School of Law for a determinate period with permission to return at the end of that period. The suspension will be part of the student's permanent record and will be noted on the student's transcript.
- d. *Expulsion.* The student may be expelled. Expulsion terminates the student's studies at the School of Law. The expulsion will be part of the student's permanent record and will be noted on the student's transcript.
- e. *Stay of sanction.* The student may petition the Dean for a stay of sanction, for example, in connection with an appeal to the Disciplinary Review Panel pursuant to Article VIII, Sec. 2. The petition may be filed before the student notifies the Dean's Office of an intent to appeal. Whether to grant such a petition is within the Dean's discretion.

The Judicial Committee may impose such other conditions as it deems appropriate. These may include, but are not limited to, notification of disciplinary action to third parties and restitution to the School of Law or other parties.

6. **Disqualification from honors.** If the Judicial Committee determines that disciplinary action is warranted, it shall determine also whether the student should be disqualified from consideration for honors upon graduation. Such determination shall be made a part of its report.

7. **Notification to faculty member.** If the Judicial Committee determines that disciplinary action is warranted for misconduct related to any work in a course or seminar, and if that determination is not set aside by a Disciplinary Review Panel, then any faculty member responsible for grading such course or seminar will be notified and will receive a copy of the relevant disciplinary decisions. The faculty member may alter the grade of the student to take account of the disciplinary violation.

8. **Summary of decisions published.** If a Judicial Committee has determined that a student is guilty of a rule violation or unprofessional conduct, and if that determination has not been set aside by a Disciplinary Review Panel, then a brief summary of the disciplinary action shall be published within the School of Law unless the Dean determines otherwise. The summary shall not identify the student.

## **Article VIII. Review of Judicial Committee Decisions**

1. **Composition of the Disciplinary Review Panel.** The Disciplinary Review Panel consists of three members and an alternate, appointed by the Dean, all of whom must be full-time members of the Faculty. On the Dean's appointment, one of the Panel members will serve as Chair. Faculty members serving on the Judicial Committee, or as Associate Dean, may not be Panel members.

2. **Procedure before the Disciplinary Review Panel.** A student found guilty of a disciplinary violation may appeal to the Disciplinary Review Panel, provided that the student notifies the Dean's Office no later than 10 calendar days after the Judicial Committee's decision. A student who

chooses to appeal must submit a written statement to the Dean's Office, setting forth grounds for relief from the Judicial Committee's decision. The statement must be submitted within 30 days after the student has filed notice of intent to appeal; otherwise, the appeal will be deemed to have been abandoned. If the student files a statement, the Dean may direct a response.

3. **Standard of review for the Disciplinary Review Panel.** The Panel will review the student's statement and any response, together with the record of the Judicial Committee's proceedings. The Panel's review is not limited to issues raised by the student, but absent exceptional circumstances, the Panel may not consider evidence that the student failed to present to the Judicial Committee. The Disciplinary Review Panel shall affirm the Judicial Committee's decision unless it finds the decision either clearly erroneous or fundamentally unfair.

4. **Challenges to the composition of the Disciplinary Review Panel.** Before determination of the appeal, the student should bring to the Panel's attention, with notice to the Dean, any facts or circumstances that would compromise or appear to compromise the impartiality of a Panel member. Any Panel member who knows of any such facts or circumstances, whether or not presented by the student, should recuse himself or herself from the Panel's deliberations. If any Panel member is disqualified, then the alternate member of the Panel will serve.

5. **Disciplinary Review Panel procedure.** The Panel will deliberate in private. The Panel's decision shall be reached by majority vote of the Panel members present and voting.

6. **Disciplinary Review Panel action.** Taking into account the standard of review described in section 3 above, the Disciplinary Review Panel may:

- a. Adopt both the Judicial Committee's finding of a violation and the disciplinary action it imposed.
- b. Adopt the Committee's finding of a violation, but determine that a lesser disciplinary action should be imposed.
- c. Set aside, in whole or in part, the Committee's decision, either (1) dismissing all charges or (2) remanding to the Committee for rehearing as to the charges that should not be dismissed. On rehearing, the Judicial Committee may not impose more severe disciplinary action than it initially imposed.

7. **Finality.** The Panel's decision is final and not subject to further review.

8. **Notification to student.** The Disciplinary Review Panel shall transmit its decision to the Dean's Office. That Office will notify the student.

# APPENDIX 1: Boston University Complaint Procedures in Cases of Alleged Unlawful Discrimination or Harassment

Boston University prohibits discrimination on the basis of race, color, creed, religion, ethnic origin, age, sex, disability, sexual orientation, gender identity, or other unlawful basis. The goal of the procedures outlined below is to ensure that non-discrimination is a reality at Boston University and that no person in the University community is subjected to such unlawful conduct. All members of the University community can assist in the furtherance of this goal by ensuring that complaints of discrimination are promptly directed to the departments or individuals who have been designated to receive them, in accordance with these procedures.

Any employee, student, or applicant for employment or admission who believes that he or she has been subjected to any form of unlawful discrimination may make a complaint. Unlawful discrimination includes harassment based on an individual's membership in any legally protected category. Boston University will conduct a fair and impartial investigation of all such complaints, with due regard for the rights of all parties. Retaliation against any person who has made a complaint of discrimination, or who has cooperated in the investigation of such a complaint, is illegal and a violation of Boston University policy. The purpose of these procedures is to ensure that all complaints of discrimination are thoroughly and fairly investigated by authorized University officials who have the necessary expertise.

Any complaint of discrimination should be referred to one of the departments, or individuals who are responsible for receiving or investigating such complaints. Any employee who receives a complaint, but who is not specifically designated to formally handle such a complaint, is responsible for directing the complainant or otherwise referring the complaint to the appropriate individual or office. All complaints, either verbal or written, must be referred to the appropriate office, as set forth below.

## **I. Applicability of These Procedures**

The process outlined in this section applies to all complaints of unlawful discrimination or harassment, except (1) those alleging any form of sexual misconduct, and (2) those brought by students on the basis of disability. Any person alleging sexual misconduct on the part of any Boston University faculty or staff member, affiliate (e.g., visitor, vendor, etc.), or non-affiliate should refer to University's [Sexual Misconduct/Title IX Policy](#) and the [Procedures for the Resolution of Sexual Misconduct Complaints Against Faculty, Staff, Affiliates, and Non-Affiliates](#). Any person alleging sexual misconduct on the part of a Boston University student should refer to University's [Sexual Misconduct/Title IX Policy](#) and the [Procedures for the Resolution of Sexual Misconduct Complaints Against Students](#). Students who would like to file a complaint alleging discrimination based on disability should file with the Office Disability Services, in accordance with the procedures set forth in the last section of this document, [Student Grievance Procedure in Cases of Alleged Disability Discrimination](#).

The University's Executive Director of Equal Opportunity is the designated coordinator for complaints arising under Title VI and Title VII of the Civil Rights Act and Massachusetts General Laws Chapter 151B. General inquiries regarding the application of Title VI and Title VII should be directed to the Equal Opportunity Office.

[Executive Director](#)  
[Equal Opportunity Office](#)  
888 Commonwealth Ave, Suite 303  
617-358-1796

Effective Date – February 2015

## **II. Initiating a Complaint**

Employees, students, or applicants for employment or admission who believe that they have been subjected to unlawful discrimination may initiate a complaint either by meeting with the appropriate individual in one of the offices listed below, or by submitting a written complaint to that individual or office. The information provided in the complaint should be as specific as possible regarding the circumstances that precipitated the complaint. The complaint should include the dates and places of the incidents at issue, the individuals involved, the names of any witnesses, any actions taken in an attempt to resolve the matter and the result of these actions, and any other pertinent information.

### **Offices in Which a Complaint of Discrimination May Be Initiated**

There are several offices available to receive complaints from students, faculty, and staff who believe they have been subjected to unlawful discrimination.

#### **Complaints by Students**

Students may initiate a complaint by speaking to the Dean's office of the student's School or College or by contacting the [Equal Opportunity Office](#) or the Dean of Students Office. Students living in University residences may also speak to a member of the Residence Life staff.

#### **Complaints by Members of the Faculty or Staff**

Faculty or staff may initiate a complaint by contacting the [Equal Opportunity Office](#) or Human Resources. Employees in academic units may also initiate a complaint with the Dean's office of the applicable School or College. Employees covered by a collective bargaining agreement may have additional options under that agreement for addressing complaints.

#### **Complaints from applicants for employment or admission, visitors, or other non-affiliated individuals**

These complaints may be initiated in the [Equal Opportunity Office](#).

#### **Complaints from students, faculty, or staff at off-site locations**

Any individual at an off-site location, such as Washington, D.C., overseas programs, etc., may bring a complaint to any of the above offices as appropriate, to the Study Abroad office, or to the on-site director of the program.

The address and phone number for each of the offices noted above is provided below.

## **III. Investigation and Resolution of Complaints**

The offices available to receive complaints, noted above, were selected to give all members of the University community the opportunity to initiate a complaint in a place in which they will feel comfortable doing so. These offices have the responsibility, after speaking with the complainant and/or reviewing a written complaint, to ensure that the complaint is directed to the proper office or individual for investigation.

The University has designated specific offices and individuals to investigate complaints of unlawful discrimination. Depending upon whether the individual accused of engaging in discrimination is a student, a faculty member, or a staff member, the investigation will be conducted by the designated office or individual with the appropriate expertise and jurisdiction to do so. The offices and individuals responsible for investigating complaints of discrimination are set forth below. In any particular case, the University Provost may designate the office or individual to investigate a complaint. The University will ensure that no person who is the subject of a complaint will be assigned to investigate that complaint. The Equal Opportunity Office, if it is not conducting the investigation, will provide advice or assistance to the investigation process.

The investigation may involve meeting with the parties, interviewing witnesses, requesting written statements from the parties, informing the person whose actions are the subject of the complaint of the allegations and/or providing to that person a copy of the complainant's statement, and/or making any other appropriate inquiries. Before any adverse determination is made, the individual whose actions are the subject of the complaint will be informed as to the nature of the complaint, and will have an opportunity to respond.

The investigation should be completed promptly so that a decision can be rendered within 60 calendar days of receipt of the complaint. If the investigation cannot be completed within 60 days, the complainant will be informed of the status of the investigation.

A confidential record of all complaints, including their disposition, will be maintained by the investigating unit. The Equal Opportunity Office will be informed and maintain a confidential record of all complaints of discrimination against faculty and staff investigated by other units. Records of complaints against students will be maintained by Judicial Affairs.

### **A. Complaints Against Students**

The person who receives a complaint against a student will generally refer the matter for investigation to the Dean of Students. The Dean of Students will take any action that might be appropriate based on the results of the investigation, consistent with the applicable provisions in the Code of Student Responsibilities.

### **B. Complaints Against Faculty Members**

The person who receives a complaint against a member of the faculty will refer the matter to the Executive Director of Equal Opportunity, who will inform the Dean of the faculty member's School or College. The complaint will be investigated by the Executive Director of Equal Opportunity in consultation with the Dean or the Dean's designee. If the complaint also involves academic matters such as grades, curriculum, etc., the investigator will ensure that those matters are addressed by the appropriate officials within the School or College. The Dean of the School or College will be informed in writing of the findings of the investigation and will determine whether further action is appropriate. Any action involving faculty will be consistent with the procedures outlined in the [Faculty Handbook](#).

### **C. Complaints Against Staff Members**

The person who receives a complaint against a member of the staff will refer the matter for investigation to the Equal Opportunity Office. That office will inform the appropriate Dean or administrative head and Human Resources. The Executive Director of the Equal Opportunity Office will designate a member of the Equal Opportunity Office staff to investigate the complaint. The investigator will provide findings, in writing, to the Dean or administrative head, who will determine what action, if any, is appropriate. Action

involving staff will be consistent with any applicable collective bargaining agreement and University policies.

#### **IV. Confidentiality**

Every reasonable effort will be made to protect the privacy and confidentiality of all parties during the investigation, consistent with and subject to the University's need to investigate the complaint and/or implement decisions made in order to resolve the complaint. However, to enable the University to carry out its obligation to investigate all complaints fairly, and to ensure that non-discrimination is a reality within the University community, no representative of the University is authorized to promise complete confidentiality to any person who possesses information relevant to the investigation of a complaint, including the complainant.

Any individual who requests confidentiality before disclosing a complaint must be informed that because any apparent violation of Boston University policy must be addressed, complete confidentiality may not be possible. An individual who insists on confidentiality as a condition of disclosing a complaint may be advised of the opportunity to consult with one of the University's medical or mental health professionals, or with the [University Ombuds](#), with whom such matters may be discussed in confidence. However, consulting with these professionals does not constitute the initiation of a complaint. Medical and mental health professionals and the University Ombuds are not representatives of the University for this purpose and are not authorized to investigate or respond to complaints of discrimination.

#### **V. Appeals**

In the event that the complainant believes that the resolution of the complaint has not rectified the situation, an appeal may be made. In cases involving complaints against staff, the appeal should be filed with the Executive Director of Equal Opportunity, who will direct the appeal to the appropriate officer of the University for review and disposition. In cases involving complaints against students, the appeal should be filed with the Dean of Students in accordance with the appeal procedures outlined in Section V of the [Code of Student Responsibilities](#). In cases involving complaints against a faculty member, the appeal should be filed with the Executive Director of Equal Opportunity, who will consult with either the Dean of the School or College in which the faculty member is appointed (if the Dean did not make the decision being appealed) or the University Provost to determine the appropriate officer of the University to whom the appeal should be directed.

An individual whose action(s) are the subject of a complaint may appeal adverse action taken as a result of the complaint. Students disciplined under the [Code of Student Responsibilities](#) should follow the appeal procedures outlined in that document. Faculty members should follow the procedures in the [Faculty Handbook](#). Other employees should follow the grievance procedures outlined in the [Employee Handbook](#), or their collective bargaining agreement, whichever is appropriate.

These procedures shall constitute the grievance procedures mandated by the regulations implementing Section 504 of the Rehabilitation Act of 1973. The procedures for student grievances under Section 504 are set forth below in the [Student Grievance Procedure in Cases of Alleged Disability Discrimination](#).

***Questions about the University's Complaint Procedures in Cases of Alleged Unlawful Discrimination or Harassment may be addressed to the Equal Opportunity Office.***

## **VI. Offices Where Complaints May Be Initiated**

### Equal Opportunity Office

888 Commonwealth Ave., Suite 303  
Boston, MA 02215  
617-353-9286

Dean's Office (in the complainant's school or college)

### Dean of Students

775 Commonwealth Ave.  
Boston, MA 02215  
617-353-4126

Human Resources, Charles River Campus

### Human Resources Business Partner

25 Buick St.  
Boston, MA 02215  
617-353-4044

Human Resources, Medical Campus

### Human Resources Business Partner

801 Massachusetts Avenue, Suite 400  
Boston, MA 02118  
617-638-4610

### Office of Residence Life

25 Buick St.  
Boston, MA 02215  
617-353-4380

### Study Abroad

888 Commonwealth Ave.  
Boston, MA 02215  
617-353-9888

## **Student Grievance Procedure in Cases of Alleged Disability Discrimination**

Boston University prohibits discrimination against any individual on the basis of physical or mental disability. This policy extends to all rights, privileges, programs, and activities, including housing, employment, admissions, financial assistance, educational and athletic programs. It is also the policy of Boston University to provide reasonable accommodations to persons with disabilities unless such accommodations would impose an undue burden or fundamental alteration to the program in question. The purpose of these procedures is to ensure that all complaints of discrimination based on disability are thoroughly and fairly investigated by the authorized units of the University. Boston University will conduct a fair and impartial investigation of all allegations of discrimination, with due regard for the rights of all parties. Retaliation against any individual who has filed a complaint of discrimination, or who has cooperated in the investigation of such a complaint, is illegal and a violation of Boston University policy.

When a student believes that he or she has been discriminated against on the basis of disability, he or she may file, in writing, a formal grievance with the Director of Disability Services, who is the University's

compliance officer for Section 504 of the Rehabilitation Act of 1973. The statement should be as specific as possible regarding the actions(s) or inaction(s) that precipitated the grievance: date, place, persons involved, efforts made to settle the matter informally, and the remedy sought.

If a student with a grievance alleging disability discrimination is also employed by the University, and the grievance arises out of the student's employment, the grievance may be filed under the University's Complaint Procedures in Cases of Alleged Unlawful Discrimination or Harassment (above). If the Director of Disability Services receives a grievance which appears to allege disability discrimination arising out of a student's employment, the grievance may be referred to the Equal Opportunity Office to be handled under the policy applicable to employees.

Where the grievance arises out of a decision made by Disability Services regarding a student's eligibility for academic or other accommodations, the grievance will be forwarded for investigation to the University Provost. Grievances otherwise involving academic matters, for example, cases in which grades are disputed, will also be forwarded to the University Provost, who will determine which office(s) should conduct the investigation.

Otherwise, the Director of Disability Services shall investigate the matters set forth in the written grievance. In conducting this investigation, the investigator may forward a copy of the grievance statement to the persons whose actions (or inactions) are the subject of the grievance, and may request a written response from appropriate individuals in the University. The investigator may also choose to interview witnesses, to meet with concerned parties, to receive oral or written statements, and to make other appropriate inquiries.

After completing the investigation, the investigator will forward a copy of a report and recommendation to the appropriate University official. If the complaint arises out of an academic unit, the report will be forwarded to the Dean of the appropriate School or College, unless he or she is the subject of the grievance. In such cases, the report will be sent to the University Provost. If the complaint arises from a nonacademic unit, the report will be forwarded to the administrative head of the unit, unless he is the subject of the grievance. In such cases, the report will be forwarded to the Dean of Students, who will forward it to the appropriate officer of the University.

Within 60 days of the filing of the grievance, the University Provost, Dean, or administrative head will render a decision on the merits of the student's complaint. If resolution is not possible within 60 days, the University Provost, Dean, or administrative head shall inform the student of the status of the investigation.

Copies of the decision by the University Provost, Dean, or administrative head will be sent to the student, the University Provost (when not issued by him), and the Director of Disability Services. A copy may also be sent to the department and/or the persons whose actions (or inactions) are the subject of the grievance, as appropriate.

In the event that the student is not satisfied with the resolution of the grievance, an appeal may be made. The appeal should be filed with Disability Services, who will direct the appeal and all appropriate records to the appropriate office of the University for review and disposition.

Copies of the decision will be maintained in the Office of the Provost and at Disability Services.

These procedures shall constitute the grievance procedure mandated by regulations implementing Section 504 of the Rehabilitation Act.

*Questions about the University's Student Grievance Procedures in Cases of Alleged Disability Discrimination should be addressed to Disability Services.*

*Exceptions to these procedures may be granted by the President, University Provost, Medical Campus Provost, or the General Counsel.*

**Please visit the Equal Opportunities Office online for the most current policies:**

**<http://www.bu.edu/eoo/policies-procedures/>**

**<http://www-staging.bu.edu/policies/employment/alleged-unlawful-discrimination-or-harassment/>**

**<https://www.bu.edu/eoo/policies-procedures/complaint/>**

## **APPENDIX 2: Student Grievance Procedure in Cases of Alleged Disability Discrimination**

Boston University prohibits discrimination against any individual on the basis of physical or mental disability. This policy extends to all rights, privileges, programs, and activities, including housing, employment, admissions, financial assistance, educational and athletic programs. It is also the policy of Boston University to provide reasonable accommodations to persons with disabilities unless such accommodations would impose an undue burden or fundamental alteration to the program in question. The purpose of these procedures is to ensure that all complaints of discrimination based on disability are thoroughly and fairly investigated by the authorized units of the University. Boston University will conduct a fair and impartial investigation of all allegations of discrimination, with due regard for the rights of all parties. Retaliation against any individual who has filed a complaint of discrimination, or who has cooperated in the investigation of such a complaint, is unlawful and in violation of Boston University policy.

When a student believes that he or she has been discriminated against on the basis of disability, he or she may file, in writing, a formal grievance with the Director of Disability Services ([www.bu.edu/disability](http://www.bu.edu/disability)), who is the University's compliance officer for Section 504 of the Rehabilitation Act of 1973. The statement should be as specific as possible regarding the actions(s) or inaction(s) that precipitated the grievance: date, place, persons involved, efforts made to settle the matter informally, and the remedy sought.

If a student with a grievance alleging disability discrimination is also employed by the University, and the grievance arises out of the student's employment, the grievance may be filed under the University's Complaint Procedures in Cases of Alleged Unlawful Discrimination or Harassment. If the Director of Disability Services receives a grievance which appears to allege disability discrimination arising out of a student's employment, the grievance may be referred to the appropriate office to be handled under the policy applicable to employees.

Where the grievance arises out of a decision made by Disability Services regarding a student's eligibility for academic or other accommodations, the grievance will be forwarded for investigation to the University Provost. Grievances otherwise involving academic matters, for example, cases in which grades are disputed, will also be forwarded to the University Provost, who will determine which office(s) should conduct the investigation. Otherwise, the Director of Disability Services shall investigate the matters set forth in the written grievance. In conducting this investigation, the investigator may forward a copy of the grievance statement to the persons whose actions (or inactions) are the subject of the grievance, and may request a written response from appropriate individuals in the University. The investigator may also choose to interview witnesses, to meet with concerned parties, to receive oral or written statements, and to make other appropriate inquiries.

After completing the investigation, the investigator will forward a copy of a report and recommendation to the appropriate University official. If the complaint arises out of an academic unit, the report will be forwarded to the dean of the appropriate school or college, unless he is the subject of the grievance. In such cases, the report will be sent to the University Provost. If the complaint arises from a nonacademic unit, the report will be forwarded to the administrative head of the unit, unless he is the subject of the grievance. In such cases, the report will be forwarded to the Dean of Students, who will forward it to the appropriate officer of the University.

Within 60 days of the filing of the grievance, the University Provost, dean, or administrative head will render a decision on the merits of the student's complaint. If resolution is not possible within 60 days, the University Provost, dean, or administrative head shall inform the student of the status of the investigation.

Copies of the decision by the University Provost, dean, or administrative head will be sent to the student, the University Provost (when not issued by him), and the Director of Disability Services. A copy may also be sent to the department and/or the persons whose actions (or inactions) are the subject of the grievance, as appropriate.

In the event that the student is not satisfied with the resolution of the grievance, an appeal may be made. The appeal should be filed with Disability Services, who will direct the appeal and all appropriate records to the appropriate office of the University for review and disposition.

Copies of the decision will be maintained in the Office of the Provost and at Disability Services.

These procedures shall constitute the grievance procedure mandated by regulations implementing Section 504 of the Rehabilitation Act.

Questions about the University's Student Grievance Procedures in Cases of Alleged Disability Discrimination should be addressed to Disability Services.

Exceptions to these procedures may be granted by the President, University Provost, Medical Campus Provost, or the General Counsel.

**Please visit the Equal Opportunities Office online for the most current policies:**

**<http://www.bu.edu/eoo/policies-procedures/>**

**<http://www.bu.edu/eoo/policies-procedures/complaint/>**

**<https://www.bu.edu/academics/policies/student-grievance-procedure-in-cases-of-alleged-disability-discrimination/>**

# APPENDIX 3: Boston University Sexual Misconduct/Title IX Policy

Effective Date: August 14, 2020 Revised: August 1, 2021

Governed by: <https://www.bu.edu/policies/sexual-misconduct-title-ix-hr/>

*\*Note: This Sexual Misconduct Policy is effective August 14, 2020, and replaces the University's [Sexual Misconduct/Title IX Policy](#) in its entirety. The new Sexual Misconduct Policy and its three corresponding Complaint Procedures apply to conduct that occurs on or after August 14, 2020. Conduct occurring on or before August 13, 2020 will be handled under the University's Sexual Misconduct/Title IX Policy and the two corresponding Complaint Procedures.*

## Executive Summary

This policy affirms Boston University's (BU's) strong commitment to fostering an environment free from sexual misconduct. Sexual misconduct may take many forms, such as sexual assault (including rape), sexual harassment, dating and domestic violence, and stalking.

Federal and state laws affect how BU defines and addresses sexual misconduct, and the process may seem complex and daunting. This policy contains an extensive list of resources in Sections V and XII to assist the BU community in understanding both this policy and the applicable procedures.

This policy classifies sexual misconduct into two categories: (i) sexual misconduct that is covered by Title IX, a federal law (defined in Section III.A); and (ii) sexual misconduct generally (defined in Section III.B). If conduct falls under both categories, Title IX and its procedures govern. The distinction between sexual misconduct governed by Title IX and other sexual misconduct is relevant because the procedures for resolving complaints differ in important ways whether Title IX applies or not.

This Policy is effective August 14, 2020, and applies to conduct that occurs on or after August 14, 2020. Conduct that occurred on or before August 13, 2020, will be addressed under the University's Title IX/Sexual Misconduct Policy and its two accompanying sets of procedures.

This policy is organized as follows:

### [Section I – Introduction](#)

### [Section II – Scope of the Policy and Procedures](#)

### [Section III – Prohibited Conduct and Definitions](#)

### [Section IV – Other Important Concepts and Definitions](#)

### [Section V – Campus and Community Resources](#)

### [Section VI – Reporting Sexual Misconduct](#)

### [Section VII – Other Information Related to Reporting Sexual Misconduct](#)

### [Section VIII – Title IX/Sexual Misconduct Review](#)

### [Section IX – Prevention and Education](#)

### [Section X – Training](#)

### [Section XI – Resources and Support](#)

### [Section XII – Confidentiality Protections and Reporting Obligations](#)

## I. Introduction

### A. Statement of University Values

Boston University is committed to fostering an environment that is free from all forms of sexual misconduct, including sexual assault and sexual harassment. In support of that commitment, BU takes steps to increase awareness of such misconduct, eliminate its occurrence on campus, provide support for

survivors, diligently investigate all reports of sexual misconduct, and deal fairly and firmly with offenders. Creating a safe campus environment and a culture of respect is the shared responsibility of all members of the BU community, individually and collectively.

### **B. Notice of Non-Discrimination**

Boston University is committed to establishing and maintaining an environment free of all forms of discrimination and harassment for all members of the University community. The University prohibits discrimination against any person on the basis of race, color, religion, sex, age, national origin, physical or mental disability, sexual orientation, gender identity or expression, genetic information, military service, or because of marital, parental, veteran status, or any other protected class.

The University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs, or in the context of employment. Sexual misconduct, including sexual harassment as defined in this Policy, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

### **C. Compliance With Anti-Discrimination Laws**

The University complies with all state and federal discrimination laws, including but not limited to Title IX of the Higher Education Amendments of 1972, the federal law that prohibits discrimination on the basis of sex in education programs and activities; Title VII, the federal law that prohibits unlawful discrimination in employment, including that based on sex; and Mass. Gen. Laws chapters 151B and 151C, the state laws that prohibit unlawful discrimination in employment and education, including that based on sex, respectively.

The Boston University Policy on Sexual Misconduct and Title IX Sexual Misconduct (“Policy”) is intended to ensure a safe and non-discriminatory educational and work environment, free from all forms of sex-based discrimination and harassment.

### **D. Coordination with Boston University’s Non-Discrimination Policy**

Boston University recognizes that discrimination and harassment related to a person’s sex can occur in connection with misconduct related to a person’s sexual orientation, gender identity, gender expression, race, color, ethnicity, national origin, religion, age, disability, or other protected class. Targeting a person on the basis of these characteristics is a violation of state and federal law and University policy. Under these circumstances, the University will endeavor to coordinate the investigation and resolution of sexual misconduct complaints with the investigation and resolution of complaints of discrimination or harassment based on other protected classes.

## **II. Scope of the Policy and Procedures**

This Policy is intended to provide the Boston University community with a clearly articulated set of behavioral standards, definitions of prohibited conduct, and key concepts. The Policy applies to all community members, including students, faculty, staff, affiliates, visitors, applicants for admission or employment, and independent contractors. Vendors and others who conduct business with the University or on BU property are also expected to comply with this Policy. The Policy applies regardless of a person’s gender, gender identity, gender expression, sexual orientation, age, race, nationality, class status, religion, or other protected status.

This Policy addresses sexual harassment as defined under Title IX, or other sexual misconduct prohibited by federal or state laws. It sets forth the University's definitions of and approaches to addressing sexual harassment and other sexual misconduct. Separate definitions and procedures are provided for addressing conduct falling under Title IX ("Title IX Sexual Misconduct") and conduct falling under other laws or this Policy prohibiting discrimination and harassment based on sex ("Non-Title IX Sexual Misconduct"). This Policy covers Title IX Sexual Misconduct, as defined below, against a person in the United States, occurring within the context of a University education program or activity. An "education program or activity" includes locations, events, or circumstances over which the University exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Boston University. In order to bring a complaint under Title IX, the complaining party must be participating in, or attempting to participate in, the recipient's education program or activity at the time of filing a formal complaint.

This Policy also covers Non-Title IX Sexual Misconduct occurring both on-campus and off-campus, if the conduct was in connection with a University or University-recognized education program or activity, or if the conduct may have the effect of creating a hostile learning, working, or living environment for a member of the BU community.

### **Summary of Policy Sections**

Sections III and IV define prohibited conduct and include scenarios illustrating Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct, and provide additional definitions of important concepts such as consent, incapacitation, and force. Section V identifies on- and off-campus resources for all members of the BU community, including information about where to access resources in a confidential manner. Sections VI and VII describe how a member of the University community can report Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct and describes available supportive measures. Section VIII explains the role of the Title IX Coordinator and Deputy Title IX Coordinators, and describes the procedures used to review allegations of Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct. Sections IX and X outline the University's prevention, education, and training efforts.

Because Boston University recognizes that sexual assault, harassment, discrimination and other forms of sexual misconduct can have a profound impact on a person's personal, academic, and work life, the University encourages anyone coping with such a situation to seek help and support. Sections XI and XII include a list of on-campus resources available to those affected by sexual misconduct and the extent to which such resources have reporting obligations or may maintain the confidentiality of a report of sexual misconduct. Students who are uncertain of their options or simply need help should call the Sexual Assault Response and Prevention Center (SARP) at 617-353-7277. Faculty and staff may contact the Faculty and Staff Assistance Office (FSAO) at 617-353-5381 for assistance. These services are free of charge to members of the BU community.

### **Summary of Procedures**

The Procedures require the Respondent receive notice of an allegation of sexual misconduct that will include the date, time, and location, if known of the alleged incident, including a specific statement of policies (Title IX or Non-Title IX Sexual Misconduct) allegedly violated. The Institution's investigation, including any hearing and disciplinary proceedings, will be impartial and conducted by an individual who receives not less than annual training on issues related to sexual misconduct, investigatory procedures, and hearing procedures. The Respondent is presumed not responsible for the alleged conduct until a determination has been made by the Preponderance of the Evidence. The parties will receive copies of the policies regarding the submission and consideration of evidence that may be used during a hearing or disciplinary proceeding. The parties will have equal opportunities to review and inspect evidence obtained

in the investigation that is directly related to the allegations. The parties may be accompanied by an advisor or support person of their choice. They may consult with their advisor during any meeting (although the availability of an advisor may not significantly delay any meeting). The University will adopt reasonable measures to provide for the involvement of the advisor, which will be applied equally. The parties have an equal opportunity to present evidence and witnesses on their behalf during a hearing or proceeding, and each party will be provided with timely and equal access to relevant evidence that will be used in making a disciplinary determination. There may be restrictions on evidence considered by the fact finder, including evidence regarding the prior sexual history or character evidence. The parties may not directly question each other. The parties receive written notice of the results of a hearing or disciplinary proceeding not later than 7 business days after a final determination of a complaint and are informed of any appeals process. Should the parties appeal the determination due to a perceived procedural error, previously unavailable evidence that could significantly impact the outcome of the case, or a sanction that is disproportionate to the findings, the parties will be provided with an equal opportunity to appeal decisions regarding responsibility or sanctions. The University will not disclose the identity of the parties, except as necessary to carry out disciplinary proceedings or as permitted under state or federal law.

Nothing in this Policy or any of the University's Procedures for the Resolution of Sexual Misconduct Complaints shall be construed to abridge academic freedom, principles of free speech, or Boston University's educational mission.

### **Disciplinary Process for Violations of University Sexual Misconduct Procedures**

The University applies different disciplinary processes for violations of its Sexual Misconduct Policy. Which disciplinary process is applied depends on the nature of the misconduct that is alleged (Title IX or Non-Title IX Sexual Misconduct) and the status of the person against whom the complaint is asserted (University student, faculty, staff, affiliate, or non-affiliate).

- Section XII(D) of the [Title IX Sexual Misconduct Procedures](#) describes in detail the disciplinary processes applied for Title IX Sexual Misconduct Policy violations by a University student, faculty, staff, affiliate or non-affiliate.
- Section XII(B)(2) of the [Non-Title Sexual Misconduct Procedures applicable to University students](#) describes in detail the disciplinary processes applied for Non-Title IX Sexual Misconduct violations by a University student.
- Section X of the [Non-Title IX Sexual Misconduct Procedures applicable to University faculty, staff, affiliates, and non-affiliates](#) describes in detail the disciplinary processes applied for Non-Title IX Sexual Misconduct violations by a University faculty or staff member, or affiliate or non-affiliate.

In general, the disciplinary processes mentioned above will involve the following:

Where a faculty or staff member is found to have violated the University's Sexual Misconduct Policy, the applicable dean of a school or college or vice president of an administrative unit will determine sanctions and remedies in consultation with appropriate University administrators. Disciplinary sanctions involving the suspension or termination of faculty members will be conducted pursuant to the procedures outlined in the Faculty Handbook. Disciplinary sanctions imposed against staff members will be handled in accordance with the Non-Represented Employees Handbook or applicable collective bargaining agreement.

Where a student is found to have violated the University's Sexual Misconduct Policy, the Dean of Students will determine sanctions and remedies.

For violations of the Sexual Misconduct Policy for faculty and staff, disciplinary sanctions may include (but are not limited to) the following:

- Counseling or other forms of corrective action

- Educational programs
- Demotion
- Administrative leave of absence (without pay)
- Suspension
- Termination

For violation of the Sexual Misconduct Policy by University students, disciplinary sanctions may include (but are not limited to) the following:

- Warning
- Educational programs
- Disciplinary probation
- Denial or deferral of degree
- Suspension
- Expulsion
- Limitations on ability to participate in University program or activities

### **III. Prohibited Conduct And Definitions**

This section describes prohibited sexual misconduct and definitions under Title IX (Title IX Sexual Misconduct), this Policy, or other laws or regulations (Non-Title IX Sexual Misconduct).

The Title IX regulations issued by the United States Office for Civil Rights provide definitions of specific conduct prohibited under Title IX. The University's commitment to eradicating sexual misconduct extends to other conduct that does not fall within those definitions.

#### **A. Title IX Sexual Misconduct**

Title IX Sexual Misconduct is conduct on the basis of sex against a person in the United States, occurring within the context of an education program or activity, which satisfies one or more of the following definitions:

1. **Quid Pro Quo Sexual Harassment** – A University employee conditions the provision of an aid, benefit, or service of the University on a person's participation in unwelcome sexual conduct.
2. **Sexual Harassment** – Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.
3. **Sexual Assault** – Any sexual act directed against another person, without that person's consent (including instances where the victim is incapable of giving consent), and includes each of the following:
  - a. *Forcible Rape* – (i) sexual intercourse, or (ii) oral or anal sexual intercourse, or (iii) use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, either (A) forcibly and/or against that person's will, or (B) against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity;
  - b. *Fondling* – touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or not against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - c. *Incest* – nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - d. *Statutory Rape* – nonforcible sexual intercourse with a person who is under the statutory age of consent.

**4. Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of (a) the length of the relationship, (b) the type of relationship, and (c) the frequency of interaction between the persons involved in the relationship.

**5. Domestic Violence** – Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

**6. Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his, her or their safety or the safety of others; or (b) suffer substantial emotional distress.

## **B. Non-Title IX Sexual Misconduct**

“Non-Title IX Sexual Misconduct” is a broad, non-legal term that encompasses a wide range of behaviors that are prohibited by this Policy or federal and state law, including but not limited to, sexual harassment, sexual assault, rape, acquaintance rape, stalking, and relationship violence (including dating and domestic violence). Non-Title IX Sexual Misconduct includes conduct occurring both on-campus and off-campus, if the conduct was in connection with a University or University-recognized education program or activity, or if the conduct may have the effect of creating a hostile environment for a member of the BU community.

It is a violation of University Policy and/or applicable law to commit or to attempt to commit any of the acts listed below.

**1. Sexual Assault** – Actual or attempted sexual contact with another person without that person’s consent that includes, but is not limited to:

- - Intentional touching of another person’s intimate parts without that person’s consent; or
  - Other intentional sexual contact with another person without that person’s consent; or
  - Coercing, forcing, or attempting to coerce or force a person to touch another person’s intimate parts without that person’s consent; or
  - Rape, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person’s consent.

See Section III for the definitions of consent, incapacitation, and force.

**2. Sexual Harassment** – Unwelcome conduct of a sexual nature that has the effect of creating a hostile or stressful living, learning, or working environment, or whenever toleration of such conduct or rejection of it is the basis for an academic or employment decision affecting an individual. Conduct is considered “unwelcome” if the person did not request or invite it and considered the conduct to be undesirable or offensive.

Sexual harassment includes any conduct or incident that is sufficiently serious that it is likely to limit or deny a student’s ability to participate in or benefit from the University’s educational program or activity or a faculty or staff member’s ability to work, which may include a single incident of sexual assault or other serious sexual misconduct.

Examples of Sexual Harassment. Sexual harassment can take many forms, and can:

- Occur between equals, such as student to student, faculty member to faculty member, staff to staff, or visitor/contracted employee to staff.
- Occur between persons of unequal power status, such as supervisor to subordinate, faculty member to student, coach to student-athlete, student leader to first-year student. Although sexual harassment often occurs in the context of an exploitation of power by the person with the greater power, a person who appears to have less power in a relationship can also commit sexual harassment (such as a student harassing a faculty member).
- Be committed by an acquaintance, a stranger, or someone with whom the complainant has or has had a personal, intimate, or sexual relationship.
- Occur by or against a person of any sex, gender identity or expression, or sexual orientation.

The following non-exhaustive list includes examples of behavior that could be considered sexual harassment:

- Unwelcome sexual innuendo, propositions, sexual attention, or suggestive comments and gestures.
- Unwelcome physical contact of a sexual nature, such as touching, hugging, kissing, patting, or pinching, that is uninvited and unwanted or unwelcome by the other person.
- Humor and jokes about sex or gender-specific traits; sexual slurs or derogatory language directed at another person's sexuality or gender.
- Insults and threats based on sex or gender; and other oral, written, or electronic communications of a sexual nature that a person communicates are unwelcome.
- Written graffiti or the display or distribution of sexually explicit drawings, pictures, or written materials; sexually charged name-calling; sexual rumors or ratings of sexual activity/performance; the circulation, display, or creation of e-mails or Web sites of a sexual nature. (For more information on misconduct using the University's computing facilities, please see the Conditions of Use and Policy on Computing Ethics.)
- Non-academic display or circulation of written materials or pictures degrading to a person(s) or gender group.
- Unwelcome attention, such as repeated inappropriate flirting, inappropriate or repetitive compliments about clothing or physical attributes, staring, or making sexually oriented gestures.
- Change of academic or employment responsibilities (increase in difficulty or decrease of responsibility) based on sex, gender identity, gender expression, or sexual orientation.
- Use of a position of power or authority to: (i) threaten or punish, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment; or (ii) promise rewards in return for sexual favors.
- Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping.

#### Hostile Environment

A hostile environment exists when sexual or sex-based harassment is sufficiently serious to deny or limit a student's ability to participate in or benefit from the University's programs or activities or has the effect of unreasonably interfering with an employee's work performance or altering the terms and conditions of the employee's employment. A hostile environment can be created by anyone involved in a University program or activity (e.g., administrators, faculty members, students, and campus visitors).

In determining whether sex-based harassment has created a hostile environment, the University considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the student who was harassed. The University will also need

to find that a reasonable person in the student's position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

To determine whether a hostile environment exists for a student or employee, the University will consider a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and (5) the degree to which the conduct affected the student's education or the employee's employment.

The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

**3. Sexual Exploitation** – Occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person, without that person's consent.

Examples of sexual exploitation:

- Prostituting another person;
- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and,
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent, and for the purpose of arousing or gratifying sexual desire.

**4. Stalking** – A course of conduct involving more than one instance of inappropriate and unwanted attention, harassment, threatening or intimidating physical or verbal contact, or any other course of conduct directed at a person that could be reasonably regarded as likely to alarm or place that person in fear of harm or injury, including physical, emotional, or psychological harm. This includes the use of technology to pursue, harass, threaten, intimidate, or otherwise make unwelcome contact with another person. Stalking may involve people who are known to one another or have an intimate or sexual relationship, or may involve people not known to one another.

Stalking is prohibited by Massachusetts law. Stalking can also constitute a violation of this Policy when the conduct involves a Boston University student or employee and is gender-based.

Examples of Stalking.

The following persistent, unwanted, and repeated harassing conduct may constitute stalking:

- Every time Natalie went to class, Ben, another student, would sit next to her. Ben kept trying to talk to Natalie even though she told him she was not interested in him. Ben then started showing up everywhere that Natalie went — in the lobby of her residence hall, in the George Sherman Union, and at her work-study job. Ben was persistent and threatened to “make” Natalie go out with him. If Ben continues to pursue this conduct, his action may constitute stalking in violation of this Policy.
- David dated Ellen, a graduate student, a couple of times but eventually stopped seeing her. Then Ellen began sending David several e-mails a day, messaging him on Instagram, and sending text messages to his cell phone. David changed his e-mail address and cell phone number, but somehow Ellen discovered his new address and cell phone number

and began sending even more e-mails and texts. David really wants Ellen to stop contacting him, but he is not sure what to do. Ellen's conduct toward David may constitute stalking in violation of this Policy.

**5. Relationship Violence (Dating and Domestic)**– Abuse, violence, or intentionally controlling behavior between partners or former partners involving one or more of the following elements: (i) battering that causes bodily injury; (ii) purposely or knowingly causing reasonable apprehension of bodily injury; (iii) emotional abuse creating apprehension of bodily injury or property damage; (iv) repeated telephonic, electronic, or other forms of communication — anonymously or directly — made with the intent to intimidate, terrify, harass, or threaten. Relationship violence can occur in all types of relationships (e.g., heterosexual, same sex, or any other type of relationship). Relationship violence may constitute a violation of this Policy when it involves a Boston University student, faculty or staff member, and the conduct is gender-based.

#### Examples of Relationship Violence

- Tracey's boyfriend Mark yelled at her today because she was late meeting him for lunch. Mark grabbed Tracey's arm and pulled her out of the dining hall. Tracey was embarrassed. Later Mark said he was so sorry for humiliating her. Tracey says things are okay now, but she wonders when it will happen again.
- Zach and James have been dating for a month. Zach, a student, has always been jealous, but now he becomes angry when he does not know where James is. He tells James that he will kill him if he ever cheats on him. Zach also told James that he would kill himself if James ever left him. The other day, Zach slapped James when he was mad at him. James is becoming more and more afraid of Zach, but he feels trapped and does not know what to do.

### C. Retaliation

As described below, it is a violation of Massachusetts and federal law, including Title IX, and a violation of this Policy to retaliate against a person for making a report or complaint of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct or for participating in or declining to participate in an investigation or grievance procedure related to such a report or complaint.

Neither the University nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX or this Policy.

Per se retaliation: retaliation under Title IX, this Policy, or applicable law includes intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX.

Per se retaliation exception: It does not constitute retaliation under Title IX or this policy to charge an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

#### Examples of Retaliation

- Katie reported to the Dean of Students that she felt her ex-boyfriend, Nate, was harassing her on the basis of her sex. The Judicial Affairs Office (JA) conducted an investigation and held Nate responsible for the behavior reported. Nate was suspended for one semester. A week after the disciplinary decision was issued, Nate’s friends excluded Katie from the invitation list of a unique educational conference because she had “ratted out” Nate to the Dean.
- Rachel accused Danielle of stalking. Rachel told Judicial Affairs that she had four witnesses, including Katrina who was Danielle’s roommate. Danielle found out that Katrina was a witness in the investigation and had provided information supportive of Rachel. Danielle confronted Katrina in the GSU and told her that because Katrina didn’t support Danielle during the investigation, they were no longer friends and Danielle would no longer lend Katrina her car.

#### **IV. Other Important Concepts and Definitions**

These concepts and definitions are applicable to cases involving Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct.

##### **A. Consent**

Consent must be informed and voluntary, and can be withdrawn at any time. Consent can be given by words or actions as long as those words or actions create mutually understandable permission regarding the scope of sexual activity. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent.

Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that he, she, or they cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

##### **Effect of drugs and alcohol on consent:**

Individuals should be aware of, and carefully consider, the potential consequences of the use of alcohol or drugs. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. If there is a question about whether someone consented to sexual activity after consuming drugs or alcohol, the University will examine the issue from the perspective of a reasonable person. Specifically, the University will consider whether the respondent reasonably should have known about the impact of alcohol and other drugs on the complainant’s ability to give consent.

##### **B. Incapacitation**

Incapacitation is the inability, temporarily or permanently, to give consent, because the person is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the person is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. Some signs of incapacitation may include, but are not limited to, lack of control over physical movements (e.g., stumbling, falling down), lack of awareness of circumstances or surroundings, inability to speak or communicate orally, or the inability to communicate for any reason.

It is a violation of this Policy or federal or Massachusetts laws, to engage in sexual activity with a person who is incapacitated, regardless of whether the person appeared to be a willing participant. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication.

### **C. Force**

The use of force to cause someone to engage in sexual activity is, by definition, non-consensual contact, and is prohibited. Force may include words, conduct, or appearance. Force includes causing another's intoxication or impairment through the use of drugs or alcohol. Under this Policy, force includes the use of any of the following:

#### **1. Physical Force, Violence, or a Weapon**

Example: Steve and Melissa return to his room after a party. They consensually begin kissing and touching each other. Steve wants to have sex, but Melissa tells him that she does not want to go that far. When Melissa tries to get off the bed and leave the room, Steve holds her down and they have sex. Steve's use of force renders the sexual intercourse non-consensual and violates this Policy.

#### **2. Threats**

Example: Josh and Lucas meet at a party. Josh confides in Lucas that he has recently "come out" to a few close friends, but most people do not know he is gay. Josh worries how people will react if they knew. As the evening progresses, Lucas and Josh start kissing. Lucas wants to have sex, but Josh tells him he is not ready for that. Lucas threatens to "out" Josh on Instagram and Twitter if he does not have sex with him. Out of fear for his reputation, Josh submits to Lucas even though he really does not want to. Any sexual activity that then occurs is forced sexual contact and violates this Policy.

#### **3. Intimidation and Implied Threats**

Example: Dylan is a popular senior and the captain of a sports team on campus. He has brought Grace, who is a first-year female athlete at school, to a fraternity party. Grace would not have been able to get into the party if it was not for Dylan's influence. Later in the evening, Grace wants to leave, but Dylan blocks her way with his body. He is significantly bigger than she is and she cannot get around him. Dylan starts to kiss and touch Grace, but she tells him to stop. Dylan tells Grace he can make sure she gets into all the big parties on campus this year, which would help her relationship with her new teammates (implying he could turn the team against her). Grace does not want to be with Dylan, but she is worried about the impact he could have on her social and athletic life if she refuses. If Grace submits to Dylan out of his implied threats and abuse of his status, it may constitute forced sexual contact in violation of this Policy.

**4. Coercion.** Coercion is to force one to act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, or emotional intimidation.

Example: Hannah's parents both died recently and she has been having a hard time focusing this semester. Owen, a friend of Hannah's, comes to her room to watch a movie with her. When Hannah starts crying and becomes upset, Owen hugs and comforts her. Eventually Hannah and Owen start kissing and touching one another. Hannah wants to stop, but Owen tells her "you've made me so hot, how can you stop now?" When Hannah tells Owen she wants to be alone, Owen tells Hannah that it isn't cool to leave him like this, especially when he came over to help her. Hannah is confused and emotionally vulnerable. Owen implies that Hannah "owes him sex" after all he has done to support her. Owen continues to pressure Hannah until she eventually submits to his advances. Owen's conduct constitutes coercion in that he pressured Hannah into additional sexual contact that was not freely chosen, in violation of this Policy.

### **D. Miscellaneous Definitions**

Complainant: The person making the allegations of sexual misconduct.

Respondent: The person against whom a complaint of sexual misconduct has been made.

Reporter: A person who has information that sexual misconduct may have been committed by a University student or a participant in a University program and who initiates a complaint.

## **V. Campus and Community Resources**

As outlined here and in the “Resources and Support” section at the end of this Policy, a variety of support and counseling resources are available to students and employees of the Boston University community affected by Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct. Contact information for the resources described here is available in Section X.

### **A. Emergency / Immediate Assistance**

The University encourages all community members affected by Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct to seek immediate assistance. Doing so promptly may be important to ensure the person’s physical safety or to obtain medical care or other support. It may be helpful to preserve evidence, which can assist the University and/or law enforcement in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order. Confidential assistance is available to BU students free of charge 24 hours a day, 7 days a week (by phone at 617-353-SARP). For emergency assistance, community members should call the BU Police Department at 617-353-2121.

Students or employees who wish to obtain information or notify law enforcement are encouraged to contact the Boston University Police Department (BUPD). BUPD will assist or provide information to members of the University community about how to obtain a court-issued protective order. BUPD will also provide information on law enforcement investigations, and civil or criminal processes available to students and employees. BUPD, the University Title IX Coordinator or their designee will advise students and employees on how to obtain a lawful court-issued protective order or an institution-issued no-contact directive or a No Trespass Order against an alleged perpetrator of the sexual misconduct. The institution’s process for investigating sexual misconduct complaints and external civil and criminal processes may run concurrently.

Members of the University community who have obtained a court issued protective order are encouraged to inform BUPD of that order at the earliest possible time, by contacting BUPD directly.

### **B. Privacy and Confidentiality**

Boston University values the privacy of its students or employees. BU wants all students or employees to seek the assistance they need without fear that the information they provide will be shared more broadly than they would like. Federal and state laws, however, impose reporting obligations on certain University employees that require them to disclose information from a report of Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct with those University employees responsible for responding to such a report. However, there are individuals at Boston University who are not subject to these reporting requirements, with whom students, faculty, and staff can speak in complete confidence. The table in Section XI summarizes the confidentiality protections and reporting obligations of various BU employees and offices.

*Even when University employees have an obligation to report to others, which means their office is described as “non-confidential” under this Policy, they will protect and respect an individual’s privacy to the greatest extent possible and share information only on a need-to-know basis. Any of the staff listed as Resources will be able to explain their respective reporting obligations in more detail.*

### **C. Confidential Campus Resources and Support**

The University encourages all members of the BU community to report any incident of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct. The University recognizes, however, that not every person will choose to make a formal report with the University or with local law enforcement. For those who are not prepared to make a report or pursue a complaint, the University provides confidential

advocacy, crisis and pastoral counseling, and medical services on campus. Conversations with these individuals are confidential (except as described in Section XI). They can explain options for obtaining additional support from the University and off-campus resources. They can also arrange for medical care and accompany complainants, or arrange for someone to accompany complainants, to seek such care.

Complainants may use these resources to talk to someone about an incident of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct in a confidential manner whether or not they decide to make an official report or to participate in the University complaint resolution process or the criminal justice system. Conferring with these resources will not trigger an investigation by the University or law enforcement. However, these offices are familiar with the University's complaint resolution processes, can explain what to expect, and can provide support while University or criminal processes are pending.

#### **D. Non-Confidential Campus Resources**

In addition to the confidential resources discussed above, all members of the BU community have access to a variety of individuals who are trained to support those affected by Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct and to coordinate with the Title IX Coordinator consistent with the University's commitment to a safe and healthy campus environment. While not bound by confidentiality, these resources will nevertheless maintain the privacy of a person's information within the limited circle of those involved in the Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct investigation and resolution processes.

*1. Title IX Coordinator.* The Title IX Coordinator is responsible for overseeing the University's response to Title IX reports and complaints, and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The [University Title IX Coordinator's contact information](#) is in Section X.

*2. Deputy Title IX Coordinators.* The Deputy Title IX Coordinators are individuals located in academic departments, and some administrative departments, who are trained to assist students and employees in their departments with complaints or concerns about sexual misconduct, and direct them to the resources they need. They report all complaints and concerns to the University Title IX Coordinator, and work closely with the Title IX Coordinator in promptly responding to a person's concerns. The Deputy Coordinators can help with supportive measures that a complainant or respondent may need during the investigation of a complaint. Contact information for the [Deputy Title IX Coordinators](#) is in Section X.

*3. Boston University Police Department.* Complainants may report Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct to the Boston University Police Department ("BUPD"), the Boston Police Department, the Brookline Police Department, and/or the local law enforcement agency or District Attorney's office where the misconduct occurred. The University complaint resolution procedures and the criminal justice system work independently from one another and neither BUPD nor other law enforcement officials determine whether a violation of this Policy has occurred. Confidential resources, the Dean of Students Office, the Judicial Affairs Office (JA), and BUPD can explain how to report sexual assault and other forms of sexual misconduct to law enforcement. Although confidential resources or BUPD personnel may accompany any student requesting support to the appropriate Police Department or District Attorney's Office, they are not able to provide legal advice on these matters.

#### **E. Off-Campus Resources**

Students or employees may also access resources located in the local community. The organizations and agencies listed in Section X can provide crisis intervention services, counseling, medical attention, and legal assistance. All members of the BU community are encouraged to utilize the resources that are best suited to their needs, whether on or off campus. In general, off-campus resources can provide assistance

to those who wish to make a report to the University, but will not notify the University without the consent of the complainant.

## **VI. Reporting Sexual Misconduct**

Boston University encourages all students or employees to report incidents of Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct as promptly as possible so that the University can respond effectively. Students may report Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct to the Dean of Students, the Judicial Affairs Office (“JA”), the Title IX Coordinator, a Deputy Title IX Coordinator or BUPD. Faculty and staff may report incidents to the Title IX Coordinator, a Deputy Title IX Coordinator, a supervisor, a Dean, or a department head. All such reports will be disclosed to the Title IX Coordinator.

The University recognizes that student complainants may be most comfortable disclosing Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct to a University employee they know well, such as a faculty member, coach, or resident adviser (“RA”). Students are welcome to speak with them, but should understand that if they disclose an incident of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct to these individuals, they are required to inform the Title IX Coordinator about the incident. However, employees whose positions legally require confidentiality (e.g., counseling staff and clergy and others who are confidential resources identified in Section XI) are not required to make a disclosure to the Title IX Coordinator.

Similarly, faculty and staff members may be most comfortable disclosing Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct to a trusted supervisor or manager. Faculty and staff should keep in mind that supervisors and managers must share this information with the Title IX Coordinator. Before an individual discloses an incident of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct, University faculty and staff will try to ensure that the individual understands their reporting obligations — and, if the individual wishes to maintain confidentiality, direct them to confidential resources. Section X identifies the confidential resources available to students, faculty, and staff who do not wish to file a complaint or initiate an investigation, or who would like to better understand their options.

### **A. Reports to a Non-Confidential Resource: Requests for Confidentiality**

The University has designated the Title IX Coordinator and a small number of other University administrators to evaluate requests for confidentiality and oversee the University’s response to reports of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct where the complainant has disclosed an incident of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct to an employee who must report the incident and also requested that his or her identity not be disclosed or that no action be taken.

In the case of Sexual Misconduct complaints, the Title IX Coordinator, in consultation with a small number of key University administrators, will weigh the request against the University’s obligation to provide a safe, non-discriminatory environment for all students, including the complainant. When weighing a request that no investigation be pursued or the complainant’s identity not be disclosed, the Title IX Coordinator and the appropriate University administrators will consider a range of factors, including whether:

- The respondent is likely to commit additional acts of sexual or other violence, such as:
- There have been other sexual misconduct complaints about the same respondent;
- The respondent has a history of arrests or records from a prior school indicating a history of violence;
- The respondent threatened further sexual misconduct or other violence against the complainant or others;
- The sexual misconduct was committed by multiple respondents;
- The sexual misconduct was perpetrated with a weapon;

- The complainant is a minor;
- The respondent is a Boston University employee;
- The University possesses other means to investigate the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- The complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular person or group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue conduct action against the respondent. If none of these factors are present, the University will likely respect the complainant's request.

If the University honors a request for confidentiality or decision not to participate in an investigation, the University's ability to meaningfully investigate the incident or pursue conduct action against the respondent(s) may be limited.

In some cases, the University may not be able to honor a confidentiality request in order to adhere to its obligation to provide a safe, non-discriminatory environment for the BU community. If the Title IX Coordinator determines that the University cannot maintain a complainant's confidentiality, the Title IX Coordinator will inform the complainant prior to starting an investigation.

## **B. Supportive Measures**

Boston University provides a range of supportive measures for complainants and respondents both prior to and after the filing of a formal complaint, or when no formal complaint is filed.

Requests for supportive measures can be made by or on behalf of the complainant or respondent to the University Title IX Coordinator or a Deputy Title IX Coordinator. Students may also seek assistance from the Dean of Students Office. The Title IX Coordinator will work with the appropriate office(s) to ensure that any appropriate supportive measures are promptly provided. For more information about supportive measures and support, see Student Procedures Section VII, and Faculty and Staff Procedures, Section V.

Upon the receipt of a report of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct, and until any investigation into the report has been completed, the University will provide reasonable supportive measures to restore or preserve equal access to provide a safe educational and work environment and to prevent additional acts of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct, even when there is no specific request for protective action.

The University may impose measures that can be tailored to the parties involved to achieve the goals of this Policy. In addition, the University will maintain as confidential any accommodations or protective measures provided to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures, for example, disclosing to a respondent and BUPD the name of the complainant in order to comply with a no-contact order.

The University may remove a respondent from campus on an emergency basis after an individualized safety and risk review. In cases involving Title IX Sexual Misconduct, it may do so only if it determines that there is an immediate threat to the physical health or safety of a student or other person arising from the allegations that justifies removal. In such cases, the respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal.

An individual's failure to comply with restrictions imposed by supportive measures is a violation of this Policy and a basis for disciplinary action.

Outside the University, a complainant may also be entitled to obtain remedies under applicable law, such as a judicial restraining order. The University can assist in contacting law enforcement or legal service organizations to learn about these remedies.

### **C. Protections for Individuals Who Report Sexual Misconduct (“Amnesty”)**

Boston University encourages the reporting of all concerns regarding sexual misconduct. In some instances, individuals may be hesitant to report Sexual Misconduct because they fear they may be charged with other policy violations. Because BU’s primary interest is in protecting the well-being of its community and remedying Sexual Misconduct, a person who reports such misconduct, either as a complainant or a third party witness, will not be subject to disciplinary sanction for a violation of the University’s conduct policies or standards related to the incident unless the report was not made in good faith or the violation was egregious.

The University recognizes alcohol or drugs may impact consent. Therefore, a student’s personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. However, the use of alcohol or drugs does not excuse conduct prohibited under this Policy and a person who has been incapacitated through the use of alcohol and drugs (or by any other means) cannot give effective consent to sexual activity. The University may initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

## **VII. Other Information Related to Reporting Sexual Misconduct**

### **A. Time for Reporting**

Although all members of the Boston University community are encouraged to report Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct immediately in order to maximize the University’s ability to respond promptly and equitably, the University does not limit the timeframe for reporting. However, the University’s ability to investigate and respond effectively may be reduced with the passage of time.

### **B. Anonymous Reports and Reports from Third Parties**

Any person may make an anonymous report concerning an act of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct. A person may report the incident without disclosing his/her/their name, identifying the respondent, or requesting any action. Depending on the level of information available about the incident and the people involved, however, the University’s ability to respond to an anonymous report may be limited. Anonymous reports may be made by submitting the [Incident Report Form](#) to the University Title IX Coordinator or one of the Deputy Title IX Coordinators.

A complainant who wishes to file a formal complaint cannot remain anonymous or prevent their identity from being disclosed to the respondent. Where a complainant wishes to remain anonymous, or does not want to participate in the investigation process, the University Title IX Coordinator may determine that it is necessary to initiate an investigation and adjudication process with the information provided but without the involvement of the complainant in order to protect the educational community or to ensure that the University is not being deliberately indifferent to sexual misconduct of which it has actual knowledge.

In cases in which the report was made anonymously or by a third party (such as a friend, roommate, adviser, or faculty member), this Policy will apply in the same manner as if the complainant had made the initial report. A Title IX Coordinator or member of the OJA staff will make every effort to meet with the complainant to discuss available options, including supportive measures, and on-campus and off-campus resources.

### **C. Reporting of Crime and Disciplinary Statistics**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) is a federal law that requires the University to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual misconduct under this Policy. As described in the chart in Section XI, many BU employees who receive reports of sexual misconduct are required by the Clery Act to notify BUPD about such incidents for statistical reporting purposes, without the inclusion of personally identifiable information, as defined by the Violence Against Women Act. These notifications may include the classification and location of the reported crimes, but do not identify the parties involved.

The Clery Act also requires the University to issue a “timely warning” when it receives a report of certain crimes that pose a serious or continuing threat to the University community. This warning will not contain any biographical or other identifying information regarding the victim of the crime. Immediately threatening circumstances include, but are not limited to, recently reported incidents of sexual misconduct that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to students or employees.

### **D. Public Awareness Events**

The University supports public awareness events that further campus-wide education and prevention efforts. A survivor’s public disclosure of incidents of sexual misconduct at these events will not be considered a report to the University for the purpose of initiating an investigation of a particular incident. In addition, the University may, from time-to-time, conduct climate surveys to gauge the BU community’s attitudes about sexual misconduct and awareness of campus resources. These voluntary surveys will contribute to the University’s understanding of the campus climate and student safety at BU. The disclosure of incidents of sexual misconduct in responses to survey questions will not be considered a report to the University for the purpose of initiating an investigation of a particular incident.

### **E. Filing a Criminal Complaint and Coordination with Law Enforcement**

Boston University encourages complainants to pursue criminal action for incidents of sexual harassment or other sexual misconduct that may also be crimes under Massachusetts law. In general, the University, through the Chief of the BUPD, will notify the Boston, Brookline or other appropriate local police department of allegations of sexual violence. Boston, Brookline, and other local police departments are also likely to inform BUPD of sexual misconduct that is reported by Boston University students, faculty or staff, or that took place on Boston University property. When BUPD learns of sexual misconduct from an outside police department, it will notify the Title IX Coordinator.

The University will also assist a complainant in making a criminal report and will cooperate with law enforcement agencies if a complainant decides to pursue the criminal process to the extent permitted by law. However, a complainant may also choose not to pursue criminal action, and under most circumstances, the Boston, Brookline or other local police department will not force a complainant to pursue criminal charges if he, she or they is not willing to do so.

## **VIII. Title IX/Sexual Misconduct Review**

### **A. Role of the Title IX Coordinator**

The Title IX Coordinator oversees the University’s centralized review, investigation, and resolution procedures for reports of sexual harassment or other sexual misconduct and coordinates the University’s compliance with Title IX. The Title IX Coordinator is supported by a team of University administrators who serve as Deputy Title IX Coordinators. Each Deputy Title IX Coordinator is knowledgeable and trained in state and federal laws that apply to matters of sexual misconduct, as well as this Policy and the complaint resolution procedures.

A complete list of the Deputy Title IX Coordinators is available online.

The Title IX and Deputy Title IX Coordinators can be contacted by telephone, e-mail, or in person during regular office hours. They can provide information related to campus and community resources and describe the options available to address concerns related to sexual misconduct.

The duties and responsibilities of the Title IX Coordinator include training, education, climate assessments, and the oversight of procedures that are designed to promptly and equitably end sexual misconduct, prevent its recurrence, and address its effect on persons and the University community as a whole. The Title IX Coordinator, with the assistance of Deputy Title IX Coordinators as appropriate, will:

- Receive and review all reports of Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct;
- Oversee investigation and resolution of reports of sexual harassment or other sexual misconduct;
- Ensure prompt and equitable resolutions that comply with all requirements and timeframes specified in the University's complaint procedures;
- Collaborate with other University officials in conducting climate checks to track and monitor sexual harassment or other sexual misconduct allegations on campus; and,
- Coordinate training, education, and prevention efforts.

The Title IX Coordinator and the Deputy Title IX Coordinators will meet with any person, including a complainant, respondent, or third party, to discuss supportive measures, resources, and procedural options for on-campus and off-campus reporting. Any student, faculty, or staff member who has concerns about sexual misconduct, including sexual assault, discrimination, or harassment, is encouraged to seek the assistance of the University's Title IX Coordinator or any of the Deputy Title IX Coordinators.

### **B. Procedures for Responding to Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct**

The Title IX Coordinator oversees the response to and assessment of reports of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct, through the University's sexual misconduct investigation and resolution procedures. The procedure used will be determined by the status of the respondent and the nature of the complaint:

- Complaints of Title IX Sexual Misconduct against, student, faculty, staff or other respondents will be addressed under the [Procedures for the Resolution of Title IX Sexual Misconduct Complaints Against Students, Faculty, Staff, Affiliates, and Non-Affiliates](#).
- Complaints of Non-Title IX Sexual Misconduct against undergraduate, graduate and professional student respondents will be resolved under the [Procedures for the Resolution of Non-Title IX Sexual Misconduct Complaints against Students](#).
- Complaints of Non-Title IX Sexual Misconduct against faculty and staff respondents, affiliates and non-affiliates, will be resolved under the [Procedures for the Resolution of Non-Title IX Sexual Misconduct Complaints against Faculty, Staff, Affiliates, and Non-Affiliates](#).

Each process is guided by the same principles of fairness and respect for all parties. Resources are available for both students and employees, whether as complainants or respondents, to provide guidance throughout the investigation and resolution of a complaint.

### **IX. Prevention and Education**

Boston University expects all community members to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. Members of the BU community who intervene to prevent or stop sexual misconduct will be supported by the University and protected from retaliation.

Read more about [SARP's education, awareness, and training program](#).

## **X. Training**

In connection with its obligations under Title IX and applicable law, Boston University is committing to ensuring appropriate training for its Title IX Coordinator, Deputy Title IX Coordinators, advisors, hearing officers, decision-makers, all persons who facilitate an informal resolution process, law enforcement personnel, “responsible employees,” victim advocates, and others involved in responding to, investigating, or adjudicating sexual misconduct. Training materials will be made publicly available on the University’s website.

In addition, the University has developed an online training program for faculty, staff, and students to assist them in recognizing Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct, teach them how to respond to reports of such conduct, and ensure that they are aware of available on- and off-campus resources.

## **XI. Resources and Support**

The contact information for the resources listed here was confirmed at the time of the Policy’s publication in August 2020. Up-to-date contact information can always be found on the University’s [Safety website](#). Confidential On-Campus Crisis Intervention, Support, Advocacy, and Health Resources

### **Student Resources**

Sexual Assault Response & Prevention Center (SARP) (for student complainants)  
SARP provides counseling and advocacy to students who have experienced trauma.  
930 Commonwealth Avenue  
24-hour hotline: 617-353-SARP (7277)  
By email: [sarp@bu.edu](mailto:sarp@bu.edu); [www.bu.edu/sarp](http://www.bu.edu/sarp)

#### [Center for Psychiatric Rehabilitation \(for student respondents\)](#)

The Center for Psychiatric Rehabilitation is dedicated to improving the lives of persons who have psychiatric disabilities. The Center specializes in wellness, recovery, support, and advocacy for individuals alleged to have caused harm.  
940 Commonwealth Avenue West  
617-353-3549  
By email: [psyrehab@bu.edu](mailto:psyrehab@bu.edu)

#### [Student Health Services/Behavioral Medicine](#)

SHS is an integrated health center that leaves a lasting impression on the health and wellness of students. SHS promotes wellness, preserves health, and enables achievement for BU students.  
881W Commonwealth Ave., 1st Floor  
Medical Department  
617-353-3575

#### **Behavioral Medicine**

Behavioral Medicine offers a range of mental health services to keep the BU community healthy by providing assessment, diagnosis and therapy, and psychiatry for a variety of mental health issues.  
881 Commonwealth Ave  
24-hour hotline: 617-353-3569

### **Employee Resources**

#### [Faculty & Staff Assistance Office \(for employees\)](#)

FSAO provides free and confidential support, problem-solving, or coaching to address work and personal

challenges for BU employees or their families.

Charles River Campus: 888 Commonwealth Ave, Suite 309, 617-353-5381

Medical Campus: Dr. Solomon Carter Fuller Mental Health Center. 85 East Newton Street, 818b. 617-353-5381

By email: [fsao@bu.edu](mailto:fsao@bu.edu)

## **Community Resources (students and employees)**

### **Confidential Resource Providers**

Confidential Resource Providers will share information on reporting options and the effects of each option, counseling services available on campus and through local, community-based rape crisis or domestic violence centers, medical and health services available on and off-campus. They will also provide a summary of available supportive measures related to academic and residence life, and employment, explain BU'S disciplinary process or the legal process carried out through local law enforcement agencies, notify the reporting party of their rights and BU's responsibilities in obtaining a criminal protection order (209A/258E), BU No Contact Directive, BU No Trespass Order.

Denita Johnson, 264 Bay State Rd, 617-353-1634, [denita@bu.edu](mailto:denita@bu.edu)

Sonia Mee, 264 Bay State Rd, 617-353-2245, [smee@bu.edu](mailto:smee@bu.edu)

881W Commonwealth Ave., 1st Floor

### **Office of the Ombuds**

The Office of the Ombuds is an independent, impartial, informal problem-solving resource serving faculty, staff, and students on the Charles River and Medical Campus.

Charles River Campus

930 Commonwealth Avenue

617-358-5960

Medical Campus

Solomon Carter Fuller Building

85 East Newton Street, Suite 818

617-358-7645

### **University Chaplains**

University Chaplains can provide spiritual counseling. Each of the University Chaplains comes from a particular religious tradition but is available to members of the community from any tradition.

Charles River Campus

735 Commonwealth Ave.

617-353-3560

## **Non-Confidential Campus Resources**

### **Community Resources (students and employees)**

#### **University Title IX Coordinator**

The Title IX Coordinator is responsible for overseeing the University's response to Title IX reports and complaints as well as identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator manages the formal and informal resolution process and can inform students or employees of their rights and reporting options, as well as provide on-campus and community-based resources.

888 Commonwealth Ave., Suite 303

617-353-0911

### [Deputy Title IX Coordinators and their contact information](#)

BU has designated more than 50 professional staff members as Title IX Deputies. They are strategically placed throughout BU to serve as a local resource to students or employees. Deputies are trained in responding to disclosures of sexual misconduct and can provide the following information: reporting options and the effects of each option, counseling services available on campus and through local, community-based rape crisis or domestic violence centers, medical and health services available on and off-campus, available school or work-based supportive measures related to academic and residence life, and employment, explain BU's disciplinary process and explain that the legal process is carried out through local law enforcement agencies, the right to obtain a lawful protection order, and a BU No Contact Directive and No Trespass Order.

### [Boston University Police Department](#)

BUPD is a full time, professional law enforcement agency that provides a wide variety of public services, including emergency medical assistance. They can receive Sexual Misconduct reports, explain reporting options, conduct criminal investigation, assist students or employees obtain supportive measures, parties in obtaining a protective orders under state or federal law. They can enforce protective orders or No Trespass Orders.

32 Harry Agganis Way

In an emergency: 617-353-2121

Detective Unit: 617-353-3436

### [Dean of Students Office \(Students\)](#)

The Dean of Students Office and Division of Student Affairs comprises compassionate and experienced professionals who are focused on sustaining a community where all students can thrive and reach their full potential as individuals and as scholars.

George Sherman Union, Second Floor

775 Commonwealth Ave.

617-353-4126

### [Judicial Affairs \(Students\)](#)

Judicial Affairs adjudicates judicial conduct cases and is the primary administrator of the [Code of Student Responsibilities](#). The Code is a body of principles consisting of the University's expectations of its students, provisions for sanctioning rule violations, and due process mechanisms. It presupposes that students will obey all local, state, and federal laws; comply with all University policies and procedures; and respect the rights of all individuals. Judicial Affairs also investigates potential violations of the Sexual Misconduct Policy by students.

25 Buick Street, Suite 150

617-358-0700

### [Equal Opportunity Office \(Faculty and Staff\)](#)

The Equal Opportunity Office works to promote and realize the University's commitment to equal opportunity and affirmative action. They strive to ensure that equal opportunity is a reality at Boston University, that our faculty, staff, and students can work and study in an environment free of unlawful harassment and discrimination, and that the University meets its obligations under federal and state laws. The Equal Opportunity Office investigates potential violations of the Sexual Misconduct Policy by employees.

888 Commonwealth Ave., Suite 303

617-358-1796

By email: [eo@bu.edu](mailto:eo@bu.edu)

### [Human Resources \(Faculty and Staff\)](#)

Human Resources can assist in students or employees by explaining how to file a report, obtain supportive measures, and explain on and off campus resources.

Charles River Campus  
25 Buick Street, 2nd Floor  
617-353-2380  
Medical Campus  
801 Massachusetts Avenue  
Crosstown Center Building, Suite 400  
617-638-4610

### **Student Resources**

#### [University Service Center](#)

The University Service Center (“USC”) is a place to visit or call when you have a problem or concern and aren’t sure where to go. USC helps students obtain academic leniency and supportive measures such as extensions or course changes.

881 Commonwealth Avenue  
617-358-1818  
By email: [usc@bu.edu](mailto:usc@bu.edu)

#### [Student Financial Assistance](#)

The Student Financial Assistance can help students with financial concerns.

881 Commonwealth Avenue  
617-353-2965  
By email: [finaid@bu.edu](mailto:finaid@bu.edu)

### **Off-Campus Counseling, Advocacy Resources, and Legal Resources (including assistance with or referrals for visa and immigration matters)**

#### [Boston Area Rape Crisis Center \(BARCC\)](#)

BARCC provides information, education, counseling services for students or employees. BARCC provides education and advocacy for social change to prevent sexual violence.

617-492-8306  
800-841-8371

#### [Victim Rights Law Center \(VRLC\)](#)

VRLC provides legal and advocacy services  
115 Broad Street, 3rd Floor  
Boston, MA 02110 617-399-6720 ext. 19

#### [Fenway Health Violence Recovery Program](#)

Free counseling and advocacy, specializing in services to the LGBTQIA+ community.

Ansin Building  
1340 Boylston Street  
Boston, MA 02215  
617-927-6250, 800-834-3242  
After 5:00 pm or on the weekends, call 877-785-2020

### [Safelink MA Statewide Domestic Violence Hotline \(Casa Myrna\)](#)

SafeLink is Massachusetts' statewide 24/7 toll-free domestic violence hotline and a resource for anyone affected by domestic or dating violence. SafeLink provides referrals and advocate services.  
1-877-785-2020

### [The National Domestic Violence Hotline](#)

The National Domestic Violence Hotline provides information, assists with safety planning and referrals for counseling or legal services.  
1-800-799-7233  
PO Box 90249  
Austin, TX 78709

### [The National Sexual Violence Hotline \(RAINN\)](#)

RAINN provides information, local referrals, and advocacy services.  
1-800-656-4673

### [Pathways to Safety](#) (for Americans abroad)

Pathways offers specialized safety planning, advocacy, and long-term case management for American overseas victims living with an abuser or after the relationship has ended. Case managers have the tools and knowledge to assist survivors abroad and/or after returning to the U.S.  
International Toll-Free: 833-SAFE-833  
[crisis@pathwaystosafety.org](mailto:crisis@pathwaystosafety.org)

## **Off-Campus Law Enforcement Resources**

### **Boston Police Department**

Law enforcement through the City of Boston or the Commonwealth of Massachusetts can help students or employees file criminal complaints, refer to resources, conduct criminal investigations, assist in obtaining protective orders.

Boston Police Department Sexual Assault Unit  
[http://www.cityofboston.gov/police/divisions/sau\\_home.asp](http://www.cityofboston.gov/police/divisions/sau_home.asp)  
Boston Police Department  
911 or 617-343-4400

Boston Police Sexual Assault Unit  
617-343-4400

Brookline Police Department  
911  
Brookline Police Detective Bureau  
617-730-2244

Massachusetts State Police  
The Massachusetts State Police serves as the statewide law enforcement agency and maintains investigative, tactical, and support units throughout the Commonwealth.  
508-820-2300  
70 Worcester Road, Framingham, MA 01702

## Off-Campus Medical/Healthcare Resources

A medical provider can provide emergency and/or follow-up medical services as appropriate, and a person can discuss any related health care concerns in a confidential medical setting. The medical examination has two primary goals: (i) to diagnose and treat the full extent of any injury or physical effect (sexually transmitted infection or pregnancy) and (ii) to properly collect and preserve evidence. There is a limited window of time within which to preserve physical and other forms of evidence (usually within 5 days or 120 hours of the sexual assault). Taking the steps to gather evidence immediately does not commit a person to any course of action. To locate a SANE nurse, visit the Boston Region Designated Hospitals website at: <https://www.mass.gov/service-details/adultadolescent-sane-services>

Beth Israel Deaconess Medical Center Emergency Department

1 Deaconess Road, Boston, MA

617-754-2323

Note: Beth Israel Deaconess, along with Boston Medical Center and Brigham & Women's Hospital are SANE designated hospitals that have specially trained Sexual Assault Nurse Examiners ("SANE") on call. SARP can provide information on SANE, assist in coordinating a SANE visit, and accompany a student to the hospital for the exam.

Government Resources

The resources listed here may provide additional assistance for those who would like to file an external complaint of sexual misconduct or students with inquiries regarding the application of Title IX and its implementing regulations.

### [U.S. Department of Education, Office for Civil Rights](#)

Office for Civil Rights

Region I – Boston Office

5 Post Office Square, 8th Floor

Boston, MA 02109-3921

617-289-0111

U.S. Department of Justice, [Office on Violence Against Women](#)

Office on Violence Against Women (OVW)

145 N Street, NE, Suite 10W.121

Washington, DC 20530

Phone: 202-307-6026

Fax: (202) 305-2589

TTY: (202) 307-2277

### [U.S. Citizenship and Immigration Services](#)

Boston Field Office

John F. Kennedy Federal Building

15 New Sudbury Street

Room E-160

Boston, MA 02203

800-375-5283

### [Massachusetts Commission Against Discrimination \(MCAD\)](#)

1 Ashburton Place, Sixth Floor

Boston, MA 02108

617-994-6000

XII. Confidentiality Protections and Reporting Obligations

*As a reminder, confidential resources will not share information with anyone. Non-confidential resources are also required to respect the parties' privacy to the greatest extent possible. They will disclose identifying information to others only on a need-to-know basis.*

Office/Personnel	Status	Reporting Obligation
University Chaplains (Clergy)	Confidential	None, if they are operating in their capacity as clergy. If acting in another capacity, see section on other University Personnel, below.
Behavioral Medicine	Confidential	Behavioral Medicine will report incidents without any identifying information to the Title IX Coordinator to help the University understand the existence and extent of the problem (Title IX). If the incident is a crime on or near campus, Behavioral Medicine will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act).
Sexual Assault Response and Prevention Center ("SARP")	Confidential	SARP will report incidents without any identifying information to the Title IX Coordinator to help the University understand the existence and extent of the problem (Title IX). If the incident is a crime on or near campus, SARP may report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act) if the complainant consents to the report.
Student Health Services ("SHS")	Confidential	SHS will report incidents without any identifying information to the Title IX Coordinator to help the University understand the existence and extent of the problem (Title IX). If the incident is a crime on or near campus, SHS will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act). If there is reasonable cause to suspect that a minor has been sexually assaulted, SHS will notify law enforcement (Massachusetts Law).
Faculty & Staff Assistance Office ("FSAO")	Confidential	FSAO will report incidents without any identifying information to the Title IX Coordinator to help the University understand the existence and extent of the problem (Title IX). If the incident is a crime on or near campus, FSAO will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act).
University Ombuds	Confidential	The Ombuds may provide anonymous (de-identified) information to the Title IX Coordinator in an effort to

Office/Personnel	Status	Reporting Obligation
Title IX Coordinator	Not Confidential	<p>address emerging problems or to prevent recurrence, including information on general trends or patterns of concern (Title IX).</p> <p>Unless a complainant requests otherwise and the request is granted, the Title IX Coordinator will supervise the investigation and response to reported incidents of sexual misconduct (Title IX). If the incident is a crime on or near campus, the Title IX Coordinator will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act). The Title IX Coordinator will share information with University Personnel who need to know it in order to carry out University policies and procedures.</p>
Confidential Resource Providers	Confidential	<p>Confidential Resource Providers (CRPs) are trained in awareness and in responding to trauma. CRPs can provide information to members of the community regarding: Reporting options and the effects of each option; counseling services available on campus and through local, community-based rape crisis or domestic violence centers; medical and health services available on and off-campus; available school or work based supportive measures related to academic and residence life, and employment; explain BU’s disciplinary process and the legal process; notify the reporting party of their rights and BU’s responsibilities in obtaining a criminal protection order (209A/258E); and BU No Contact Directive, BU No Trespass Order, and other lawful orders from law enforcement or BU. CRPs may accompany or participate in any meeting as an advisor or support person to any hearing or disciplinary proceeding at the request of the reporting party or the responding party.</p>
Deputy Title IX Coordinator	Not Confidential	<p>Unless a complainant requests otherwise and the request is granted, the Deputy Title IX Coordinators will assist the Title IX Coordinator in the investigation and response to reported incidents of Title IX Sexual Misconduct or Non-Title IX Sexual Misconduct, as appropriate (Title IX).</p>
Dean of Students Office (“Dean”)	Not Confidential	<p>Unless a complainant requests otherwise and the request is granted, the Dean’s designee (the Judicial Affairs Office) will investigate and respond to reported incidents of sexual misconduct (Title IX). If the incident is a crime on or near campus, the Dean will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of</p>

Office/Personnel	Status	Reporting Obligation
<p>Judicial Affairs Office (“JA”)</p>	<p>Not Confidential</p>	<p>any required timely warning (Clery Act). The Dean will share information with University Personnel who need to know it in order to carry out University policies and procedures.</p> <p>Unless a complainant requests otherwise and the request is granted, OJA will investigate and respond to reported incidents of sexual misconduct (Title IX). If the incident is a crime on or near campus, OJA will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act). OJA will share information with University Personnel who need to know it in order to carry out University policies and procedures.</p>
<p>Equal Opportunity Office (“EOO”)</p>	<p>Not Confidential</p>	<p>Unless a complainant requests otherwise and the request is granted, EOO will investigate and respond to reported incidents of sexual misconduct (Title IX). If the incident is a crime on or near campus, EOO will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act). EOO will share information with University Personnel who need to know it in order to carry out University policies and procedures.</p>
<p>Boston University Police Department (“BUPD”)</p>	<p>Not Confidential</p>	<p>BUPD will report to the Title IX Coordinator all information received about Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct incidents so the University can investigate and respond (Title IX). If the incident is a crime, BUPD will include it in a crime log and the annual security report without identifying the victim (Clery Act). If the incident is a crime and poses a serious or continuing threat, BUPD will issue a timely warning or emergency notification (Clery Act). If there is reasonable cause to suspect that a minor has been sexually abused, BUPD will notify University leadership (MA Law on Protection of Minors). BUPD will share information with University personnel who need to know it in order to carry out University policies and procedures.</p>
<p>Other University Personnel</p>	<p>Not Confidential</p>	<p>Will report to the Title IX Coordinator all information received about Title IX Sexual Misconduct and Non-Title IX Sexual Misconduct incidents so the University can investigate and respond (Title IX). If the incident is a crime, a “campus security authority” will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of</p>

Office/Personnel	Status	Reporting Obligation
		<p>any required timely warning (Clery Act).            If there is reasonable cause to suspect that a minor has been sexually abused, other University personnel will notify University leadership (MA Law on Protection of Minors). Other University personnel will share information with University personnel who need to know it in order to carry out University policies and procedures.</p>

---

## Additional Resources Regarding This Policy

### History

This Sexual Misconduct Policy is effective August 14, 2020, and replaces the University’s [Sexual Misconduct/Title IX Policy](#) in its entirety. The new Sexual Misconduct Policy and its three corresponding Complaint Procedures apply to conduct that occurs on or after August 14, 2020. Complaints filed on or before August 13, 2020 will be handled under the University’s Sexual Misconduct/Title IX Policy and the two corresponding Complaint Procedures.

Policy and Procedures Related to this Policy - *Applying to conduct that occurs on or after August 14, 2020*

- POLICY
  - [Sexual Misconduct Policy](http://www.bu.edu/policies/sexual-misconduct-title-ix-hr/), Available at: <http://www.bu.edu/policies/sexual-misconduct-title-ix-hr/>.
- PROCEDURES
  - [Procedures for the Resolution of Non-Title IX Sexual Misconduct Complaints Against Students](http://www.bu.edu/policies/resolution-of-sexual-misconduct-complaints-against-students/)  
Available at: <http://www.bu.edu/policies/resolution-of-sexual-misconduct-complaints-against-students/>.
  - [Procedures for the Resolution of Non-Title IX Sexual Misconduct Complaints Against Faculty, Staff, Affiliates, and Non-Affiliates](http://www.bu.edu/policies/procedures-faculty-staff-affiliates-non-affiliates-sexual-misconduct/),  
Available at: <http://www.bu.edu/policies/procedures-faculty-staff-affiliates-non-affiliates-sexual-misconduct/>.
  - [Procedures for the Resolution of Title IX Sexual Misconduct Complaints Against Students, Faculty, Staff, Affiliates, and Non-Affiliates](http://www.bu.edu/policies/procedures-for-the-resolution-of-title-ix-sexual-misconduct-complaints-against-students-faculty-staff-affiliates-and-non-affiliates/),  
Available at: <http://www.bu.edu/policies/procedures-for-the-resolution-of-title-ix-sexual-misconduct-complaints-against-students-faculty-staff-affiliates-and-non-affiliates/>.

Policy and Procedures For Past Conduct - *Applying to conduct occurring on or before August 13, 2020*

- POLICY
  - [Sexual Misconduct/Title IX Policy](http://www.bu.edu/policies/files/2016/09/Sexual-Misconduct-Title-IX-Policy-conduct-up-to-8.13.20-FINAL.pdf), Available at: <http://www.bu.edu/policies/files/2016/09/Sexual-Misconduct-Title-IX-Policy-conduct-up-to-8.13.20-FINAL.pdf>.
- PROCEDURES
  - [Procedures for the Resolution of Sexual Misconduct Complaints Against Faculty, Staff, Affiliates, and Non-Affiliates](http://www.bu.edu/policies/files/2016/09/Faculty-Staff-Procedures-Sexual-Misconduct-Title-IX-Policy-up-to-8.13.20.pdf) “Faculty Procedures”, Available at: <http://www.bu.edu/policies/files/2016/09/Faculty-Staff-Procedures-Sexual-Misconduct-Title-IX-Policy-up-to-8.13.20.pdf>. Note that this link might need to be copied and pasted into the browser in order to access the PDF file.
  - [Procedures for the Resolution of Sexual Misconduct Complaints against Students](#) “Student Procedures”, Available

at: <http://www.bu.edu/policies/files/2016/09/Student-Procedures-Sexual-Misconduct-Title-IX-Policy-up-to-8.13.20.pdf>. Note that this link might need to be copied and pasted into the browser in order to access the PDF file.

### Forms (available online)

Incident Report Form: [https://bu-gme-advocate.symplicity.com/public\\_report/index.php/pid323326?rep\\_type=1000&simplify\\_interface=1](https://bu-gme-advocate.symplicity.com/public_report/index.php/pid323326?rep_type=1000&simplify_interface=1)

### Related BU Websites

- [Sexual Misconduct Page on Safety Website - \*site includes Title IX Information and Title IX Coordinator and Deputy Coordinators Contact Information\*](#)
- [Equal Opportunity Office](#)
- [Sexual Misconduct Page on Safety Website](#)
- [Title IX Information](#)
- [Title IX Coordinator and Deputy Coordinators Contact Information](#)
- [Equal Opportunity Office](#)
- [Judicial Affairs Office](#)
- [Dean of Students Office](#)
- [Office of the Provost](#)
- [Human Resources](#)
- [Sexual Assault Response & Prevention Center - SARP](#)
- [Faculty & Staff Assistance Office - FSAO](#)
- 

### BU Memorandums and Information

- [Memorandum - Federal Changes to Title IX Regulations](#), July 6, 2020, From Dr. Jean Morrison, University Provost and Chief Academic Officer, Kenneth Elmore, Associate Provost and Dean of Students, Ken Freeman, Vice President for Human Resources ad interim, and Maureen O'Rourke, Associate Provost for Faculty Affairs. Available at: <https://www.bu.edu/provost/2020/07/06/federal-changes-to-title-ix-regulations/>.
- [BU Readies for Title IX Changes to Sexual Misconduct Regulations](#), BU Today Article, July 7, 2020. Available at: <http://www.bu.edu/articles/2020/bu-concerned-with-title-ix-changes-to-sexual-misconduct-regulations/>.

## **APPENDIX 4: BU Law Policy on Equality of Opportunity in Recruiting**

**1. Policy.** Subject to section 3 below, BU Law affords use of its facilities and services only to employers who neither:

- a. discriminate on the basis of race, color, religion, sex, age, national origin, physical or mental disability, sexual orientation, genetic information, military service, gender identity, or because of marital, parental, or veteran status; nor
- b. engage in sexual harassment, on and off the campus of BU Law.

Students are encouraged to notify the Career Development Office (“CDO”) of all violations of this Policy.

**2. Procedure.** This procedure applies both to employers who use BU Law’s Career Development Office facilities and recruitment services, and to employers who do not, but who employ any BU Law student or who violate the policy in the hiring process. Complaints will be entertained only from persons who were victims of the alleged discrimination or harassment.

**a. Oral Complaint (“complaint”)**

(1) If a law student believes that an employer has violated the Policy, s/he is urged to promptly inform the Director of the CDO (the “Director”). The Director shall promptly speak with the student and take notes of their conversation. The Director shall also provide the student with a copy of this policy and the names of persons willing to serve as advisors to the student under paragraph 2.b(9) below, and shall encourage the student to seek such advice.

(2) If, following the interview with the Director, the student does not wish to pursue the matter, the employer will not be informed of the oral complaint.

(3) The Director shall keep a record of the conversations described in paragraph 2.a. (1) above. Upon receiving an oral complaint, the Director shall review the CDO records for any prior oral or written complaints against the same employer. If there have been three different complaints about the same employer within a two-year period, the Director shall bring the complaints and their dispositions to the attention of the Career Planning, Placement, and Clerkship Committee (the “Committee”). At its next meeting, the Committee shall determine whether, on its own initiative, to undertake an inquiry into the employer’s conduct.

**b. Written Complaint**

(1) A student who wishes to have his or her complaint recorded and pursued may submit a written complaint to the Director.

(2) Upon receiving the complaint, the Director will promptly interview the complainant concerning the matter and review CDO records for any previous oral or written complaints against the employer. If the Director determines that reasonable cause exists to believe that a violation of the Policy has occurred, the Director will contact the employer and attempt to resolve the complaint informally. If efforts to resolve the complaint informally are unsuccessful the Director shall communicate the allegations of the complaint to the employer in writing (the “Letter”). If the complaining student so requests, the Director shall preserve the student’s anonymity to the extent practical.

(3) Any student who submits a complaint and subsequently decides not to pursue the matter may withdraw the complaint. If the employer has already been contacted, the employer will be informed that

the student has withdrawn the complaint and that, nonetheless, the employer may respond to the substance of the complaint.

(4) If the employer admits to all the facts, and admits that they constitute a violation of the Policy, the Director shall report this to the Committee. The Committee may then recommend a remedy, as described in paragraph 2.b. (7) (a).

(5) If the Director or student concludes that the employer's response (the "Response") to the Letter is unsatisfactory or if the employer has failed to respond within 30 days, the Director shall forward copies of the complaint, Letter, and Response to the Committee. At the next scheduled meeting of the Committee, but no later than 30 days following the Director's receipt of the Response, the Committee shall meet to deliberate upon the matter and, in its discretion, appoint a special investigator (see paragraph 2.b).(6) or a hearing panel (see paragraph 2.b.(7)).

(6) Where appropriate, the Committee shall ask a member of the Faculty to serve as a special, impartial investigator for purposes of finding facts and making recommendations. If an investigator is appointed, the investigator's recommendation may include a recommendation that a hearing be held (see paragraph 2.b. (7)). In making recommendations, the investigator may consult with the Committee. The record shall include a statement from the investigator.

#### (7) Procedure

(a) If the Committee finds that a hearing is essential to full and fair resolution of the complaint, it may appoint a hearing panel composed of three Committee members, at least two of whom shall be members of the faculty and a third who, at the option of the complainant, may either be a student or faculty member. The Director shall provide the student and employer with reasonable notice of the hearing, and inform them of the procedures to be followed. The procedure will be informal. The student and the employer may: (i) appear with the assistance of counsel; (ii) present testimony and other evidence; (iii) question any witness. All proceedings shall be tape recorded.

If the panel determines that this Policy has been violated, it shall report its findings to the Committee, together with its recommendation for a remedy, including any or all of the following: (i) a letter of reprimand to the employer; (ii) agreement that the employer will apologize and/or make amends in another fashion; (iii) notice of the violation to the BU Law community; (iv) temporary or permanent suspension from the use of CDO facilities. In making its recommendation, the panel shall consider, among other things, the seriousness of the violation, whether the violation was an isolated incident or pattern of behavior, and the extent of any remedial measures taken by the employer.

Upon receipt and review of the panel's report, the Committee shall notify the parties in writing of its findings and recommendations, and shall also notify the Dean. If there is a recommendation to suspend or exclude the employer from the use of the CDO facilities, the Committee shall first report that recommendation to the Dean for approval.

(b) Notice of the violation to the BU Law community (see paragraph 2.b. (7) (a) (iii) above) is meant to protect students and help guide their career choices. It shall consist of keeping a Discrimination Complaint File, that is available to students, containing a list of complaints that have been acted on by the Committee and including the name of the entity against whom the complaint was made, a general description of the complaint, whether the Complaint was sustained or dismissed and the nature of the penalty, if any. The name of the complainant shall not be included in the file. The CDO general file relating to the employer in question will alert

students to the existence of information about the employer the Discrimination Complaint File. Documents shall be kept in the Discrimination Complaint File for three years.

(c) In all cases the Director shall inform the student of his/her option to pursue appropriate remedies before the MCAD, EEOC, or other agencies with suitable investigative and adjudicatory powers to resolve contested discrimination claims. At the conclusion of such external proceedings, any student or complainant who has graduated from BU Law may request the Committee to take action based on any relevant findings.

(8) BU Law shall use reasonable efforts to maintain the confidentiality of the identity of the parties to any complaint during the investigation of a complaint. However, upon determination that an employer has violated the Policy and that a remedy should be imposed, the name of the employer and the remedy may be revealed as provided in paragraph 2.b. (7) (b).

(9) Any person seeking information or advice about BU Law's Policy, any complainant, and anyone alleged to have engaged in harassment may be accompanied, aided, or represented by a friend, an advisor, or by counsel at any stage of the process. Upon request, the Associate Dean for Student Affairs will endeavor to provide names of BU Law students, staff, or faculty who might be willing to serve as advisers.

(10) This policy applies only to issues involving recruitment/employment with non-Boston University employers.

## APPENDIX 5: BU Law Administrative Offices

(For a more comprehensive list, see the BU Law website - [www.bu.edu/law/](http://www.bu.edu/law/))

### Phone (617 Area Code)

Academic Affairs, Associate Dean	353-3142
Admissions	353-3100
Alumni Center	353-3118
Audio/Visual Services, Law	353-3162
Building Superintendent	353-2144
Career Development Office	353-3141
Clinical & Advocacy Programs	353-3131
Clinical Civil Programs	353-3148
Clinical Criminal Programs	353-3131
Communications and Marketing	353-3097
Dean's Office	353-3112
Events	353-8011
Finance and Administration	358-4760
Financial Aid	353-3160
First Year Writing Program; Moot Court Programs	353-3107
Graduate and International Programs Office	353-5323
Graduate Program in Banking & Financial Law	353-3023
Graduate Tax Program	353-3105
Legislation Programs	353-8373
Library, Pappas Law	353-3151
Registrar's Office	353-3115
Semester in Practice Program	353-3131
Student Affairs, Associate Dean	358-1800
Systems and Technology	358-5555

**BOSTON UNIVERSITY SCHOOL OF LAW  
CALENDAR FOR 2021/2022 ACADEMIC YEAR**

**FALL SEMESTER**

First-Year Registration & Orientation	Thursday, 9/2/2021 – Friday, 9/3/2021
Labor Day: All Classes Suspended	Monday, 9/6/2021
All Classes Begin	Tuesday, 9/7/2021
Fall Add/Drop	Tuesday, 9/7/2021 – Monday, 9/20/2021
Indigenous Peoples' Day: Classes Suspended	Monday, 10/11/2021
Substitute Monday Schedule of Classes	Tuesday, 10/12/2021
Substitute Friday Schedule of Classes	Wednesday, 11/24/2021
Thanksgiving Recess	Thursday, 11/25/2021 – Sunday, 11/28/2021
Last Day of Classes	Thursday, 12/9/2021
JD Reading Period	Friday, 12/10/2021 – Sunday, 12/12/2021
Upper-class Exam Period	Monday, 12/13/2021- Wednesday, 12/22/2021
First-Year Exam Period	Monday, 12/13/2021 – Tuesday, 12/21/2021

**SPRING SEMESTER**

First-Year Lawyering Lab (Fully Remote)	Monday, 1/10/2022 - Friday, 1/14/2022
Martin Luther King Jr. Day: Classes Suspended	Monday, 1/17/2022
All Spring Semester Classes Begin	Tuesday, 1/18/2022
Spring Drop/Add	Tuesday, 1/18/2022 - Monday, 1/31/2022
Presidents' Day: Classes Suspended	Monday, 2/21/2022
Substitute Monday Schedule of Classes	Tuesday, 2/22/2022
Spring Recess	Saturday, 3/5/2022 - Sunday, 3/13/2022
Patriots' Day: Classes Suspended	Monday, 4/18/2022
Substitute Monday Schedule of Classes	Wednesday, 4/20/2022
Last Day of Classes	Wednesday, 4/27/2022
Reserve Make-up Day (Snow/Weather Closing)	Thursday, 4/28/2022
Reading Period: Upper-Class Students	Friday, 4/29/2022 - Sunday, 5/1/2022
Upper-class Exam Period	Monday, 5/2/2022 - Friday, 5/13/2022
Reading Period: First-Year Students	Friday, 4/29/2022 - Monday, 5/2/2022
First-Year Exam Period	Tuesday, 5/3/2022 - Friday, 5/13/2022
First-Year Journal Writing Competition	Friday, 5/13/2022 - Friday, 5/20/2022
Commencement Weekend	Thursday, 5/19/2022 - Sunday, 5/22/2022

**SUMMER 2022**

Summer Session Begins	Tuesday, 5/24/2022
Summer Add/Drop Period	Tuesday, 5/24/2022 – Friday, 5/27/2022
Last Day to Register for Business Fundamentals	Friday, 5/27/2022
Summer Session Ends	Monday, 8/22/2022

**Revised 9.15.2021**

*Subject to change.*

## Useful (Including Emergency) Telephone Numbers



<b>Police</b>	
Boston University ( <b>Emergencies Only</b> ).....	617-353-2121
- All other business and information .....	617-353-2110
Boston.....	911* or 617-343-4200
Brookline.....	911* or 617-730-2222
*Emergencies only	
<b>Fire (Emergency)</b>	
Boston University.....	617-353-2121
Boston, Brookline, Cambridge.....	911
<b>Health</b>	
BU Student Health Services.....	617-353-3575
Emergency.....	911
BU Behavioral Medicine Clinic.....	617-353-3569
BU Crisis Intervention Counselor.....	617-353-3569
Sexual Assault Response & Prevention.....	617-358-7277
Boston Area Rape Crisis Hotline.....	617-492-8306
University Chaplain.....	617-358-3394
<b>Boston University Switchboard</b>	
8am to midnight (during academic year).....	617-353-2000
<b>Building</b>	
Law Building Superintendent.....	617-353-2144
BU Facilities Management & Planning. ( <b>Emergencies</b> )...617-353-2105	
Bomb Threats.....	617-353-2121
Law Facilities Hotline .....	617-358-2300
<b>School Cancellations</b>	
Recorded Message.....	617-353-SNOW

This Handbook was produced by the Student Affairs Office. Information in this publication is subject to change. BU Law Academic Regulations and Disciplinary Regulations are approved by vote of the BU Law faculty.